

By Senator Wise

6-345A-02

See HB

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A bill to be entitled

An act relating to public records exemptions;
amending s. 119.07, F.S.; exempting from public
records requirements certain customer personal
information held by publicly owned utilities;
providing a statement of public necessity;
providing an effective date.

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

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

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

(3)

(ee) Information held by a water, wastewater, natural
gas, electric, cable television, or telecommunications utility
which is owned by a public entity, which information would
identify a customer of such utility if released, is exempt
from the provisions of subsection (1) and s. 24(a), Art. I of
the State Constitution. Such exempt information shall include
the name, social security number, address, telephone number,
usage records, payment history, bank account, debit, charge,
or credit card numbers, or driver identification number of the
customer. This paragraph is subject to the Open Government
Sunset Review Act of 1995, in accordance with s. 119.15, and
shall stand repealed on October 2, 2007, unless reviewed and
saved from repeal through reenactment by the Legislature.

Section 2. Personal identifying information held by a
public utility reveals private information of a sensitive
nature and information that can be used to locate customers

1 and can be used to create false identities. Similar
2 information, if held by a private utility, would not be
3 subject to public inspection. Therefore, the privacy interests
4 of public utility customers currently are subject to a lower
5 standard of protection than those of private utility
6 customers. There is a public necessity to provide to public
7 utility customers the same level of privacy and protection
8 from fraud and identity theft as is provided to private
9 utility customers.

10 Section 3. This act shall take effect October 1, 2002.

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LEGISLATIVE SUMMARY

Exempts from public records requirements specified personal information held by publicly held water, wastewater, natural gas, electric, cable television, or telecommunications utilities, which information would identify a utility customer if released. Provides for future review and repeal.