

HB 7067

2017

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           revising the definition of the term "proprietary  
5           business information" as used in an exemption from  
6           public record requirements relating to information  
7           provided by title insurance agencies and insurers to  
8           the Office of Insurance Regulation; removing the  
9           scheduled repeal of an 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  
19          business 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  
23          insurance agency or insurer as private in that the disclosure of  
24          the information would cause harm to the business operations of  
25          the 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 be released to the public; and~~

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  
 41 office by a title insurance agency or insurer is confidential  
 42 and 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~~

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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.