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HB 7197

2007 Legislature

1 A bill to be entitled

2 An act relating to a review under the Open Government  
3 Sunset Review Act regarding social security numbers and  
4 financial account numbers; amending s. 119.071, F.S.,  
5 which provides a general exemption from inspection or  
6 copying of public records for social security numbers and  
7 bank account, debit, charge, and credit card numbers;  
8 reorganizing the exemption for social security numbers;  
9 providing definitions; revising reporting requirements;  
10 clarifying penalty provisions; making editorial changes;  
11 removing the scheduled repeal of the exemption under the  
12 Open Government Sunset Review Act; creating s. 119.0714,  
13 F.S., and renumbering and amending s. 119.07(6), F.S.;  
14 consolidating and revising current public records  
15 exemptions applicable to court files, court records, and  
16 official records; revising the date on which automatic  
17 redaction of social security numbers and financial account  
18 numbers by court clerks is required; amending s. 215.322,  
19 F.S.; eliminating a public records exemption for credit  
20 card account numbers in the possession of a state agency,  
21 a unit of local government, or the judicial branch;  
22 amending s. 119.07, F.S., to conform; providing an  
23 effective date.

24  
25 Be It Enacted by the Legislature of the State of Florida:  
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27 Section 1. Paragraph (a) of subsection (4) and paragraphs  
 28 (a) and (b) of subsection (5) of section 119.071, Florida  
 29 Statutes, are amended to read:

30 119.071 General exemptions from inspection or copying of  
 31 public records.--

32 (4)

33 (a)1. The social security numbers of all current and  
 34 former agency employees which numbers are contained in agency  
 35 employment records are exempt from s. 119.07(1) and s. 24(a),  
 36 Art. I of the State Constitution.

37 2. An agency that is the custodian of a social security  
 38 number specified in subparagraph 1. and that is not the  
 39 employing agency shall maintain the exempt status of the social  
 40 security number only if the employee or the employing agency of  
 41 the employee submits a written request for confidentiality to  
 42 the custodial agency. However, upon a request by a commercial  
 43 entity as provided in subparagraph (5)(a)7.b. ~~(5)(a)5.~~, the  
 44 custodial agency shall release the last four digits of the  
 45 exempt social security number, except that a social security  
 46 number provided in a lien filed with the Department of State  
 47 shall be released in its entirety. This subparagraph is subject  
 48 to the Open Government Sunset Review Act in accordance with s.  
 49 119.15 and shall stand repealed on October 2, 2009, unless  
 50 reviewed and saved from repeal through reenactment by the  
 51 Legislature.

52 (5) OTHER PERSONAL INFORMATION.--

53 (a)1.a. The Legislature acknowledges that the social  
 54 security number was never intended to be used for business

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55 | purposes but was intended to be used solely for the  
 56 | administration of the federal Social Security System. The  
 57 | Legislature is further aware that over time this unique numeric  
 58 | identifier has been used extensively for identity verification  
 59 | purposes and other legitimate consensual purposes.

60 | b. The Legislature recognizes ~~is also cognizant of the~~  
 61 | ~~fact~~ that the social security number can be used as a tool to  
 62 | perpetuate fraud against an individual ~~a person~~ and to acquire  
 63 | sensitive personal, financial, medical, and familial  
 64 | information, the release of which could cause great financial or  
 65 | personal harm to an individual.

66 | c. The Legislature intends to monitor the ~~commercial~~ use  
 67 | of social security numbers held by ~~state~~ agencies in order to  
 68 | maintain a balanced public policy.

69 | 2.a. An agency may not collect an individual's social  
 70 | security number unless the agency has stated in writing the  
 71 | purpose for its collection and unless it is:

72 | (I) Specifically authorized by law to do so; or

73 | (II) ~~unless the collection of the social security number~~  
 74 | ~~is otherwise~~ Imperative for the performance of that agency's  
 75 | duties and responsibilities as prescribed by law. ~~Social~~  
 76 | ~~security numbers collected by an agency must be relevant to the~~  
 77 | ~~purpose for which collected and may not be collected until and~~  
 78 | ~~unless the need for social security numbers has been clearly~~  
 79 | ~~documented.~~

80 | b. Social security numbers collected by an agency may not  
 81 | be used by that agency for any purpose other than the purpose  
 82 | provided in the written statement.

