

By the Committee on Judiciary; and Senator Lynn

308-2505-04

1 A bill to be entitled
2 An act relating to public records; creating s.
3 409.25661, F.S.; creating an exemption from
4 public-records requirements for information
5 obtained by the Department of Revenue from
6 insurers under specified circumstances;
7 providing for exceptions to the exemption;
8 providing for future legislative review and
9 repeal; providing findings of public necessity;
10 providing a contingent effective date.

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

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14 Section 1. Section 409.25661, Florida Statutes, is
15 created, to read:

16 409.25661 Public-record exemption for insurance claims
17 information.--Records obtained by the Department of Revenue
18 pursuant to s. 409.25659 concerning individuals who do not owe
19 past due support are confidential and exempt from s. 119.07(1)
20 and s. 24(a), Art. I of the State Constitution.

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23 section 119.15, Florida Statutes, and shall stand repealed on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

26 Section 3. The Legislature finds it is a public
27 necessity that insurance claims information reported to the
28 Department of Revenue under section 409.25659, Florida
29 Statutes, concerning individuals who do not owe past due
30 support be held confidential and exempt from disclosure as a
31 public record because the information is personal and of a

1 private nature; disclosure could create the opportunity for
2 identity theft, fraudulent activity concerning a claim,
3 unauthorized practices of law, and unfair competition by
4 revealing industry claims experience; and confidentially
5 promotes insurer compliance by protecting confidential insurer
6 and consumer information.

7 Section 4. This act shall take effect on the same date
8 that CS for CS for SB 160 or similar legislation takes effect,
9 if such legislation is adopted in the same legislative session
10 or an extension thereof and becomes law.

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12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13 COMMITTEE SUBSTITUTE FOR
14 Senate Bill 2826

15 This CS provides the following:

- 16 - Narrows public records exemption for information obtained
17 by the Department of Revenue from insurers to only those
18 persons who do not owe past due child support.
19 - Removes information obtained from pari-mutuel facilities
20 from the public records exemption to conform with the
21 deletion of such facilities from CS for CS for SB 160.
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