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A bill to be entitled An act relating to public records; creating s. 420.6231, F.S.; creating a public records exemption for individual identifying information of a person contained in a Point-in-Time Count and Survey or data in a Homeless Management Information System; defining the term "individual identifying information"; providing for retroactive application of the exemption; specifying that the exemption does not preclude the release of aggregate information; 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 420.6231, Florida Statutes, is created to read: 420.6231 Individual identifying information in specified homelessness surveys and databases; public records exemption.-(1) As used in this section, the term "individual identifying information" means information that directly or indirectly identifies a specific person, can be manipulated to

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identify a specific person, or can be linked with other

available information to identify a specific person.

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

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(2) Individual identifying information of a person
contained in a Point-in-Time Count and Survey or data in a
Homeless Management Information System collected pursuant to 42
U.S.C. chapter 119, subchapter IV, and related regulations
provided in 24 C.F.R. part 91, is exempt from s. 119.07(1) and
s. 24(a), Art. I of the State Constitution. This exemption
applies to individual identifying information held before, on,
or after the effective date of this section.

- (3) This section does not preclude the release of aggregate information in a Point-in-Time Count and Survey or data in a Homeless Management Information System that does not disclose individual identifying information of a person.
- (4) This section is subject to the Open Government Sunset
  Review Act in accordance with s. 119.15 and shall stand repealed
  on October 2, 2022, unless reviewed and saved from repeal
  through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that individual identifying information of a person contained in a Point-in-Time Count and Survey or data in a Homeless Management Information System collected pursuant to 42 U.S.C. chapter 119, subchapter IV, and related regulations provided in 24 C.F.R. part 91, be made exempt from public records requirements. Pursuant to 42 U.S.C. s. 11363, the United States Secretary of Housing and Urban Development is required to instruct service providers that they are prohibited from

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disclosing individual identifying information about any client for purposes of the Homeless Management Information System, which includes information in a Point-in-Time Count and Survey. The public release of such sensitive information could lead to discrimination against or ridicule of such individuals and could make them reluctant to seek assistance for themselves or their family members. The public release of such information may put affected individuals at greater risk of injury as a significant proportion of such individuals are survivors of domestic violence or suffer from mental illness or substance abuse. Additionally, public access to such information may put affected individuals at a heightened risk for fraud and identity theft. The harm from disclosing such information outweighs any public benefit that can be derived from widespread and unfettered access to such information. This exemption is narrowly drawn so that aggregate information may be disclosed but does not authorize the disclosure of individual identifying information of a person contained in a Point-in-Time Count and Survey or data in a Homeless Management Information System collected pursuant to 42 U.S.C. chapter 119, subchapter IV, and related regulations provided in 24 C.F.R. part 91. Section 3. This act shall take effect upon becoming a law.

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