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83       ~~3. An agency that collects social security numbers shall~~  
84 ~~also segregate that number on a separate page from the rest of~~  
85 ~~the record, or as otherwise appropriate, in order that the~~  
86 ~~social security number be more easily redacted, if required,~~  
87 ~~pursuant to a public records request. An agency collecting an~~  
88 ~~individual's a person's social security number shall, upon that~~  
89 ~~person's request, at the time of or prior to the actual~~  
90 ~~collection of the social security number by that agency, provide~~  
91 ~~that individual person with a copy of the written statement~~  
92 ~~required in subparagraph 2. of the purpose or purposes for which~~  
93 ~~the social security number is being collected and used. Social~~  
94 ~~security numbers collected by an agency may not be used by that~~  
95 ~~agency for any purpose other than the purpose stated.~~

96       ~~4.a. Each social security numbers collected by an agency~~  
97 ~~before May 13, 2002, shall review whether its collection of~~  
98 ~~social security numbers is in be reviewed for compliance with~~  
99 ~~subparagraph 2. this subparagraph. If the agency determines that~~  
100 ~~collection of a social security number before May 13, 2002, is~~  
101 ~~not in compliance with subparagraph 2. found to be unwarranted,~~  
102 ~~the agency shall immediately discontinue the collection of~~  
103 ~~social security numbers for that purpose.~~

104       ~~b. Each agency shall certify to the President of the~~  
105 ~~Senate and the Speaker of the House of Representatives its~~  
106 ~~compliance with this subparagraph no later than January 31,~~  
107 ~~2008.~~

108       ~~5.3. Effective October 1, 2002, all Social security~~  
109 ~~numbers held by an agency are confidential and exempt from s.~~  
110 ~~119.07(1) and s. 24(a), Art. I of the State Constitution. This~~

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111 exemption applies to ~~all~~ social security numbers held by an  
 112 agency before, on, or after the effective date of this  
 113 exemption.

114 ~~6.4.~~ Social security numbers may be disclosed to another  
 115 agency or governmental entity ~~or its agents, employees, or~~  
 116 ~~contractors~~ if disclosure is necessary for the receiving agency  
 117 or entity to perform its duties and responsibilities. ~~The~~  
 118 ~~receiving governmental entity and its agents, employees, and~~  
 119 ~~contractors shall maintain the confidential and exempt status of~~  
 120 ~~the numbers.~~

121 7.a. For purposes of this subsection, the term:

122 (I) "Commercial activity" means the provision of a lawful  
 123 product or service by a commercial entity. Commercial activity  
 124 includes verification of the accuracy of personal information  
 125 received by a commercial entity in the normal course of its  
 126 business; use for insurance purposes; use in identifying and  
 127 preventing fraud; use in matching, verifying, or retrieving  
 128 information; and use in research activities. It does not include  
 129 the display or bulk sale of social security numbers to the  
 130 public or the distribution of such numbers to any customer that  
 131 is not identifiable by the commercial entity.

132 (II) "Commercial entity" means any corporation,  
 133 partnership, limited partnership, proprietorship, sole  
 134 proprietorship, firm, enterprise, franchise, or association that  
 135 performs a commercial activity in this state.

