

By Senator Rossin

35-1266-01

1 A bill to be entitled
2 An act relating to public records; creating s.
3 458.353, F.S.; providing an exemption from the
4 public-records requirements for records that
5 reveal personal, financial, or medical
6 information concerning insureds and consumers
7 which is in the possession of the Department of
8 Insurance; providing for future review and
9 repeal; providing findings of public necessity;
10 providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 627.3111, Florida Statutes, is
15 created to read:

16 627.3111 Privacy of insured; records.--

17 (1) Any records of the department which are public
18 records that contain financial or patient records concerning
19 an insured or consumer may be redacted by the department prior
20 to release so that the privacy of the insured or consumer is
21 preserved, and any portions of such reports which reveal the
22 identity, home or employment telephone number, home or
23 employment address, or other personal information concerning
24 the insured are exempt from the provisions of s. 119.07(1) and
25 s. 24(a), Art. I of the State Constitution. This exemption is
26 subject to the Open Government Sunset Review Act of 1995 in
27 accordance with s. 119.15, and shall stand repealed on October
28 1, 2006, unless reviewed and saved from repeal through
29 reenactment by the Legislature.

30
31

1 (2) This exemption does not apply with respect to
2 records of an insured or other consumer who is the subject of
3 a criminal investigation.

4 Section 2. The Legislature finds that there is a
5 public necessity that portions of records which reveal
6 personal, financial, or medical information concerning
7 insureds and other consumers be withheld from public
8 inspection or disclosure to protect the privacy of those
9 insureds or consumers.

10 Section 3. This act shall take effect upon becoming a
11 law.

12
13 *****

14 SENATE SUMMARY

15 Exempts from the public-records requirements records in
16 the possession of the Department of Insurance which
17 reveal personal, financial, or medical information
18 concerning insureds or consumers. Provides for future
19 review and repeal. Provides a finding of public
20 necessity.
21
22
23
24
25
26
27
28
29
30
31