



HB 0451

2003

1 A bill to be entitled

2 An act relating to public records exemptions; amending s.  
3 119.07, F.S.; providing an exemption from public records  
4 requirements for specified personal identifying  
5 information relating to a utility customer held by a  
6 utility owned or operated by an agency; providing for  
7 retroactive application of the exemption; providing for  
8 future review and repeal; providing a statement of public  
9 necessity; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Paragraph (gg) is added to subsection (3) of  
14 section 119.07, Florida Statutes, to read:

15 119.07 Inspection, examination, and duplication of  
16 records; exemptions.--

17 (3)

18 (gg) Personal identifying information held by a water,  
19 wastewater, natural gas, electric, cable television, or  
20 telecommunications utility, owned or operated by an agency,  
21 which information identifies a customer of such utility is  
22 exempt from subsection (1) and s. 24(a), Art. I of the State  
23 Constitution. Personal identifying information includes a  
24 customer's name; social security number; taxpayer identification  
25 number; address; telephone number; bank account number; debit,  
26 charge, and credit card numbers; and driver identification  
27 number. This exemption applies to a customer's personal  
28 identifying information held by such utility before, on, or  
29 after the effective date of this exemption. This paragraph is  
30 subject to the Open Government Sunset Review Act of 1995, in



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31 accordance with s. 119.15, and shall stand repealed on October  
32 2, 2008, unless reviewed and saved from repeal through  
33 reenactment by the Legislature.

34 Section 2. The Legislature finds that it is a public  
35 necessity that a utility customer's social security number;  
36 taxpayer identification number; bank account number; driver  
37 identification number; and debit, charge, and credit card  
38 numbers made exempt by this act be held exempt from public  
39 disclosure because such identifying information is sensitive,  
40 personal information which if released creates the opportunity  
41 for identity theft and fraud. Additionally, the social security  
42 number is the only nationwide, unique numeric form of  
43 identification. Release of a customer's social security number  
44 is of concern due to the amount of information such number can  
45 provide with regard to an individual. A social security number  
46 is often the link to an individual's personal records, whether  
47 such records are financial, educational, medical, or familial in  
48 nature. Furthermore, the Legislature finds that it is a public  
49 necessity that personal identifying information regarding a  
50 customer of a utility owned or operated by an agency be held  
51 exempt because release of such identifying information may  
52 create a competitive disadvantage for such a utility. A private  
53 utility is not required by law to disclose any of its customer  
54 records to the public.

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