

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 amendment)**

4 Remove line 70 and insert:

5 Section 4. 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23 119.15 and shall stand repealed on October 2, 2009, unless  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 5. 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 6. This act shall take effect upon becoming a law.

58  
59 ===== T I T L E A M E N D M E N T =====

60 Remove line 17 and insert:

61 amending s. 119.07, F.S.; providing an exemption from public  
 62 records requirements for social security numbers of agency  
 63 employees upon written request; providing for future review and  
 64 repeal under the Open Government Sunset Review Act of 1995;  
 65 providing a statement of public necessity; providing an  
 66 effective date.