

1                   A bill to be entitled  
 2           An act relating to public records; creating s.  
 3           379.107, F.S.; defining the term "personal  
 4           information"; providing an exemption from public  
 5           records requirements for personal information provided  
 6           to the Fish and Wildlife Conservation Commission on  
 7           applications for certain licenses, permits, and  
 8           certifications; providing circumstances under which  
 9           personal information may be disclosed; providing  
 10          applicability; providing for future legislative review  
 11          and repeal of the exemption; providing a statement of  
 12          public necessity; providing an effective date.

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

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 16          Section 1.   Section 379.107, Florida Statutes, is created  
 17          to read:

18                 379.107 Public records exemption; personal information  
 19                 obtained in connection with licensure.-

20                 (1) For purposes of this section, the term "personal  
 21                 information" means information that identifies an individual,  
 22                 including, but not limited to, an individual's photograph;  
 23                 social security number; driver license number; name; date of  
 24                 birth; address, exclusive of the five-digit zip code; telephone  
 25                 number; e-mail or other electronic communication address; and  
 26                 medical or disability information.

27 (2) Except as provided in subsection (3), personal  
28 information held by the commission in connection with the  
29 following licenses, permits, and certifications issued by the  
30 commission is confidential and exempt from s. 119.07(1) and s.  
31 24(a), Art. I of the State Constitution:

32 (a) Recreational fishing, hunting, or use licenses and  
33 permits, or other noncommercial or nonprofessional licenses and  
34 permits.

35 (b) Hunter safety certification.

36 (c) Boating safety certification or recreation record.

37 (3) Personal information may be disclosed only as follows:

38 (a) For use by a court, law enforcement agency, or other  
39 agency, as defined in s. 119.011(2), in carrying out its duties.

40 (b) For use in connection with any civil, criminal,  
41 administrative, or arbitral proceeding in any federal, state, or  
42 local court or agency presenting before a self-regulatory body,  
43 including the service of process, investigation in anticipation  
44 of litigation, and the execution or enforcement of judgments and  
45 orders, or pursuant to an order of a federal, state, or local  
46 court.

47 (c) For use by any requester, if the requester  
48 demonstrates it has obtained the written consent of the  
49 individual to whom the information pertains.

50 (4) This exemption applies to personal information held by  
51 an agency before, on, or after July 1, 2016.

52 (5) This section is subject to the Open Government Sunset

53 Review Act in accordance with s. 119.15 and shall stand repealed  
54 October 2, 2021, unless reviewed and saved from repeal through  
55 reenactment by the Legislature.

56 Section 2. The Legislature finds that it is a public  
57 necessity that personal information held by the Fish and  
58 Wildlife Conservation Commission in connection with applications  
59 for licenses, permits, or certifications for recreational,  
60 nonprofessional, or noncommercial activities be made exempt from  
61 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
62 State Constitution. Under current law, personal information that  
63 applicants must provide to the commission in order to apply for  
64 such licenses, permits, or certifications is a public record  
65 available for any purpose. Such information can be obtained and  
66 used to perpetrate identity theft and other invasive contacts.  
67 The public availability of this personal information needlessly  
68 increases the risk of identity theft and invasive contacts with  
69 those applying to the commission for such licenses, permits, or  
70 certifications. These unnecessary risks would be diminished or  
71 eliminated if the commission preserved the confidentiality of  
72 personal information provided on applications for such licenses,  
73 permits, or certifications. Therefore, the Legislature finds  
74 that it is a public necessity to make exempt from public records  
75 requirements personal information that is provided to the  
76 commission on applications for licenses, permits, or  
77 certifications for recreational, nonprofessional, or  
78 noncommercial activities.

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Section 3. This act shall take effect July 1, 2016.