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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 review and repeal of the  
9           exemption; providing a statement of public necessity;  
10          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 for  
18   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 notice  
23   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

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30 correspondence for a purpose other than those listed in  
31 subsection (1) is not confidential and exempt from s. 119.07(1)  
32 and 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34 Review Act in accordance with s. 119.15 and shall stand repealed  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  
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.

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