

1 A bill to be entitled
2 An act relating to public records; amending s.
3 717.117, F.S.; creating an exemption from
4 public records requirements for social security
5 numbers and financial account numbers contained
6 in reports required under s. 717.117, F.S.,
7 held by the Department of Banking and Finance;
8 providing exceptions to the exemption;
9 providing retroactive application of the
10 exemption; providing for future review and
11 repeal; providing a statement of public
12 necessity; providing an effective date.

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

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16 Section 1. Subsection (8) is added to section 717.117,
17 Florida Statutes, to read:

18 717.117 Report of unclaimed property.--

19 (8) Social security numbers and financial account
20 numbers contained in reports required under this section, held
21 by the Department of Banking and Finance, are confidential and
22 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
23 Constitution. Notwithstanding this exemption, social security
24 numbers shall be released, for the limited purpose of locating
25 owners of abandoned or unclaimed property, to an attorney,
26 Florida-certified public accountant, private investigator who
27 is duly licensed in this state, or a private investigative
28 agency licensed under chapter 493 and registered with the
29 Department of Banking and Finance under chapter 717. This
30 exemption applies to social security numbers and financial
31 account numbers held by the Department of Banking and Finance

1 before, on, or after the effective date of this exemption.
 2 This subsection is subject to the Open Government Sunset
 3 Review Act of 1995 in accordance with s. 119.15, and shall
 4 stand repealed October 2, 2007, unless reviewed and saved from
 5 repeal through reenactment by the Legislature.

6 Section 2. The Legislature finds that it is a public
 7 necessity that social security numbers and financial account
 8 numbers of apparent owners of abandoned or unclaimed property
 9 which are in the custody of the Department of Banking and
 10 Finance be made confidential and exempt in order to prevent
 11 identity theft and related crimes. The Legislature further
 12 finds that this exemption is a public necessity in order to
 13 prevent the use of such information in forged documents
 14 demonstrating entitlement to abandoned or unclaimed property
 15 and thereby defrauding the rightful property owner or the
 16 State School Fund. Additionally, the social security number is
 17 the only nationwide, unique numeric form of identification.
 18 Release of a person's social security number is of concern due
 19 to the amount of information such number can provide on an
 20 individual. A social security number is often the link to an
 21 individual's personal records, whether such records are
 22 financial, educational, medical, or familial in nature. It is
 23 necessary, however, to provide access to social security
 24 numbers to an attorney, Florida-certified public accountant,
 25 private investigator duly licensed in this state, or private
 26 investigative agencies that are licensed under chapter 493,
 27 Florida Statutes and registered with the Department of Banking
 28 and Finance in order to facilitate the location and return of
 29 unclaimed property to rightful owners. The Legislature further
 30 finds that attorneys, Florida-certified public accountants,
 31 private investigators, and private investigative agencies are

1 subject to more stringent regulation and oversight than the
2 public as a whole. In addition, such professionals are the
3 only persons authorized to file claims on behalf of apparent
4 owners of abandoned or unclaimed property pursuant to chapter
5 717, Florida Statutes.

6 Section 3. This act shall take effect upon becoming a
7 law.

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