

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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The Committee on State Administration offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause

and insert:

Section 1. Subsection (19) is added to section 121.4501, Florida Statutes, to read:

121.4501 Public Employee Optional Retirement Program.--

(19) PARTICIPANT RECORDS.--All personal identifying information regarding a participant in the Public Employee Optional Retirement Program contained in Florida Retirement System records held by the State Board of Administration or the Department of Management Services, or their agents, employees, or contractors are exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution. The department or board may use such exempt information as necessary in any legal or administrative proceeding. This subsection is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15, and shall stand repealed

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1 October 2, 2007, unless reviewed and saved from repeal through
2 reenactment by the Legislature.

3 Section 2. The Legislature finds that it is a public
4 necessity that such identifying information be made exempt
5 because release of this information would allow investment
6 providers who are not approved Public Employee Optional
7 Retirement Program providers to contact program participants
8 in order to offer unapproved investment products. This would
9 be very confusing to program participants because there are
10 already a number of choices to be made in this area. Also, if
11 identifying information is released then anyone could find out
12 how much money a participant had with an investment provider
13 and in a particular investment product. Release of this
14 information would also allow competing approved providers to
15 contact the participants. Release of this information to
16 approved or unapproved providers could prove detrimental to
17 the overall effectiveness and efficiency of the agency's
18 administration of the program. Additionally, this exemption is
19 narrow in that it allows access to information regarding the
20 providers and products that are being selected by program
21 participants and the amount of money invested in those
22 products, but does so without revealing the identity of the
23 individual participant.

24 Section 3. This act shall take effect upon becoming
25 law.

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28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 On page 1, lines 3 through 8,
31 remove: all of said lines

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1 and insert:

2 121.4501, F.S.; creating a public records
3 exemption for personal identifying information
4 regarding participants in the Public Employee
5 Optional Retirement Program; providing an
6 exception to the exemption; providng for future
7 review and repeal; providing a statement of

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