

FOR CONSIDERATION By the Committee on Education

581-510A-05

1 A bill to be entitled

2 An act relating to a review under the Open

3 Government Sunset Review Act; amending s.

4 1009.98, F.S., relating to the Florida Prepaid

5 College Program; revising a public-records

6 exemption provided for information that

7 identifies a purchaser or beneficiary of the

8 program; eliminating a reference to advance

9 payment account activities; clarifying that

10 such records are exempt from the provisions of

11 s. 119.07(1), F.S., and s. 24(a), Art. I of the

12 State Constitution; amending s. 1009.981, F.S.,

13 relating to the Florida College Savings

14 Program; revising a public-records exemption

15 provided for information that identifies a

16 benefactor or beneficiary of the program;

17 eliminating a reference to individual account

18 activities; deleting provisions that provide

19 for the repeal of the exemption; providing an

20 effective date.

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

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24 Section 1. Subsection (6) of section 1009.98, Florida

25 Statutes, is amended to read:

26 1009.98 Florida Prepaid College Program.--

27 (6) CONFIDENTIALITY OF ACCOUNT

28 INFORMATION.--Information that identifies the purchaser, the

29 survivor of the purchaser, or the qualified beneficiary

30 ~~purchasers or beneficiaries~~ of any plan initiated promulgated

31 under this section ~~and their advance payment account~~

1 ~~activities~~ is exempt from the provisions of s. 119.07(1) and
2 s. 24(a), Art. I of the State Constitution. However, the board
3 may authorize the program's records administrator to release
4 such information to a community college, college, or
5 university in which a beneficiary may enroll or is enrolled.
6 Community colleges, colleges, and universities shall maintain
7 the exempt status of the ~~such information as exempt from the~~
8 ~~provisions of s. 119.07(1)~~.

9 Section 2. Subsection (6) of section 1009.981, Florida
10 Statutes, is amended to read:

11 1009.981 Florida College Savings Program.--

12 (6) CONFIDENTIALITY OF ACCOUNT

13 INFORMATION.--Information that identifies the benefactor, the
14 survivor of the benefactor, ~~benefactors~~ or the designated
15 beneficiary of any account initiated under this section is ~~and~~
16 ~~information regarding individual account activities conducted~~
17 ~~through the savings program established in this section are~~
18 confidential and exempt from the provisions of s. 119.07(1)
19 and s. 24(a), Art. I of the State Constitution. However, the
20 board may authorize the release of such information to a
21 community college, college, or university in which a
22 designated beneficiary may enroll or is enrolled. Community
23 colleges, colleges, and universities shall maintain the
24 confidentiality of such information. ~~This subsection is~~
25 ~~subject to the Open Government Sunset Review Act of 1995 in~~
26 ~~accordance with s. 119.15, and shall stand repealed on October~~
27 ~~2, 2005, unless reviewed and saved from repeal through~~
28 ~~reenactment by the Legislature.~~

29 Section 3. This act shall take effect October 1, 2005.
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SENATE SUMMARY

Revises an exemption from the public records law which applies to information that identifies purchasers or beneficiaries of the Florida Prepaid College Program. Revises a similar exemption applicable to information that identifies benefactors or beneficiaries of the Florida College Savings Program. Removes the repeal of the exemption scheduled on October 2, 2005, under the Open Government Sunset Review Act.