

By the Committee on Governmental Oversight and Productivity

302-2395-03

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.

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 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 county, a municipality, a housing authority, or

1 a local housing finance agency ~~furnished~~ by an applicant for  
2 or participant in a individual to any agency pursuant to  
3 federal, state, or local housing assistance program programs  
4 are confidential and exempt from ~~the provisions of~~ subsection  
5 (1) and s. 24(a), Art. I of the State Constitution. ~~Any other~~  
6 ~~information produced or received by any private or public~~  
7 ~~entity in direct connection with federal, state, or local~~  
8 ~~housing assistance programs, unless the subject of another~~  
9 ~~federal or state exemption, is subject 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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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
Senate Bill 290

The bill narrows the exemption by more specifically identifying the agencies that hold information that is exempt under the exemption. Counties and housing authorities currently obtain the information that is exempt under the section and currently are included within the definition of "agency." In the process of specifically identifying those agencies that collect the information, counties and housing authorities were left out. The committee substitute inserts them. Since they are already under the exemption, no expansion of the exemption occurs.