

HB 7011

2014

1 A bill to be entitled

2 An act relating to public records; amending s.
3 119.071, F.S.; exempting from public records
4 requirements personal identifying information
5 furnished to an agency by a person or business for the
6 purpose of obtaining assistance with emergency
7 planning or emergency notification; providing a
8 statement of public necessity; providing an effective
9 date.

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

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13 Section 1. Paragraph (j) of subsection (5) of section
14 119.071, Florida Statutes, is amended to read:

15 119.071 General exemptions from inspection or copying of
16 public records.—

17 (5) OTHER PERSONAL INFORMATION.—

18 (j)1. Any personal identifying information furnished by a
19 person or business to an agency for the purpose of being
20 provided assistance with emergency planning or emergency
21 notification by the agency, ~~including the person's name,~~
22 ~~address, telephone number, e-mail address, or other electronic~~
23 ~~communication address,~~ is exempt from s. 119.07(1) and s. 24(a),
24 Art. I of the State Constitution. This exemption applies to
25 information held by an agency before, on, or after the effective
26 date of this exemption.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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27 2. This paragraph is subject to the Open Government Sunset
28 Review Act in accordance with s. 119.15, and shall stand
29 repealed on October 2, 2016, unless reviewed and saved from
30 repeal through reenactment by the Legislature.

31 Section 2. The Legislature finds that it is a public
32 necessity that personal identifying information relating to
33 emergency planning be made exempt from s. 119.07(1), Florida
34 Statutes, and s. 24(a), Article I of the State Constitution. The
35 Division of Emergency Management manages a statewide public
36 awareness program to educate the public to be self-sufficient
37 for up to 72 hours following a natural or manmade disaster. The
38 public education campaign encourages individuals, families, and
39 businesses to develop disaster plans in preparation of and in
40 response to such natural or manmade disasters. Emergency plans
41 may include sensitive information such as alternate locations
42 for families to meet or business relocation in the event of
43 building damage; business contacts, including utility providers,
44 suppliers, and employees; backup suppliers for key materials and
45 services depended upon by the business; important records and
46 documents that the business needs to operate; and emergency
47 community contacts and disaster resources. The potential
48 disclosure of sensitive information has served as a disincentive
49 for creating a disaster plan, particularly among businesses that
50 fear that the disclosure of sensitive information may place
51 their businesses at a competitive disadvantage. The Legislature
52 therefore finds that the harm that may result from the release

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53 of personal identifying information used as part of emergency
54 planning for the preparation of and in response to a natural or
55 manmade disaster outweighs any public benefit that may be
56 derived from disclosure of the information.

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