

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., which
 4 provides an exemption from public record requirements
 5 for proprietary business information provided by title
 6 insurance agencies and insurers to the Office of
 7 Insurance Regulation; revising the definition of
 8 "proprietary business information"; removing the
 9 scheduled repeal of the exemption; providing an
 10 effective date.

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 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.