

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act regarding reports of unclaimed property;
 4 amending s. 717.117, F.S., which provides an exemption
 5 from public records requirements for social security
 6 numbers and financial account numbers contained in reports
 7 of unclaimed property held by the Department of Financial
 8 Services; expanding the exemption to include property
 9 identifiers; defining "property identifier"; reorganizing
 10 the exemption; providing for future review and repeal of
 11 the exemption; providing a statement of public necessity;
 12 providing an effective date.

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

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 16 Section 1. Subsection (8) of section 717.117, Florida
 17 Statutes, is amended to read:

18 717.117 Report of unclaimed property.--

19 (8) (a) For purposes of this subsection, "property
 20 identifier" means the descriptor used by the holder to identify
 21 the unclaimed property.

22 (b) Social security numbers and property identifiers
 23 ~~financial account numbers~~ contained in reports required under
 24 this section, held by the department, are confidential and
 25 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 26 Constitution.

27 (c) Notwithstanding this exemption, Social security
 28 numbers shall be released, for the limited purpose of locating

29 owners of abandoned or unclaimed property, to a person
 30 registered with the department under this chapter who is:

- 31 1. An attorney;
- 32 2. A Florida-certified public accountant;
- 33 3. A private investigator who is duly licensed in this
 34 state; or
- 35 4. A private investigative agency licensed under chapter
 36 493 and registered with the department under this chapter.

37 (d) This exemption applies to social security numbers and
 38 property identifiers financial account numbers held by the
 39 department before, on, or after the effective date of this
 40 exemption.

41 (e) This subsection is subject to the Open Government
 42 Sunset Review Act of 1995 in accordance with s. 119.15 and
 43 shall stand repealed October 2, 2012 2007, unless reviewed and
 44 saved from repeal through reenactment by the Legislature.

45 Section 2. The Legislature finds that it is a public
 46 necessity that property identifiers contained in reports of
 47 unclaimed property held by the Department of Financial Services
 48 be made confidential and exempt from s. 119.07(1), Florida
 49 Statutes, and s. 24(a), Art. I of the State Constitution.
 50 Property identifiers, which are descriptors used by a holder to
 51 identify unclaimed property, could be used to obtain
 52 fraudulently unclaimed funds or property. Protection of property
 53 identifiers is a public necessity in order to prevent the
 54 fraudulent use of such information for purposes of creating
 55 falsified or forged documents that demonstrate entitlement to
 56 unclaimed property. Such use defrauds the rightful property

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57 owner or the State School Fund. Furthermore, the release of
58 property identifiers contained in reports of unclaimed property
59 hinders the effective and efficient administration of the
60 unclaimed property program.

61 Section 3. This act shall take effect October 1, 2007.