

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Oversight, Transparency &
2 Public Management Subcommittee

3 Representative Raschein offered the following:
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (1) is added to subsection (5) of
8 section 119.071, Florida Statutes, to read:

9 119.071 General exemptions from inspection or copying of
10 public records.—

11 (5) OTHER PERSONAL INFORMATION.—

12 (1)1. For purposes of this paragraph, the term "financial
13 documentation" means income statements, paystubs, bank
14 statements, tax returns, public assistance information, disaster
15 recovery benefits, social security disability benefits, and
16 insurance information.

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17 2. Property photographs and applicant financial
18 documentation provided to the Department of Economic
19 Opportunity, the Florida Housing Finance Corporation, a county,
20 a municipality, or a local housing finance agency by or on
21 behalf of an applicant for or a participant in a federal, state,
22 or local housing assistance program for the purpose of disaster
23 recovery assistance for presidentially declared disasters are
24 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
25 of the State Constitution.

26 3. A governmental entity and its agents shall have access
27 to such confidential and exempt records and information for the
28 purpose of auditing federal, state, or local housing programs or
29 housing assistance programs. Such confidential and exempt
30 records and information may be used in any administrative or
31 judicial proceeding, provided such records are kept confidential
32 and exempt unless otherwise ordered by a court.

33 4. This paragraph is subject to the Open Government Sunset
34 Review Act in accordance with s. 119.15 and shall stand repealed
35 on October 2, 2025, unless reviewed and saved from repeal
36 through reenactment by the Legislature.

37 Section 2. The Legislature finds that it is a public
38 necessity that property photographs and applicant financial
39 documentation provided to the Department of Economic
40 Opportunity, the Florida Housing Finance Corporation, a county,
41 a municipality, or a local housing finance agency by or on

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42 behalf of an applicant for or a participant in a federal, state,
43 or local housing assistance program for the purpose of disaster
44 recovery assistance for presidentially declared disasters be
45 made confidential and exempt from s. 119.07(1), Florida
46 Statutes, and s. 24 (a), Article I of the State Constitution. In
47 response to a disaster an agency, in an effort to determine
48 storm damage and ascertain the estimated cost of rehabilitation,
49 may conduct a property inspection to observe and record the
50 presence of damage. The damage assessment data collected may
51 include interior and exterior photographs of such individual's
52 residence. This information may be used to locate the damaged
53 property and identify and contact the property owner or tenant.
54 If released, this information may be used by fraudulent
55 contractors, predatory lenders, thieves, or individuals seeking
56 to impose on the vulnerability of a distressed property owner or
57 tenant following a disaster. Therefore, it is necessary that
58 this information be protected to ensure that people impacted by
59 a disaster do not have sensitive information released.

60 Section 3. This act shall take effect July 1, 2020.

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63 **T I T L E A M E N D M E N T**

64 Remove everything before the enacting clause and insert:
65 An act relating to public records; amending s. 119.071, F.S.;
66 providing a definition for financial documentation; providing an

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1035 (2020)

Amendment No.

67 exemption from public records requirements for property
68 photographs and financial documentation provided to the
69 Department of Economic Opportunity, the Florida Housing Finance
70 Corporation, a county, a municipality, or a local housing
71 finance agency by or on behalf of an applicant for or a
72 participant in a federal, state, or local housing assistance
73 program for the purpose of disaster recovery assistance;
74 authorizing access to such records and information for certain
75 purposes; providing for future legislative review and repeal of
76 the exemption; providing a statement of public necessity;
77 providing an effective date.

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