

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representatives Detert, Benson, and Brummer offered the
2 following:

4 **Amendment (with title amendment)**

5 On page 6, line 21,
6 remove: all of said line

8 and insert:

10 Section 3. Paragraph (x) of subsection (3) of section
11 119.07, Florida Statutes, is amended to read:

12 119.07 Inspection, examination, and duplication of
13 records; exemptions.--

14 (3)

15 (x)1. The social security numbers of all current and
16 former agency employees which numbers are contained in agency

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17 employment records are exempt from subsection (1) and ~~exempt~~
18 ~~from~~ s. 24(a), Art. I of the State Constitution. As used in this
19 paragraph, the term "agency" means an agency as defined in s.
20 119.011.

21 2. An agency that is the custodian of a social security
22 number specified in subparagraph 1. and that is not the
23 employing agency shall maintain the exempt status of the social
24 security number only if the employee or the employing agency of
25 the employee submits a written request for confidentiality to
26 the custodial agency. However, upon a request by a commercial
27 entity as provided in s. 119.0721 the custodial agency shall
28 release the last four digits of the exempt social security
29 number, except that a social security number provided in a lien
30 filed with the Department of State shall be released in its
31 entirety. This subparagraph is subject to the Open Government
32 Sunset Review Act of 1995 in accordance with s. 119.15 and shall
33 stand repealed on October 2, 2009, unless reviewed and saved
34 from repeal through reenactment by the Legislature.

35 Section 4. The Legislature finds that it is a public
36 necessity that social security numbers of agency employees held
37 by an agency be made exempt from public disclosure. The
38 Legislature also finds that it is no longer a necessity to allow
39 commercial entities access to complete social security numbers
40 of agency employees if the employee or the employing agency of
41 that employee has submitted a written request for
42 confidentiality of his or her social security number. Commercial
43 entities have cited a number of reasons for needing access to
44 the complete social security numbers of agency employees when

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45 held by government agencies. The prevailing needs are for
46 commercial entity verification of the accuracy of personal
47 information received by such entity and for commercial entity
48 use in matching, verifying, or retrieving information. A
49 commercial entity can continue to verify the accuracy of
50 personal information received using only the last four digits of
51 social security numbers of agency employees. A commercial entity
52 can also continue matching, verifying, or retrieving information
53 utilizing the last four digits of such numbers. Additionally,
54 commercial entities are still provided access to complete social
55 security numbers of agency employees provided in a lien filed
56 with the Department of State. The social security number is not
57 the only source of information a business can utilize for such
58 purposes. Commercial entities can also use an employee's date of
59 birth or maiden name for matching, verifying, or retrieving
60 information regarding an individual. As such, a commercial
61 entity's performance will not be hampered if access to social
62 security numbers is limited to the last four digits of such
63 employee's social security number. Further, social security
64 numbers are of a sensitive personal nature and are often the
65 link to an individual's personal, financial, medical, or
66 familial records. It is the only nationwide, unique numeric form
67 of identification in existence in the United States. Commercial
68 entity access to such numbers in their entirety could lead to
69 misuse of those numbers. Such misuse could lead to increased
70 opportunities of fraud and identity theft. As such, the
71 Legislature finds that the harm from disclosing to commercial
72 entities complete social security numbers of agency employees

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73 who have requested confidentiality of such numbers outweighs any
74 public benefit that can be derived from commercial entity access
75 to such numbers, as opposed to access that is restricted to the
76 final four digits of such social security numbers.

77 Section 5. This act shall take effect July 1, 2004.

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

81 On page 1, line 14,
82 remove: all of said line

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and insert:

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a statement of public necessity; amending s. 119.07, F.S.;
providing an exemption from public records requirements
for social security numbers of agency employees upon
written request; providing for an exception to the
exemption; providing for future review and repeal;
providing a statement of public necessity; providing an