

Committee on Governmental Oversight and Accountability

CS/HB 7135 — Public Records/Money Services Businesses

by State Affairs Committee; Insurance and Banking Subcommittee; and Rep. Nelson (CS/SB 1868 by Governmental Oversight and Accountability Committee and Senator Bean)

This bill is a public records exemption that is linked to CS/CS/HB 217. In pertinent part, CS/CS/HB 217 requires specified information relating to a check cashing transaction exceeding \$1,000 to be submitted to a database operated by the Office of Financial Regulation (OFR). This bill creates a public records exemption for payment instrument transaction information held in the database by the OFR. Specifically, any such information that identifies a licensee, payor, payee, or conductor is confidential and exempt from public records disclosure requirements.

This bill authorizes a licensee to access information that it submits to the OFR for inclusion in the database. It also authorizes the OFR to enter into information-sharing agreements with the Department of Financial Services, law enforcement agencies, and other governmental agencies in certain circumstances, and requires those agencies to maintain the confidentiality of the information, except as otherwise required by court order.

This bill provides for repeal of the public records exemption on October 2, 2018, pursuant to the Open Government Sunset Review Act, unless reviewed and reenacted by the Legislature. It also provides a statement of public necessity as required by the Florida Constitution.

If approved by the Governor, these provisions take effect July 1, 2013.

Vote: Senate 38-1; House 113-0