

FOR CONSIDERATION By the Committee on Banking and Insurance

597-02023-17

20177024pb

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.