136 ~~b.5.~~ An agency may not deny a commercial entity engaged in  
 137 the performance of a commercial activity, ~~which, for purposes of~~  
 138 ~~this paragraph, means an activity that provides a product or~~

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139 ~~service that is available from a private source, or its agents,~~  
 140 ~~employees, or contractors~~ access to social security numbers,  
 141 provided the social security numbers will be used only in the  
 142 performance of a commercial activity ~~normal course of business~~  
 143 ~~for legitimate business purposes,~~ and provided the commercial  
 144 entity makes a written request for the social security numbers.  
 145 The written request must:

146 (I) Be verified as provided in s. 92.525;~~i~~

147 (II) Be legibly signed by an authorized officer, employee,  
 148 or agent of the commercial entity;~~i~~

149 (III) The ~~verified written request must~~ Contain the  
 150 commercial entity's name, business mailing and location  
 151 addresses, and business telephone number;~~i~~ and

152 (IV) Contain a statement of the specific purposes for  
 153 which it needs the social security numbers and how the social  
 154 security numbers will be used in the performance of a commercial  
 155 activity ~~normal course of business for legitimate business~~  
 156 ~~purposes~~. The aggregate of these requests shall serve as the  
 157 basis for the agency report required in subparagraph 9.8.

158 c. An agency may request any other information reasonably  
 159 necessary to verify the identity of a commercial ~~the~~ entity  
 160 requesting the social security numbers and the specific purposes  
 161 for which the numbers will be used.~~;~~ ~~however, An agency has no~~  
 162 ~~duty to inquire beyond the information contained in the verified~~  
 163 ~~written request. A legitimate business purpose includes~~  
 164 ~~verification of the accuracy of personal information received by~~  
 165 ~~a commercial entity in the normal course of its business; use in~~  
 166 ~~a civil, criminal, or administrative proceeding; use for~~

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167 ~~insurance purposes; use in law enforcement and investigation of~~  
168 ~~crimes; use in identifying and preventing fraud; use in~~  
169 ~~matching, verifying, or retrieving information; and use in~~  
170 ~~research activities. A legitimate business purpose does not~~  
171 ~~include the display or bulk sale of social security numbers to~~  
172 ~~the general public or the distribution of such numbers to any~~  
173 ~~customer that is not identifiable by the distributor.~~

174 8.a.6. Any person who makes a false representation in  
175 order to obtain a social security number pursuant to this  
176 paragraph, or any person who willfully and knowingly violates  
177 this paragraph, commits a felony of the third degree, punishable  
178 as provided in s. 775.082 or s. 775.083.

179 b. Any public officer who violates this paragraph commits  
180 ~~is guilty of~~ a noncriminal infraction, punishable by a fine not  
181 exceeding \$500 per violation. ~~A commercial entity that provides~~  
182 ~~access to public records containing social security numbers in~~  
183 ~~accordance with this paragraph is not subject to the penalty~~  
184 ~~provisions of this subparagraph.~~

185 7.a. ~~On or after October 1, 2002, a person preparing or~~  
186 ~~filing a document to be recorded in the official records by the~~  
187 ~~county recorder as provided for in chapter 28 may not include~~  
188 ~~any person's social security number in that document, unless~~  
189 ~~otherwise expressly required by law. If a social security number~~  
190 ~~is or has been included in a document presented to the county~~  
191 ~~recorder for recording in the official records of the county~~  
192 ~~before, on, or after October 1, 2002, it may be made available~~  
193 ~~as part of the official record available for public inspection~~  
194 ~~and copying.~~

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195           ~~b. Any person, or his or her attorney or legal guardian,~~  
196 ~~has the right to request that a county recorder remove, from an~~  
197 ~~image or copy of an official record placed on a county~~  
198 ~~recorder's publicly available Internet website or a publicly~~  
199 ~~available Internet website used by a county recorder to display~~  
200 ~~public records or otherwise made electronically available to the~~  
201 ~~general public by such recorder, his or her social security~~  
202 ~~number contained in that official record. The request must be~~  
203 ~~made in writing, legibly signed by the requester and delivered~~  
204 ~~by mail, facsimile, or electronic transmission, or delivered in~~  
205 ~~person, to the county recorder. The request must specify the~~  
206 ~~identification page number that contains the social security~~  
207 ~~number to be redacted. The county recorder has no duty to~~  
208 ~~inquire beyond the written request to verify the identity of a~~  
209 ~~person requesting redaction. A fee may not be charged for the~~  
210 ~~redaction of a social security number pursuant to such request.~~

