

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 627.3518, F.S.; providing an exemption from public
 4 records requirements for all underwriting guidelines,
 5 manuals, rating information, and other underwriting
 6 criteria or instructions submitted by an insurer to
 7 the corporation's policyholder eligibility
 8 clearinghouse program which are used to identify and
 9 select risks from the program; providing for future
 10 review and repeal of the exemption under the Open
 11 Government Sunset Review Act; providing a statement of
 12 public necessity; providing a contingent effective
 13 date.

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 15 Be It Enacted by the Legislature of the State of Florida:

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 17 Section 1. Subsection (10) is added to section 627.3518,
 18 Florida Statutes, as created by PCB IBS 13-01, 2013 Regular
 19 Session, to read:

20 627.3518 Citizens Property Insurance Corporation
 21 policyholder eligibility clearinghouse program.-

22 (10) All underwriting guidelines, manuals, rating
 23 information, and other underwriting criteria or instructions
 24 submitted by an insurer to the corporation's policyholder
 25 eligibility clearinghouse program which are used to identify and
 26 select risks from the program are confidential and exempt from
 27 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

28 This subsection is subject to the Open Government Sunset Review

29 Act in accordance with s. 119.15 and shall stand repealed on
 30 October 2, 2018, unless reviewed and saved from repeal through
 31 reenactment by the Legislature.

32 Section 2. The Legislature finds that it is public
 33 necessity that all underwriting guidelines, manuals, rating
 34 information, and other underwriting criteria or instructions
 35 submitted by an insurer to the Citizens Property Insurance
 36 Corporation's policyholder eligibility clearinghouse program
 37 which are used to identify and select risks from the program be
 38 made confidential and exempt from the requirements of s.
 39 119.07(1), Florida Statutes, and s. 24(a), Article I of the
 40 State Constitution. The program will facilitate obtaining offers
 41 of coverage from insurers for applicants for insurance coverage
 42 with Citizens Property Insurance Corporation and for
 43 policyholders with existing insurance coverage with Citizens
 44 Property Insurance Corporation. Obtaining offers of coverage
 45 from insurers through the program will provide more choices for
 46 consumers and reduce Citizens Property Insurance Corporation's
 47 exposure and potential for assessments on its policyholders and
 48 policyholders in the private market. In order for the program to
 49 efficiently determine whether there are insurers interested in
 50 making an offer of coverage for a particular risk, a substantial
 51 amount of detailed data from participating insurers must be
 52 provided to the program. Public disclosure of the detailed data
 53 could result in a substantial chilling effect on insurer
 54 participation in the program, thereby undermining the program's
 55 success. Therefore, the Legislature declares that it is a public
 56 necessity that all underwriting guidelines, manuals, rating

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57 | information, and other underwriting criteria or instructions
58 | submitted by an insurer to the Citizens Property Insurance
59 | Corporation's policyholder eligibility clearinghouse program
60 | which are used to identify and select risks from the program be
61 | made confidential and exempt from public records requirements.

62 | Section 3. This act shall take effect on the same date
63 | that PCB IBS 13-01 or similar legislation creating s. 627.3518,
64 | Florida Statutes, the Citizen's Property Insurance Corporation
65 | policyholder eligibility clearinghouse program, takes effect, if
66 | such legislation is adopted in the same legislative session or
67 | an extension thereof and becomes law.