



HB 0451

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A bill to be entitled
 An act relating to public records exemptions; amending s. 119.07, F.S.; providing an exemption from public records requirements for specified personal identifying information relating to a utility customer held by a utility owned or operated by an agency; providing for retroactive application of the exemption; providing for future review and repeal; providing a statement of public necessity; providing an effective date.

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

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

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

(3)

(gg) Personal identifying information held by a water, wastewater, natural gas, electric, cable television, or telecommunications utility, owned or operated by an agency, which information identifies a customer of such utility is exempt from subsection (1) and s. 24(a), Art. I of the State Constitution. Personal identifying information includes a customer's name; social security number; taxpayer identification number; address; telephone number; bank account number; debit, charge, and credit card numbers; and driver identification number. This exemption applies to a customer's personal identifying information held by such utility before, on, or after the effective date of this exemption. This paragraph is 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31 accordance with s. 119.15, and shall stand repealed on October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.