211           ~~e. A county recorder shall immediately and conspicuously~~  
212 ~~post signs throughout his or her offices for public viewing and~~  
213 ~~shall immediately and conspicuously post, on any Internet~~  
214 ~~website or remote electronic site made available by the county~~  
215 ~~recorder and used for the ordering or display of official~~  
216 ~~records or images or copies of official records, a notice~~  
217 ~~stating, in substantially similar form, the following:~~

218           ~~(I) On or after October 1, 2002, Any person preparing or~~  
219 ~~filing a document for recordation in the official records may~~  
220 ~~not include a social security number in such document, unless~~  
221 ~~required by law.~~



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222       ~~(II) Any person has a right to request a county recorder~~  
223 ~~to remove, from an image or copy of an official record placed on~~  
224 ~~a county recorder's publicly available Internet website or on a~~  
225 ~~publicly available Internet website used by a county recorder to~~  
226 ~~display public records or otherwise made electronically~~  
227 ~~available to the general public, any social security number~~  
228 ~~contained in an official record. Such request must be made in~~  
229 ~~writing and delivered by mail, facsimile, or electronic~~  
230 ~~transmission, or delivered in person, to the county recorder.~~  
231 ~~The request must specify the identification page number that~~  
232 ~~contains the social security number to be redacted. A fee may~~  
233 ~~not be charged for the redaction of a social security number~~  
234 ~~pursuant to such a request.~~

235       ~~d. Until January 1, 2008, if a social security number,~~  
236 ~~made confidential and exempt pursuant to this paragraph, or a~~  
237 ~~complete bank account, debit, charge, or credit card number made~~  
238 ~~exempt pursuant to paragraph (b) is or has been included in a~~  
239 ~~court file, such number may be included as part of the court~~  
240 ~~record available for public inspection and copying unless~~  
241 ~~redaction is requested by the holder of such number, or by the~~  
242 ~~holder's attorney or legal guardian, in a signed, legibly~~  
243 ~~written request specifying the case name, case number, document~~  
244 ~~heading, and page number. The request must be delivered by mail,~~  
245 ~~facsimile, electronic transmission, or in person to the clerk of~~  
246 ~~the circuit court. The clerk of the circuit court does not have~~  
247 ~~a duty to inquire beyond the written request to verify the~~  
248 ~~identity of a person requesting redaction. A fee may not be~~  
249 ~~charged for the redaction of a social security number or a bank~~

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250 ~~account, debit, charge, or credit card number pursuant to such~~  
 251 ~~request. The clerk of the circuit court has no liability for the~~  
 252 ~~inadvertent release of confidential and exempt social security~~  
 253 ~~numbers or exempt bank account, debit, charge, or credit card~~  
 254 ~~numbers, unknown to the clerk of the circuit court in court~~  
 255 ~~records filed with the clerk of the circuit court on or before~~  
 256 ~~January 1, 2008.~~

257 ~~e. Any person who prepares or files a document to be~~  
 258 ~~recorded in the official records by the county recorder as~~  
 259 ~~provided in chapter 28 may not include a person's social~~  
 260 ~~security number or complete bank account, debit, charge, or~~  
 261 ~~credit card number in that document unless otherwise expressly~~  
 262 ~~required by law. Until January 1, 2008, if a social security~~  
 263 ~~number or a complete bank account, debit, charge, or credit card~~  
 264 ~~number is or has been included in a document presented to the~~  
 265 ~~county recorder for recording in the official records of the~~  
 266 ~~county, such number may be made available as part of the~~  
 267 ~~official record available for public inspection and copying. Any~~  
 268 ~~person, or his or her attorney or legal guardian, may request~~  
 269 ~~that a county recorder remove from an image or copy of an~~  
 270 ~~official record placed on a county recorder's publicly available~~  
 271 ~~Internet website, or a publicly available Internet website used~~  
 272 ~~by a county recorder to display public records outside the~~  
 273 ~~office or otherwise made electronically available outside the~~  
 274 ~~county recorder's office to the general public, his or her~~  
 275 ~~social security number or complete account, debit, charge, or~~  
 276 ~~credit card number contained in that official record. Such~~  
 277 ~~request must be legibly written, signed by the requester, and~~

