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A bill to be entitled  
 An act relating to public records; creating s.  
 379.107, F.S.; defining the terms "commercial entity"  
 and "personal information"; providing an exemption  
 from public records requirements for personal  
 information provided to the Fish and Wildlife  
 Conservation Commission on applications for certain  
 licenses, permits, and certifications; providing  
 circumstances under which personal information may be  
 disclosed; providing applicability; providing for  
 future legislative review and repeal of the exemption;  
 providing a statement of public necessity; providing  
 an effective date.

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

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

379.107 Public records exemption; personal information.-

(1) As used in this section, the term:

(a) "Commercial entity" means a corporation, partnership,  
limited partnership, proprietorship, sole proprietorship, firm,  
enterprise, franchise, or association.

(b) "Personal information" means information that  
identifies an individual, including, but not limited to, an  
individual's photograph; social security number; driver license

27 number; name; date of birth; address, exclusive of the five-  
28 digit zip code; telephone number; e-mail or other electronic  
29 communication address; and medical or disability information.

30 (2) Except as provided in subsection (3), personal  
31 information held by the commission in connection with the  
32 following licenses, permits, and certifications issued by the  
33 commission is confidential and exempt from s. 119.07(1) and s.  
34 24(a), Art. I of the State Constitution:

35 (a) Recreational fishing, hunting, or use licenses and  
36 permits, or other noncommercial or nonprofessional licenses and  
37 permits.

38 (b) Hunter safety certification.

39 (c) Boating safety certification or recreation record.

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

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

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

50 (c) For use by a requester, if the requester demonstrates  
51 it has obtained the written consent of the individual to whom  
52 the information pertains.

53 (d) For use by a commercial entity for verification of the  
 54 accuracy of personal information received by a commercial entity  
 55 in the normal course of its business, including identification  
 56 or prevention of fraud or matching, verifying, or retrieving  
 57 information, which does not include the display or bulk sale of  
 58 a legal residential address, date of birth, or telephone number  
 59 of a licenseholder to the public or the distribution of such  
 60 information to a customer that is not identifiable by the  
 61 commercial entity.

62 (4) This exemption applies to personal information held by  
 63 the commission before, on, or after July 1, 2016.

64 (5) This section is subject to the Open Government Sunset  
 65 Review Act in accordance with s. 119.15 and shall stand repealed  
 66 October 2, 2021, unless reviewed and saved from repeal through  
 67 reenactment by the Legislature.

68 Section 2. The Legislature finds that it is a public  
 69 necessity that personal information held by the Fish and  
 70 Wildlife Conservation Commission in connection with applications  
 71 for licenses, permits, or certifications for recreational,  
 72 nonprofessional, or noncommercial activities be made  
 73 confidential and exempt from s. 119.07(1), Florida Statutes, and  
 74 s. 24(a), Article I of the State Constitution. Under current  
 75 law, personal information held by the commission relating to  
 76 such licenses, permits, or certifications is a public record  
 77 available for any purpose. Such information can be obtained and  
 78 used to perpetrate identity theft and other invasive contacts.

79 The public availability of this personal information needlessly  
80 increases the risk of identity theft and invasive contacts with  
81 those individuals who have a license, permit, or certification  
82 issued by the commission. These unnecessary risks would be  
83 diminished or eliminated if the commission preserved the  
84 confidentiality of personal information held by the commission  
85 relating to such licenses, permits, or certifications.  
86 Therefore, the Legislature finds that it is a public necessity  
87 to make confidential and exempt from public records requirements  
88 personal information held by the commission relating to  
89 licenses, permits, or certifications for recreational,  
90 nonprofessional, or noncommercial activities.

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