

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 119.0713, F.S., which
 4 provides exemptions from public record requirements
 5 for information related to the security of certain
 6 technology, processes, practices, information
 7 technology systems, industrial control technology
 8 systems, and customer meter-derived data and billing
 9 information of utility owned or operated by a unit of
 10 local government; extending the date of scheduled
 11 repeal of public record exemptions relating to the
 12 security of certain technology, processes, practices,
 13 information technology systems, and industrial control
 14 technology systems; removing the scheduled repeal of
 15 the public record exemption related to customer meter-
 16 derived data and billing information; amending s.
 17 286.0113, F.S., which provides an exemption from
 18 public meeting requirements for meetings held by a
 19 utility owned or operated by a unit of local
 20 government that would reveal certain information;
 21 extending the date of scheduled repeal of the
 22 exemption; providing an effective date.

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

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26 Section 1. Subsection (5) of section 119.0713, Florida
 27 Statutes, is amended to read:

28 119.0713 Local government agency exemptions from
 29 inspection or copying of public records.—

30 (5)(a) The following information held by a utility owned
 31 or operated by a unit of local government is exempt from s.
 32 119.07(1) and s. 24(a), Art. I of the State Constitution:

33 1. Information related to the security of the technology,
 34 processes, or practices of a utility owned or operated by a unit
 35 of local government that are designed to protect the utility's
 36 networks, computers, programs, and data from attack, damage, or
 37 unauthorized access, which information, if disclosed, would
 38 facilitate the alteration, disclosure, or destruction of such
 39 data or information technology resources.

40 2. Information related to the security of existing or
 41 proposed information technology systems or industrial control
 42 technology systems of a utility owned or operated by a unit of
 43 local government, which, if disclosed, would facilitate
 44 unauthorized access to, and alteration or destruction of, such
 45 systems in a manner that would adversely impact the safe and
 46 reliable operation of the systems and the utility.

47 3. Customer meter-derived data and billing information in
 48 increments less than one billing cycle.

49 (b) This exemption applies to such information held by a
 50 utility owned or operated by a unit of local government before,

51 on, or after the effective date of this exemption.

52 (c) Subparagraphs (5) (a)1. and (5) (a)2., are ~~This~~
 53 ~~subsection is~~ subject to the Open Government Sunset Review Act
 54 in accordance with s. 119.15 and shall stand repealed on October
 55 2, 2027 ~~2024~~, unless reviewed and saved from repeal through
 56 reenactment by the Legislature.

57 Section 2. Subsection (3) of section 286.0113, Florida
 58 Statutes, is amended to read:

59 286.0113 General exemptions from public meetings.—

60 (3) (a) That portion of a meeting held by a utility owned
 61 or operated by a unit of local government which would reveal
 62 information that is exempt under s. 119.0713(5) is exempt from
 63 s. 286.011 and s. 24(b), Art. I of the State Constitution. All
 64 exempt portions of such a meeting must be recorded and
 65 transcribed. The recording and transcript of the meeting are
 66 exempt from disclosure under s. 119.07(1) and s. 24(a), Art. I
 67 of the State Constitution unless a court of competent
 68 jurisdiction, following an in camera review, determines that the
 69 meeting was not restricted to the discussion of data and
 70 information made exempt by this section. In the event of such a
 71 judicial determination, only the portion of the recording or
 72 transcript which reveals nonexempt data and information may be
 73 disclosed to a third party.

74 (b) This subsection is subject to the Open Government
 75 Sunset Review Act in accordance with s. 119.15 and shall stand

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76 | repealed on October 2, 2027 ~~2024~~, unless reviewed and saved from
77 | repeal through reenactment by the Legislature.

78 | Section 3. This act shall take effect October 1, 2024.