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278 ~~delivered by mail, facsimile, electronic transmission, or in~~  
279 ~~person to the county recorder. The request must specify the~~  
280 ~~identification page number of the document that contains the~~  
281 ~~number to be redacted. The county recorder does not have a duty~~  
282 ~~to inquire beyond the written request to verify the identity of~~  
283 ~~a person requesting redaction. A fee may not be charged for~~  
284 ~~redacting such numbers. If the county recorder accepts or stores~~  
285 ~~official records in an electronic format, the county recorder~~  
286 ~~must use his or her best efforts to redact all social security~~  
287 ~~numbers and complete bank account, debit, charge, or credit card~~  
288 ~~numbers from electronic copies of the official record. The use~~  
289 ~~of an automated program for redaction shall be deemed the best~~  
290 ~~effort and complies with the requirements of this sub-~~  
291 ~~paragraph. The county recorder is not liable for the~~  
292 ~~inadvertent release of confidential and exempt social security~~  
293 ~~numbers, or exempt bank account, debit, charge, or credit card~~  
294 ~~numbers, filed with the county recorder on or before January 1,~~  
295 ~~2008.~~

296 ~~f. Subparagraphs 5. and 6. do not apply to the clerks of~~  
297 ~~the court or the county recorder with respect to circuit court~~  
298 ~~records and official records.~~

299 ~~g. On January 1, 2008, and thereafter, the clerk of the~~  
300 ~~circuit court and the county recorder must keep complete bank~~  
301 ~~account, debit, charge, and credit card numbers exempt as~~  
302 ~~provided for in paragraph (b), and must keep social security~~  
303 ~~numbers confidential and exempt as provided for in subparagraph~~  
304 ~~3., without any person having to request redaction.~~

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305 ~~9.a.8. Beginning January 31, 2004, and each January 31~~  
 306 ~~thereafter,~~ Every agency shall ~~must~~ file a report with the  
 307 Executive Office of the Governor Secretary of State, the  
 308 President of the Senate, and the Speaker of the House of  
 309 Representatives by January 31 of each year.

310 b. The report required under sub-subparagraph a. shall  
 311 list:

312 (I) listing The identity of all commercial entities that  
 313 have requested social security numbers during the preceding  
 314 calendar year; and

315 (II) The specific purpose or purposes stated by each  
 316 commercial entity regarding its need for social security  
 317 numbers.

318 c. If no disclosure requests were made, the agency shall  
 319 so indicate.

320 10.9. Any affected person may petition the circuit court  
 321 for an order directing compliance with this paragraph.

322 11.10. This paragraph does not supersede any other  
 323 applicable public records exemptions existing prior to May 13,  
 324 2002, or created thereafter.

325 ~~11. This paragraph is subject to the Open Government~~  
 326 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
 327 ~~repealed October 2, 2007, unless reviewed and saved from repeal~~  
 328 ~~through reenactment by the Legislature.~~

329 (b) Bank account numbers and debit, charge, and credit  
 330 card numbers held by an agency are exempt from s. 119.07(1) and  
 331 s. 24(a), Art. I of the State Constitution. This exemption  
 332 applies to bank account numbers and debit, charge, and credit

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333 card numbers held by an agency before, on, or after the  
334 effective date of this exemption. ~~This paragraph is subject to~~  
335 ~~the Open Government Sunset Review Act in accordance with s.~~  
336 ~~119.15 and shall stand repealed on October 2, 2007, unless~~  
337 ~~reviewed and saved from repeal through reenactment by the~~  
338 ~~Legislature.~~

