

By the Committees on Governmental Oversight and Productivity;
and Banking and Insurance

585-2337-06

1 A bill to be entitled
2 An act relating to a review under the Open
3 Government Sunset Review Act regarding deferred
4 presentment providers; amending s. 560.4041,
5 F.S., which provides an exemption from
6 public-records requirements for information
7 that identifies a drawer or a deferred
8 presentment provider contained in the database
9 for deferred presentment providers maintained
10 by the Office of Financial Regulation of the
11 Financial Services Commission; making
12 clarifying and editorial changes; removing
13 superfluous provisions; removing the scheduled
14 repeal of the exemption; providing an effective
15 date.
16
17 Be It Enacted by the Legislature of the State of Florida:
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19 Section 1. Section 560.4041, Florida Statutes, is
20 amended to read:
21 560.4041 Database for deferred presentment providers;
22 public records exemption.--~~The identifying~~ Information that
23 identifies a drawer or a deferred presentment provider
24 contained in the database ~~for deferred presentment providers,~~
25 ~~which is~~ authorized under s. 560.404~~7~~, is confidential and
26 exempt from s. 119.07(1)~~7~~ and s. 24(a), Art. I of the State
27 Constitution. A deferred presentment provider may access
28 information that it has entered into the database and may
29 obtain an eligibility determination for a particular drawer
30 based on information in the database.~~7~~ ~~except that the~~
31 ~~identifying information in the database may be accessed by~~

1 ~~deferred presentment providers to verify whether any deferred~~
2 ~~presentment transactions are outstanding for a particular~~
3 ~~person and by the office for the purpose of maintaining the~~
4 ~~database. This section is subject to the Open Government~~
5 ~~Sunset Review Act of 1995 in accordance with s. 119.15, and~~
6 ~~shall stand repealed October 2, 2006, unless reviewed and~~
7 ~~saved from repeal through reenactment by the Legislature.~~

8 Section 2. This act shall take effect October 1, 2006.

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10 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
11 COMMITTEE SUBSTITUTE FOR
12 Senate Bill 1584

13 Specifies that the exemption protects information that
14 identifies a drawer or a deferred presentment provider in the
preferred presentment provider database.

15 Permits access to the exempt information by the deferred
16 presentment provider that has entered the information in the
database for eligibility determinations.