

By Senator Montford

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1 A bill to be entitled
2 An act relating to public records; amending s. 328.80,
3 F.S.; providing an exemption for electronic mail
4 addresses of vessel registrants collected by the
5 Department of Highway Safety and Motor Vehicles;
6 providing for future legislative review and repeal of
7 the exemption; providing a statement of public
8 necessity; providing a contingent effective date.
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10 Be It Enacted by the Legislature of the State of Florida:
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12 Section 1. Subsection (4) is added to section 328.80,
13 Florida Statutes, as amended by Senate Bill 632 or other similar
14 legislation enacted in the 2018 Regular Session or an extension
15 thereof, to read:

16 328.80 Transactions by electronic or telephonic means.—The
17 commission is authorized to accept any application provided for
18 under this chapter by electronic or telephonic means.

19 (4) Electronic mail addresses collected by the department
20 pursuant to subsection (3) are exempt from s. 119.07(1) and s.
21 24(a), Art. I of the State Constitution. This subsection is
22 subject to the Open Government Sunset Review Act in accordance
23 with s. 119.15 and shall stand repealed on October 2, 2023,
24 unless reviewed and saved from repeal through reenactment by the
25 Legislature.

26 Section 2. The Legislature finds that it is a public
27 necessity that the electronic mail address of vessel registrants
28 with the Department of Highway Safety and Motor Vehicles be made
29 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),

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30 Article I of the State Constitution. Electronic mail, rather
31 than traditional postal mail, is increasingly used as a means
32 for communicating and conducting business, including official
33 state and local business. In order to conduct business
34 electronically with the department, a registrant must report his
35 or her personal electronic mail address. However, such addresses
36 are unique to the individual and, when combined with other
37 personal identifying information, can be used for identity
38 theft, taxpayer scams, and other invasive contacts. The public
39 availability of personal electronic mail addresses invites and
40 exacerbates thriving and well-documented criminal activities and
41 puts taxpayers at increased risk of harm. Such harm would be
42 significantly curtailed by allowing the department to preserve
43 the confidentiality of registrant electronic mail addresses.

44 Section 3. This act shall take effect on the same date that
45 SB 632 or similar legislation takes effect, if such legislation
46 is adopted in the same legislative session or an extension
47 thereof and becomes a law.