

By Senator Burt

16-1003-02

1                                   A bill to be entitled  
2           An act relating to public records; providing  
3           that the social security number of an agency  
4           officer or employee is exempt from the  
5           provisions of s. 24(a), Art. I of the State  
6           Constitution and s. 119.07, F.S.; providing a  
7           statement of public necessity; providing for  
8           future review and repeal; providing an  
9           effective date.

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

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13           Section 1. Social security numbers held by an agency  
14 are exempt from the requirements of section 119.07(1), Florida  
15 Statutes, and Section 24 of Article I of the State  
16 Constitution. This section applies to social security numbers  
17 held by an agency before, on, or after the effective date of  
18 this exemption. This section is subject to the Open Government  
19 Sunset Review Act of 1995, in accordance with section 119.15,  
20 Florida Statutes, and shall stand repealed on October 2, 2007,  
21 unless reviewed and saved from repeal through reenactment by  
22 the Legislature.

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24           Section 2. The Legislature finds that the exemption  
25 from public-records requirements provided by this act is a  
26 public necessity because a social security number can be used  
27 in identity theft. A social security number is a personal  
28 identification number that is required for tax purposes,  
29 social security benefits, and other personal purposes. This  
30 number is contained in many agency employment records, some of  
31 which are available on-line. Social security numbers of other  
individuals also are obtained by an agency in the performance

1 of its official duties, and are available in many records, as  
2 well. As a result, social security numbers are readily  
3 available to the public to inspect or copy. Because a social  
4 security number is a fundamental means of identification and  
5 obtaining a person's social security number is a primary means  
6 of stealing that person's identity, the availability of social  
7 security numbers in public records places an agency officer or  
8 employee, as well as the public, at risk. Further, the  
9 Legislature finds that there are numerous provisions in the  
10 statutes that create exemptions for social security numbers  
11 obtained from some individuals and not others, and for social  
12 security numbers obtained for some purposes and not others.  
13 The Legislature finds that the social security numbers of all  
14 individuals which are in the possession of an agency for all  
15 purposes should be protected. Therefore, the Legislature finds  
16 that the social security number of an agency officer or  
17 employee, and the social security number of other individuals  
18 which are obtained by an agency in the performance of its  
19 official duties, must be kept confidential.

20 Section 3. This act shall take effect July 1, 2002.

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23 SENATE SUMMARY

24 Provides an exemption from public-records requirements  
25 for social security numbers held by an agency. Provides  
26 for future review and repeal.  
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