

By the Committee on Governmental Oversight and Productivity

302-353-03

1                                   A bill to be entitled  
2           An act relating to public records; amending s.  
3           119.07, F.S., which provides an exemption from  
4           public-records requirements for information  
5           furnished by an applicant for or participant in  
6           a housing assistance program; deleting the  
7           exemption provided for bank account numbers,  
8           credit card numbers, and telephone numbers;  
9           clarifying provisions providing an exemption  
10          from public-records requirements for an  
11          applicant's or participant's medical history  
12          records or information related to health or  
13          property insurance; reenacting the exemption  
14          and removing the repeal thereof scheduled under  
15          the Open Government Sunset Review Act of 1995;  
16          providing an effective date.

17

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

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20           Section 1. Notwithstanding the repeal scheduled on  
21           October 2, 2003, under the Open Government Sunset Review Act  
22           of 1995, paragraph (bb) of subsection (3) of section 119.07,  
23           Florida Statutes, is reenacted and amended to read:

24           119.07 Inspection, examination, and duplication of  
25           records; exemptions.--

26           (3)

27           (bb) ~~1. Medical history records, bank account numbers,~~  
28           ~~credit card numbers, telephone numbers, and information~~  
29           related to health or property insurance provided to the  
30           Department of Community Affairs, the Florida Housing Finance  
31           Corporation, a municipality, or a local housing finance agency

1 ~~furnished by an applicant for or participant in a individual~~  
2 ~~to any agency pursuant to federal, state, or local housing~~  
3 ~~assistance program programs are confidential and exempt from~~  
4 ~~the provisions of subsection (1) and s. 24(a), Art. I of the~~  
5 ~~State Constitution. Any other information produced or received~~  
6 ~~by any private or public entity in direct connection with~~  
7 ~~federal, state, or local housing assistance programs, unless~~  
8 ~~the subject of another federal or state exemption, is subject~~  
9 ~~to subsection (1).~~

10       2. Governmental entities shall have access to records  
11 and information that are confidential and exempt from  
12 subsection (1) and s. 24(a), Art. I of the State Constitution  
13 ~~agencies or their agents are entitled to access to the records~~  
14 ~~specified in this paragraph for the purpose purposes of~~  
15 ~~auditing federal, state, or local housing programs or housing~~  
16 ~~assistance programs. Such records and information may be used~~  
17 ~~by an agency, as needed, in any administrative or judicial~~  
18 ~~proceeding if, provided such records and information are kept~~  
19 ~~confidential and exempt, unless otherwise ordered by a court.~~

20       3. ~~This paragraph is repealed effective October 2,~~  
21 ~~2003, and must be reviewed by the Legislature before that date~~  
22 ~~in accordance with s. 119.15, the Open Government Sunset~~  
23 ~~Review Act of 1995.~~

24       Section 2. This act shall take effect October 1, 2003.

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27                   SENATE SUMMARY

28       Revises an exemption from the public-records law which is  
29       provided for information furnished by an applicant for or  
30       participant in a housing assistance program. Deletes  
31       provisions providing that bank account numbers, credit  
      card numbers, and telephone numbers are exempt from  
      disclosure. Removes the repeal of the exemption scheduled  
      on October 2, 2003, under the Open Government Sunset  
      Review Act of 1995.