339 Section 2. Section 119.0714, Florida Statutes, is created,  
340 and subsection (6) of section 119.07, Florida Statutes, is  
341 renumbered as subsection (1) of that section and amended, to  
342 read:

343 119.0714 Court files; court records; official records.--

344 (1)(6) COURT FILES.--Nothing in this chapter shall be  
345 construed to exempt from s. 119.07(1) ~~subsection (1)~~ a public  
346 record that was made a part of a court file and that is not  
347 specifically closed by order of court, except:

348 (a) A public record that was prepared by an agency  
349 attorney or prepared at the attorney's express direction as  
350 provided in s. 119.071(1)(d).

351 (b) Data processing software as provided in s.  
352 119.071(1)(f).

353 (c) Any information revealing surveillance techniques or  
354 procedures or personnel as provided in s. 119.071(2)(d).

355 (d) Any comprehensive inventory of state and local law  
356 enforcement resources, and any comprehensive policies or plans  
357 compiled by a criminal justice agency, as provided in s.  
358 119.071(2)(d).

359 (e) Any information revealing the substance of a  
360 confession of a person arrested as provided in s. 119.071(2)(e).

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361 (f) Any information revealing the identity of a  
362 confidential informant or confidential source as provided in s.  
363 119.071(2)(f).

364 (g) Any information revealing undercover personnel of any  
365 criminal justice agency as provided in s. 119.071(4)(c).

366 (h) and (f), (2)(d), (e), and (f), and (4)(c) and except  
367 Information or records that may reveal the identity of a person  
368 who is a victim of a sexual offense as provided in s.  
369 119.071(2)(h).

370 (i) Social security numbers as provided in s.  
371 119.071(5)(a).

372 (j) Bank account numbers and debit, charge, and credit  
373 card numbers as provided in s. 119.071(5)(b).

374 (2) COURT RECORDS.--

375 (a) Until January 1, 2011, if a social security number or  
376 a bank account, debit, charge, or credit card number is included  
377 in a court file, such number may be included as part of the  
378 court record available for public inspection and copying unless  
379 redaction is requested by the holder of such number or by the  
380 holder's attorney or legal guardian.

381 (b) A request for redaction must be a signed, legibly  
382 written request specifying the case name, case number, document  
383 heading, and page number. The request must be delivered by mail,  
384 facsimile, electronic transmission, or in person to the clerk of  
385 the court. The clerk of the court does not have a duty to  
386 inquire beyond the written request to verify the identity of a  
387 person requesting redaction.

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388       (c) A fee may not be charged for the redaction of a social  
389 security number or a bank account, debit, charge, or credit card  
390 number pursuant to such request.

391       (d) The clerk of the court has no liability for the  
392 inadvertent release of social security numbers, or bank account,  
393 debit, charge, or credit card numbers, unknown to the clerk of  
394 the court in court records filed on or before January 1, 2011.

395       (e)1. On January 1, 2011, and thereafter, the clerk of the  
396 court must keep social security numbers confidential and exempt  
397 as provided for in s. 119.071(5) (a), and bank account, debit,  
398 charge, and credit card numbers exempt as provided for in s.  
399 119.071(5) (b), without any person having to request redaction.

400       2. Section 119.071(5) (a)7. and 8. does not apply to the  
401 clerks of the court with respect to court records.

402       (3) OFFICIAL RECORDS.--

403       (a) Any person who prepares or files a record for  
404 recording in the official records as provided in chapter 28 may  
405 not include in that record a social security number or a bank  
406 account, debit, charge, or credit card number unless otherwise  
407 expressly required by law.

408       (b)1. If a social security number or a bank account,  
409 debit, charge, or credit card number is included in an official  
410 record, such number may be made available as part of the  
411 official records available for public inspection and copying  
412 unless redaction is requested by the holder of such number or by  
413 the holder's attorney or legal guardian.

