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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/16/2016	.	
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The Committee on Governmental Oversight and Accountability
(Hays) recommended the following:

Senate Amendment

Delete lines 36 - 95
and insert:

2. Information related to the security of existing or proposed information technology systems or industrial control technology systems of a utility owned or operated by a unit of local government, which, if disclosed, would facilitate unauthorized access to, and alteration or destruction of, such systems in a manner that would adversely impact the safe and



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11 reliable operation of the systems and the utility.

12 (b) This exemption applies to such information held by a
13 utility owned or operated by a unit of local government before,
14 on, or after the effective date of this exemption.

15 (c) This subsection is subject to the Open Government
16 Sunset Review Act in accordance with s. 119.15 and shall stand
17 repealed on October 2, 2021, unless reviewed and saved from
18 repeal through reenactment by the Legislature.

19 Section 3. (1) The Legislature finds that it is a public
20 necessity that the following information held by a utility owned
21 or operated by a unit of local government be exempt from s.
22 119.07(1), Florida Statutes, and s. 24(a), Article I of the
23 State Constitution:

24 (a) Information related to the security of the technology,
25 processes, or practices of a utility owned or operated by a unit
26 of local government that are designed to protect the utility's
27 networks, computers, programs, and data from attack, damage, or
28 unauthorized access, which information, if disclosed, would
29 facilitate the alteration, disclosure, or destruction of such
30 data or information technology resources.

31 (b) Information related to the security of existing or
32 proposed information technology systems or industrial control
33 technology systems of a utility owned or operated by a unit of
34 local government, which, if disclosed, would facilitate
35 unauthorized access to, and alteration or destruction of, such
36 systems in a manner that would adversely impact the safe and
37 reliable operation of the systems and the utility.

38 (2) The Legislature finds that, as utility system
39 infrastructure becomes more connected and integrated through



40 information and communications technology, the exposure to
41 damage from attacks through such technology continues to grow.
42 These attacks may result in the disruption of utility services
43 and damage to utility systems. Maintaining safe and reliable
44 utility systems is vital to protecting the public health and
45 safety and ensuring the economic well-being of the state.
46 Accordingly, many utilities have adopted technologies,
47 processes, and practices designed to secure data, information
48 technology systems, and industrial control technology systems.
49 Disclosure of sensitive information related to these security
50 measures could result in the identification of vulnerabilities
51 that allow a security breach that damages utility systems and
52 disrupts the safe and reliable operation of such systems,
53 adversely impacting the public health and safety and the
54 economic well-being of the state. Because of the interconnected
55 nature of utility systems, a security breach may also impact
56 national security concerns. As a result, the Legislature finds
57 that the public and private harm in disclosing the information
58 made exempt by this act outweighs any public benefit derived
59 from disclosure of such information. The protection of
60 information made exempt by this act will ensure that utilities
61 have greater safeguards to protect against security threats and
62 will bolster efforts to develop more resilient information
63 technology systems and industrial control technology systems.
64 For these reasons, the Legislature finds that is a public
65 necessity to make such information exempt from public records
66 requirements, and to provide for retroactive application of the
67 public records exemption.