

## **Insurance Rate Filing, Exemption of Trade Secrets, Copyrighted Material**

**HB 2074** amends a rate filing provision for certain lines of property and casualty insurance in the Insurance Code to exempt trade secrets and copyrighted material in an insurance filing or any supporting documentation for the filing from disclosure in open record requests.

“Trade secret” is assigned its meaning from the Kansas Uniform Trade Secrets Act:

“Trade secret” means information, including a formula, pattern, compilation, program, device, method, technique, or process that:

(i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use, and

(ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

Under the prior law, an insurance rate filing and any supporting information submitted to the Insurance Commissioner by an insurance company was open to public inspection and access.