

1 A bill to be entitled
 2 An act relating to public records; creating s.
 3 197.3225, F.S.; providing an exemption from public
 4 records requirements for e-mail addresses obtained by
 5 the tax collector for the purpose of electronically
 6 sending tax notices or obtaining the consent of the
 7 taxpayer to the electronic transmission of tax
 8 notices; providing for future legislative review and
 9 repeal of the exemption; providing a statement of
 10 public necessity; providing an effective date.

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

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 14 Section 1. Section 197.3225, Florida Statutes, is created
 15 to read:

16 197.3225 Confidentiality of e-mail addresses.—

17 (1) A taxpayer's e-mail address held by a tax collector
 18 for the following purposes is confidential and exempt from s.
 19 119.07(1) and s. 24(a), Art. I of the State Constitution:

20 (a) Sending a quarterly tax notice for prepayment of
 21 estimated taxes under s. 197.222(3) to the taxpayer.

22 (b) Obtaining the taxpayer's consent to send the tax
 23 notice described in s. 197.322(3).

24 (c) Sending an additional tax notice or delinquent tax
 25 notice to the taxpayer under s. 197.343.

26 (d) Sending a tax notice to a designated third party,

27 mortgagee, or vendee as provided under s. 197.344(1).

28 (2) An e-mail address provided by a taxpayer to the tax
 29 collector via the tax collector's website or other
 30 correspondence for a purpose other than those listed in
 31 subsection (1) is not confidential and exempt from s. 119.07(1)
 32 or s. 24(a), Art. I of the State Constitution.

33 (3) This section is subject to the Open Government Sunset
 34 Review Act in accordance with s. 119.15 and shall stand repealed
 35 on October 2, 2019, unless reviewed and saved from repeal
 36 through reenactment by the Legislature.

37 Section 2. The Legislature finds that it is a public
 38 necessity that the e-mail address of a taxpayer which is held by
 39 the tax collector for the purpose of sending a tax notice or
 40 obtaining the consent of the taxpayer to the electronic
 41 transmission of a tax notice be made confidential and exempt
 42 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
 43 the State Constitution. E-mail rather than traditional postal
 44 mail is increasingly used as a means for communicating and
 45 conducting business, including official state business such as
 46 the payment of taxes. In order to carry out business
 47 electronically with the tax collector, the taxpayer must report
 48 his or her personal e-mail address. Under current law, e-mail
 49 addresses are public records available to anyone for any
 50 purpose. However, such addresses are unique to the individual
 51 and, when combined with other personal identifying information,
 52 can be used for identity theft, taxpayer scams, and other

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53 invasive contacts. The public availability of personal e-mail
54 addresses invites and exacerbates thriving and well-documented
55 criminal activities putting property owners at increased risk of
56 harm. Such harm could be significantly curtailed by allowing the
57 tax collector to remove the availability of taxpayer e-mail
58 addresses.

59 Section 3. This act shall take effect July 1, 2014.