1	A bill to be entitled
2	An act relating to public records and public meetings;
3	amending s. 286.0113, F.S.; exempting from public
4	meetings requirements certain exempt information
5	concerning information technology systems held by
6	specified utilities; requiring the exempt portions to
7	be recorded and transcribed; exempting from public
8	records requirements recordings and transcripts of
9	such meetings; authorizing the release of portions of
10	such meetings under specified circumstances; providing
11	for future legislative review and repeal of the
12	exemptions; providing a statement of public necessity;
13	providing an effective date.
14	
15	Be It Enacted by the Legislature of the State of Florida:
16	
17	Section 1. Subsection (3) is added to section 286.0113,
18	Florida Statutes, to read:
19	286.0113 General exemptions from public meetings
20	(3)(a) That portion of a meeting held by a utility owned
21	or operated by a unit of local government that would reveal the
22	information that is exempt under s. 119.0713(5) is exempt from
23	s. 286.011 and s. 24(b), Art. I of the State Constitution. All
24	exempt portions of such a meeting must be recorded and
25	transcribed. The recording and transcript of the meeting is

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26	confidential and exempt from disclosure under s. 119.07(1) and
27	s. 24(a), Art. I of the State Constitution unless a court of
28	competent jurisdiction, following an in camera review,
29	determines that the meeting was not restricted to the discussion
30	of data and information made confidential and exempt by this
31	section. In the event of such a judicial determination, only the
32	portion of the recording or transcript that reveals nonexempt
33	data and information may be disclosed to a third party.
34	(b) This subsection is subject to the Open Government
35	Sunset Review Act in accordance with s. 119.15 and shall stand
36	repealed on October 2, 2024, unless reviewed and saved from
37	repeal through reenactment by the Legislature.
38	Section 2. (1) The Legislature finds that it is a public
39	necessity that the portion of a meeting relating directly to or
40	that would reveal the following information, which is
41	confidential and exempt under s. 119.0713(5), Florida Statutes,
42	be made exempt from s. 286.011, Florida Statutes, and s. 24(b),
43	Art. I of the State Constitution. The Legislature further finds
44	that it is a public necessity that the recording and transcript
45	of such a meeting be made confidential and exempt from
46	disclosure under s. 119.07(1) and s. 24(a), Art. I of the State
47	Constitution.
48	(a) Information related to the security of the technology,
49	processes, or practices of the utility that are designed to
50	protect the utility's networks, computers, programs, and data

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51	from attack, damage, or unauthorized access, which information,
52	if disclosed, would facilitate the alteration, disclosure, or
53	destruction of such data or information technology resources.
54	(b) Information related to the security of existing or
55	proposed information technology systems or industrial control
56	technology systems of the utility, which, if disclosed, would
57	facilitate unauthorized access to, and alteration or destruction
58	of, such systems in a manner that would adversely impact the
59	safe and reliable operation of the systems and utility.
60	(2) The Legislature finds that, as utility system
61	infrastructure becomes more connected and integrated through
62	information and communications technology, the exposure to
63	damage from attacks through such technology grows. These attacks
64	may result in the disruption of utility services and damage to
65	utility systems. Maintaining safe and reliable utility systems
66	is vital to protecting the public health and safety and ensuring
67	the economic well-being of the state.
68	(3) The Legislature finds that the public and private harm
69	in disclosing the information made exempt by this act outweighs
70	any public benefit derived from the disclosure of such
71	information. The protection of information and communications
72	made exempt by this act will ensure that utilities have greater
73	safeguards to protect against security threats and will bolster
74	efforts to develop more resilient information technology systems
75	and industrial control technology systems.

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76	(4) Therefore, the Legislature finds that it is a public
77	necessity to make such information exempt from public meetings
78	requirements and the recording and transcript of such meetings
79	confidential and exempt from public records requirements.
80	Section 3. This act shall take effect July 1, 2019.

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