

By the Committee on Banking and Insurance

597-02425-17

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1                                   A bill to be entitled  
2       An act relating to a review under the Open Government  
3       Sunset Review Act; amending s. 626.84195, F.S.,  
4       relating to an exemption from public records  
5       requirements for proprietary business information  
6       provided to the Office of Insurance Regulation by  
7       title insurance agencies or insurers; redefining the  
8       term "proprietary business information"; removing the  
9       scheduled repeal of the exemption; providing an  
10      effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14       Section 1. Section 626.84195, Florida Statutes, is amended  
15 to read:

16       626.84195 Confidentiality of information supplied by title  
17 insurance agencies and insurers.—

18       (1) As used in this section, the term "proprietary business  
19 information" means information that:

20       (a) Is owned or controlled by a title insurance agency or  
21 insurer requesting confidentiality under this section;

22       (b) Is intended to be and is treated by the title insurance  
23 agency or insurer as private in that the disclosure of the  
24 information would cause harm to the business operations of the  
25 title insurance agency or insurer;

26       (c) Has not been ~~publicly~~ disclosed unless disclosed  
27 pursuant to a statutory provision, an order of a court or  
28 administrative body, or a private agreement, providing that the  
29 information may not be released to the public; and

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30 (d) Concerns:

31 1. Business plans;

32 2. Internal auditing controls and reports of internal  
33 auditors;

34 3. Reports of external auditors for privately held  
35 companies;

36 4. Trade secrets, as defined in s. 688.002; or

37 5. Financial information, including, but not limited to,  
38 revenue data, loss expense data, gross receipts, taxes paid,  
39 capital investment, customer identification, and employee wages.

40 (2) Proprietary business information provided to the office  
41 by a title insurance agency or insurer is confidential and  
42 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
43 Constitution until such information is otherwise publicly  
44 available or is no longer treated by the title insurance agency  
45 or insurer as proprietary business information. However,  
46 information provided by multiple title insurance agencies and  
47 insurers may be aggregated on an industrywide basis and  
48 disclosed to the public as long as the specific identities of  
49 the agencies or insurers are not revealed.

50 ~~(3) This section is subject to the Open Government Sunset~~  
51 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~  
52 ~~on October 2, 2017, unless reviewed and saved from repeal~~  
53 ~~through reenactment by the Legislature.~~

54 Section 2. This act shall take effect October 1, 2017.