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585-03349-19

Proposed Committee Substitute by the Committee on Governmental  
Oversight and Accountability

A bill to be entitled

An act relating to public records; amending s.  
112.31446, F.S.; providing exemptions from public  
records requirements for secure login credentials held  
by the Commission on Ethics and certain information  
entered into the electronic filing system for  
financial disclosure forms; specifying conditions  
under which such information is no longer exempt;  
providing for future legislative review and repeal of  
the exemption; providing a statement of public  
necessity; providing a contingent effective date.

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

Section 1. Subsection (6) is added to section 112.31446,  
Florida Statutes, as created by PCS/SB 7040, 2019 Regular  
Session, to read:

112.31446 Electronic filing system for financial  
disclosure.—

(6) (a) All secure login credentials held by the commission  
for the purpose of allowing access to the electronic filing  
system are exempt from s. 119.07(1) and s. 24(a), Art. I of the  
State Constitution.

(b) Information entered in the electronic filing system for  
purposes of financial disclosure is exempt from s. 119.07(1) and  
s. 24(a), Art. I of the State Constitution. Information entered  
in the electronic filing system is no longer exempt once the



593344

585-03349-19

28 disclosure of financial interests or statement of financial  
29 interests is submitted to the commission or, in the case of a  
30 candidate, filed with a qualifying officer, whichever occurs  
31 first.

32 (c) This subsection is subject to the Open Government  
33 Sunset Review Act in accordance with s. 119.15 and shall stand  
34 repealed on October 2, 2024, unless reviewed and saved from  
35 repeal through reenactment by the Legislature.

36 Section 2. The Legislature finds that it is a public  
37 necessity that all secure login credentials held by the  
38 Commission on Ethics for the purpose of allowing access to the  
39 electronic filing system for financial disclosures, and  
40 information entered into the system, be exempt from public  
41 records requirements. The Legislature finds that the public's  
42 need for access to information included in the full and public  
43 disclosures of financial interests or statements of financial  
44 interests filed by reporting individuals be balanced with the  
45 filer's interest in safeguarding personally sensitive  
46 information. The Legislature further finds that the  
47 unintentional publication of such information may subject the  
48 filer to identity theft, financial harm, or other adverse  
49 impacts. Without the public records exemption, the effective and  
50 efficient administration of the electronic filing system, which  
51 otherwise is designed to increase the ease of filing for  
52 reporting individuals and to improve the public's access to  
53 financial disclosure information, would be hindered. For these  
54 reasons, the Legislature finds that it is a public necessity to  
55 exempt such information from public records requirements.

56 Section 3. This act shall take effect on the same date that



593344

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57 PCS/SB 7040 or similar legislation takes effect, if such  
58 legislation is adopted in the same legislative session or an  
59 extension thereof and becomes a law.