

By the Committee on Community Affairs and Senator Forman

316-902-98

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A bill to be entitled
An act relating to public records; amending s.
119.07, F.S.; providing an exemption from the
public records law for certain records
furnished pursuant to certain housing
assistance programs; providing a statement of
public necessity; providing for future review
and repeal; providing an effective date.

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

Section 1. Paragraph (cc) is added to subsection (3)
of section 119.07, Florida Statutes, to read:

119.07 Inspection, examination, and duplication of
records; exemptions.--

(3)

(cc)1. Medical history records, bank account numbers,
credit card numbers, telephone numbers, and information
related to health or property insurance furnished by an
individual to any agency pursuant to federal, state, or local
housing assistance programs are confidential and exempt from
the provisions of subsection (1) and s. 24(a), Art. I of the
State Constitution. Any other information produced or received
by any private or public entity in direct connection with
federal, state, or local housing assistance programs, unless
the subject of another federal or state exemption, is subject
to subsection (1).

2. Governmental agencies or their agents are entitled
to access to the records specified in this paragraph for the
purposes of auditing federal, state, or local housing programs
or housing assistance programs. Such records may be used by an

1 agency, as needed, in any administrative or judicial
2 proceeding, provided such records are kept confidential and
3 exempt, unless otherwise ordered by a court.

4 3. This paragraph is repealed effective October 2,
5 2002, and must be reviewed by the Legislature before that date
6 in accordance with s. 119.15, the Open Government Sunset
7 Review Act of 1995.

8 Section 2. The Legislature finds it is a public
9 necessity that medical history records, bank account numbers,
10 credit card numbers, telephone numbers, and information
11 related to health or property insurance furnished to a housing
12 assistance program be held confidential and exempt from public
13 records requirements because revealing such information could
14 create the opportunity for fraud and is an unnecessary
15 intrusion into the personal affairs of the program
16 participants.

17 Section 3. This act shall take effect July 1, 1998.

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19 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
20 COMMITTEE SUBSTITUTE FOR
21 Senate Bill 140

22 SB 140 was changed to clarify that such personal information
23 provided by an individual pursuant to local housing assistance
24 programs are confidential as well as exempt from the public
25 access provisions of the Public Records Law. In addition, this
26 change clarifies that such records may be used by an agency,
27 as needed, in any judicial or administrative proceeding.
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