

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION _____ (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER _____

1 Committee/Subcommittee hearing bill: Government Operations
 2 Subcommittee

3 Representative Eagle offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 197.3225, Florida Statutes, is created
 8 to read:

9 197.3225 Public records exemption; taxpayer e-mail
 10 addresses.—

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

14 (a) Sending a quarterly tax notice for prepayment of
 15 estimated taxes to the taxpayer pursuant to s. 197.222(3).

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

Amendment No.

18 (c) Sending an additional tax notice or delinquent tax
19 notice to the taxpayer pursuant to s. 197.343.

20 (d) Sending a tax notice to a designated third party,
21 mortgagee, or vendee pursuant to s. 197.344(1).

22 (2) This section is subject to the Open Government Sunset
23 Review Act in accordance with s. 119.15 and shall stand repealed
24 on October 2, 2020, unless reviewed and saved from repeal
25 through reenactment by the Legislature.

26 Section 2. The Legislature finds that it is a public
27 necessity that the e-mail address of a taxpayer which is held by
28 a tax collector for the purpose of sending a tax notice or
29 obtaining the consent of the taxpayer to the electronic
30 transmission of a tax notice be made exempt from s. 119.07(1),
31 Florida Statutes, and s. 24(a), Article I of the State
32 Constitution. E-mail, rather than traditional postal mail, is
33 increasingly used as a means for communicating and conducting
34 business, including official state and local business such as
35 the payment of taxes. In order to conduct business
36 electronically with a tax collector, the taxpayer must report
37 his or her personal e-mail address. Under current law, e-mail
38 addresses are public records available to anyone for any
39 purpose. However, such addresses are unique to the individual
40 and, when combined with other personal identifying information,
41 can be used for identity theft, taxpayer scams, and other
42 invasive contacts. The public availability of personal e-mail
43 addresses invites and exacerbates thriving and well-documented

Amendment No.

44 criminal activities and puts taxpayers at increased risk of
45 harm. Such harm would be significantly curtailed by the creation
46 of the public record exemption.

47 Section 3. This act shall take effect July 1, 2015.

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T I T L E A M E N D M E N T

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Remove everything before the enacting clause and insert:

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An act relating to public records; creating s. 197.3225, F.S.;

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providing an exemption from public records requirements for e-

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mail addresses obtained by a tax collector for the purpose of

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electronically sending certain tax notices or obtaining the

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consent of a taxpayer for electronic transmission of certain tax

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notices; providing for future review and repeal of the

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exemption; providing a statement of public necessity; providing

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an effective date.