

1 with eligibility for, verification related to, or auditing of
2 a Lifeline Assistance Plan.

3 (3)(a) An officer or employee of a telecommunications
4 carrier may not intentionally disclose information made
5 confidential and exempt under subsection (1), except as:

6 1. Authorized by the customer;

7 2. Necessary for billing purposes;

8 3. Required by subpoena, court order, or other process
9 of court;

10 4. Necessary to disclose to an agency as defined in s.
11 119.011 or a governmental entity for purposes directly
12 connected with implementing service for, or verifying
13 eligibility of, a participant in a Lifeline Assistance Plan or
14 auditing a Lifeline Assistance Plan; or

15 5. Otherwise authorized by law.

16 (b) This section does not preclude a
17 telecommunications carrier from disclosing information made
18 confidential and exempt under subsection (1) to the extent
19 that such information is otherwise publicly available or from
20 disclosing to a customer his or her own account record through
21 telephonic means.

22 (c) Any officer or employee of a telecommunications
23 carrier who intentionally discloses information in violation
24 of paragraph (a) commits a misdemeanor of the second degree,
25 punishable as provided in s. 775.082 or s. 775.083.

26 (4) This section is subject to the Open Government
27 Sunset Review Act in accordance with s. 119.15 and shall stand
28 repealed on October 2, 2012, unless reviewed and saved from
29 repeal through reenactment by the Legislature.

30 Section 2. The Legislature finds that it is a public
31 necessity that personal identifying information concerning a

1 participant in a telecommunications carrier's Lifeline
2 Assistance Plan under section 364.10, Florida Statutes, held
3 by the Public Service Commission be made confidential and
4 exempt from section 119.07(1), Florida Statutes, and Article
5 I, section 24(a), of the State Constitution. The Lifeline
6 Assistance Plan provides assistance to qualified low-income
7 households by providing a credit on their local telephone
8 bill. Allowing qualified low-income households to receive this
9 credit permits them to maintain local telephone service.
10 Participation in Lifeline Assistance Plans has remained at
11 approximately 12 percent of eligible Florida households
12 despite extensive efforts to make eligible residents aware of
13 the plan. Protecting the personal identifying information of
14 participants in a Lifeline Assistance Plan encourages
15 qualified residents to apply for the credit offered under the
16 plan. The Public Service Commission must be able to maintain
17 the confidentiality of that information because disclosure
18 could create a chilling effect on participation. Further,
19 participants might choose not to avail themselves of the plan
20 because the information submitted would identify them as
21 qualified recipients of low-income program benefits. Finally,
22 the exemption promotes the effective and efficient
23 administration of a government program.

24 Section 3. This act shall take effect upon becoming a
25 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 630

Makes confidential and exempt personal identifying information concerning a participant in a telecommunications carrier's Lifeline Assistance Plan under s. 364.10, F.S., held by the Public Service Commission.

Provides exceptions.

Makes exemption subject to Open Government Sunset Review Act.