414       2. If such record is in electronic format, on January 1,  
415 2011, and thereafter, the county recorder must use his or her

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416 best effort, as provided in paragraph (h), to keep social  
417 security numbers confidential and exempt as provided for in s.  
418 119.071(5) (a), and to keep complete bank account, debit, charge,  
419 and credit card numbers exempt as provided for in s.  
420 119.071(5) (b), without any person having to request redaction.

421 3. Section 119.071(5) (a) 7. and 8. does not apply to the  
422 county recorder with respect to official records.

423 (c) The holder of a social security number or a bank  
424 account, debit, charge, or credit card number, or the holder's  
425 attorney or legal guardian, may request that a county recorder  
426 redact from an image or copy of an official record placed on a  
427 county recorder's publicly available Internet website or on a  
428 publicly available Internet website used by a county recorder to  
429 display public records, or otherwise made electronically  
430 available to the public, his or her social security number or  
431 bank account, debit, charge, or credit card number contained in  
432 that official record.

433 (d) A request for redaction must be a signed, legibly  
434 written request and must be delivered by mail, facsimile,  
435 electronic transmission, or in person to the county recorder.  
436 The request must specify the identification page number of the  
437 record that contains the number to be redacted.

438 (e) The county recorder does not have a duty to inquire  
439 beyond the written request to verify the identity of a person  
440 requesting redaction.

441 (f) A fee may not be charged for redacting a social  
442 security number or a bank account, debit, charge, or credit card  
443 number.



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444       (g) A county recorder shall immediately and conspicuously  
445 post signs throughout his or her offices for public viewing, and  
446 shall immediately and conspicuously post on any Internet website  
447 or remote electronic site made available by the county recorder  
448 and used for the ordering or display of official records or  
449 images or copies of official records, a notice stating, in  
450 substantially similar form, the following:

451       1. On or after October 1, 2002, any person preparing or  
452 filing a record for recordation in the official records may not  
453 include a social security number or a bank account, debit,  
454 charge, or credit card number in such document unless required  
455 by law.

456       2. Any person has a right to request a county recorder to  
457 remove from an image or copy of an official record placed on a  
458 county recorder's publicly available Internet website or on a  
459 publicly available Internet website used by a county recorder to  
460 display public records, or otherwise made electronically  
461 available to the general public, any social security number  
462 contained in an official record. Such request must be made in  
463 writing and delivered by mail, facsimile, or electronic  
464 transmission, or delivered in person, to the county recorder.  
465 The request must specify the identification page number that  
466 contains the social security number to be redacted. A fee may  
467 not be charged for the redaction of a social security number  
468 pursuant to such a request.

469       (h) If the county recorder accepts or stores official  
470 records in an electronic format, the county recorder must use  
471 his or her best efforts to redact all social security numbers

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472 and bank account, debit, charge, or credit card numbers from  
 473 electronic copies of the official record. The use of an  
 474 automated program for redaction shall be deemed to be the best  
 475 effort in performing the redaction and shall be deemed in  
 476 compliance with the requirements of this subsection.

477 (i) The county recorder is not liable for the inadvertent  
 478 release of social security numbers, or bank account, debit,  
 479 charge, or credit card numbers, filed with the county recorder.

480 Section 3. Subsection (6) of section 215.322, Florida  
 481 Statutes, is amended, and subsections (7) and (8) of that  
 482 section are renumbered as subsections (6) and (7), respectively,  
 483 to read:

484 215.322 Acceptance of credit cards, charge cards, or debit  
 485 cards by state agencies, units of local government, and the  
 486 judicial branch.--

487 ~~(6) Credit card account numbers in the possession of a~~  
 488 ~~state agency, a unit of local government, or the judicial branch~~  
 489 ~~are confidential and exempt from the provisions of s. 119.07(1).~~

490 Section 4. Subsections (7), (8), and (9) of section  
 491 119.07, Florida Statutes, are renumbered as subsections (6),  
 492 (7), and (8), respectively.

493 Section 5. This act shall take effect October 1, 2007.