

HB 1761

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1 A bill to be entitled

2 An act relating to public records exemptions; exempting
3 from public records requirements certain records obtained
4 by the Department of Revenue under an insurance claim data
5 exchange system; providing for future legislative review
6 and repeal; providing a finding of public necessity;
7 providing a contingent effective date.

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

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11 Section 1. Records obtained by the Department of Revenue
12 pursuant to s. 409.25659, Florida Statutes, are confidential and
13 exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Art. I
14 of the State Constitution. However, such records may be
15 disclosed only for the purpose of locating an individual or
16 establishing, modifying, or enforcing a support obligation.

17 Section 2. This section is subject to the Open Government
18 Sunset Review Act of 1995 in accordance with s. 119.15, Florida
19 Statutes, and shall stand repealed on October 2, 2009, unless
20 reviewed and saved from repeal through reenactment by the
21 Legislature.

22 Section 3. The Legislature finds it is a public necessity
23 that insurance claims information reported to the Department of
24 Revenue under s. 409.25659, Florida Statutes, be held
25 confidential and exempt from disclosure as a public record
26 because the information is personal and of a private nature, and
27 disclosure could create the opportunity for identity theft,
28 fraudulent activity concerning a claim, unauthorized
29 solicitations by attorneys, unauthorized practice of law, and

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30 unfair competition by revealing industry claims experience, and
31 confidentiality promotes insurer compliance by protecting
32 confidential insurer and consumer information.

33 Section 4. This act shall take effect upon becoming a law
34 if HB 1759 or similar legislation is adopted in the same
35 legislative session or an extension thereof and becomes law.