

By Representative Hogan

1 A bill to be entitled
2 An act relating to public records exemptions;
3 amending s. 119.07, F.S.; exempting from public
4 records requirements certain customer personal
5 information held by publicly owned utilities;
6 providing for review and repeal; providing a
7 statement of public necessity; providing an
8 effective date.

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

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

14 119.07 Inspection, examination, and duplication of
15 records; exemptions.--

16 (3)

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28 shall stand repealed on October 2, 2007, unless reviewed and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

30 Section 2. Personal identifying information held by a
31 public utility reveals private information of a sensitive

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

11 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.