

By Senator Burt

16-28-02

1                                   A bill to be entitled  
2           An act relating to public records; providing an  
3           exemption from public-records requirements for  
4           certain information relating to abandoned  
5           property which is contained in reports to the  
6           Department of Banking and Finance under s.  
7           717.117, F.S.; providing an exception to the  
8           exemption; providing that certain private  
9           investigative agencies may receive information  
10          contained in reports required under s. 717.118,  
11          F.S.; providing for future review and repeal;  
12          providing findings of public necessity;  
13          providing an effective date.

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

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17           Section 1. Report of abandoned or unclaimed property;  
18 public-records exemption.--The following information contained  
19 in reports required under section 717.117, Florida Statutes,  
20 is confidential and exempt from section 119.07(1), Florida  
21 Statutes, and Section 24(a), Article I of the State  
22 Constitution: social security numbers and financial account  
23 numbers. Notwithstanding this exemption, social security  
24 numbers shall be released for the limited purpose of locating  
25 abandoned or unclaimed property owners to an attorney,  
26 Florida-certified public account, or private investigator who  
27 is duly licensed in this state. This section is subject to the  
28 Open Government Sunset Review Act of 1995 in accordance with  
29 section 119.15, Florida Statutes, and shall stand repealed  
30 October 2, 2007, unless reviewed and saved from repeal through  
31 reenactment by the Legislature.

1           Section 2. The Legislature finds that it is a public  
2 necessity to make confidential and exempt the social security  
3 numbers and financial account numbers of apparent owners of  
4 abandoned or unclaimed property which are in the custody of  
5 the Department of Banking and Finance to prevent  
6 identity-theft and related crimes. The Legislature further  
7 finds that this exemption is necessary to prevent the  
8 information from use in forged documents demonstrating  
9 entitlement to abandoned or unclaimed property and thereby  
10 defrauding the rightful property owner or the State School  
11 Fund. Notwithstanding the public necessity to make  
12 confidential such information, it is necessary to provide  
13 access to social security numbers to an attorney,  
14 Florida-certified public accountant, and private investigator  
15 duly licensed in this state to facilitate the location and  
16 return of unclaimed property to rightful owners. The  
17 Legislature further finds that attorneys, Florida-certified  
18 public accountants, and private investigators are subject to  
19 more stringent regulation and oversight than the public as a  
20 whole. In addition, such professionals are the only persons  
21 authorized to file claims on behalf of apparent owners of  
22 abandoned or unclaimed property pursuant to chapter 717,  
23 Florida Statutes.

24           Section 3. Private investigative agencies, licensed  
25 under chapter 493, Florida Statutes, and registered with the  
26 Department of Banking and Finance under chapter 717, Florida  
27 Statutes, may receive information contained in reports  
28 required under section 717.118, Florida Statutes.

29           Section 4. This act shall take effect October 1, 2002.  
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SENATE SUMMARY

Narrows the public records exemption for information related to reports of unclaimed property submitted to the Department of Banking and Finance to include only the social security number and the financial account numbers of apparent owners of the abandoned property, rather than the entire report. An attorney, certified public accountant, or private investigator licensed in this state would have access to this information, if the information was used for the limited purpose of locating unclaimed property or unclaimed property owners.

Provides that certain private investigative agencies may receive information contained in reports required under s. 717.118, F.S.