

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Detert offered the following:

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3 **Amendment (with title amendments)**

4 Remove line 174 and insert:

5 Section 3. Paragraph (x) of subsection (3) of section
6 119.07, Florida Statutes, is amended to read:

7 119.07 Inspection, examination, and duplication of
8 records; exemptions.--

9 (3)

10 (x)1. The social security numbers of all current and
11 former agency employees which numbers are contained in agency
12 employment records are exempt from subsection (1) and ~~exempt~~
13 ~~from~~ s. 24(a), Art. I of the State Constitution. As used in this
14 paragraph, the term "agency" means an agency as defined in s.
15 119.011.

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16 2. An agency that is the custodian of the social security
17 number specified in subparagraph 1. and that is not the
18 employing agency shall maintain the exempt status of the social
19 security number only if the employee or the employing agency of
20 the employee submits a written request for confidentiality to
21 the custodial agency. This subparagraph is subject to the Open
22 Government Sunset Review Act of 1995 in accordance with s.
23 119.15 and shall stand repealed on October 2, 2009, unless
24 reviewed and saved from repeal through reenactment by the
25 Legislature.

26 Section 4. The Legislature finds that it is a public
27 necessity that employee social security numbers held by an
28 agency be made exempt from public disclosure. The Legislature
29 also finds that it is not a necessity to allow third-party
30 access to such exempt numbers if an employee or the employing
31 agency of the employee has submitted a written request for
32 confidentiality of his or her social security number. A number
33 of reasons have been cited by third parties for needing access
34 to social security numbers held by government agencies. The
35 prevailing needs are for verification of the accuracy of
36 personal information received by a third party and for third
37 party use in matching, verifying, or retrieving information.
38 Alternative methods are available to access such exempt numbers,
39 for those purposes, if an employee or the employing agency of
40 the employee has requested that his or her social security
41 number be kept exempt. Third parties may utilize commercial
42 entities providing services related to verification of
43 identities and information. Further, social security numbers are

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44 of a sensitive personal nature and are often the link to an
 45 individual's personal, financial, medical, or familial records.
 46 It is the only nationwide, unique numeric form of identification
 47 in existence in the United States. Third-party access to such
 48 numbers could lead to misuse of those numbers. Such misuse could
 49 lead to increased opportunities of fraud and identity theft. As
 50 such, the Legislature finds that the harm from disclosing such
 51 numbers to third parties outweighs any public benefit that can
 52 be derived from access to such number. Finally, oversight is
 53 still provided because the exemption for employee social
 54 security numbers is only triggered upon a written request for
 55 confidentiality by the employee or the employing agency of the
 56 employee.

57 Section 5. This act shall take effect upon becoming a law.

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59 ===== T I T L E A M E N D M E N T =====

60 Remove line 20 and insert:

61 a statement of public necessity; amending s. 119.07, F.S.;

62 providing an exemption from public records requirements for

63 social security numbers of agency employees upon written

64 request; providing for future review and repeal under the Open

65 Government Sunset Review Act of 1995; providing a statement of

66 public necessity; providing an effective