

1 A bill to be entitled
 2 An act relating to public records; providing an
 3 exemption from public records requirements for certain
 4 records and information provided to the Department of
 5 Economic Opportunity, the Florida Housing Finance
 6 Corporation, a county, a municipality, or a local
 7 housing finance agency by or on behalf of an applicant
 8 for or a participant in a federal, state, or local
 9 housing assistance program for the purpose of disaster
 10 recovery assistance; authorizing access to such
 11 records and information for certain purposes;
 12 providing for future legislative review and repeal of
 13 the exemption; providing a statement of public
 14 necessity; providing an effective date.

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

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

20 119.071 General exemptions from inspection or copying of
 21 public records.—

22 (5) OTHER PERSONAL INFORMATION.—

23 (1)1. Records and information related to property
 24 photographs, financial documents, or financial information
 25 provided to the Department of Economic Opportunity, the Florida

26 Housing Finance Corporation, a county, a municipality, or a
27 local housing finance agency by or on behalf of an applicant for
28 or a participant in a federal, state, or local housing
29 assistance program for the purpose of disaster recovery
30 assistance are confidential and exempt from s. 119.07(1) and s.
31 24(a), Art. I of the State Constitution.

32 2. A governmental entity and its agents shall have access
33 to such confidential and exempt records and information for the
34 purpose of auditing federal, state, or local housing programs or
35 housing assistance programs. Such confidential and exempt
36 records and information may be used in any administrative or
37 judicial proceeding, provided such records are kept confidential
38 and exempt unless otherwise ordered by a court.

39 3. This paragraph is subject to the Open Government Sunset
40 Review Act in accordance with s. 119.15 and shall stand repealed
41 on October 2, 2025, unless reviewed and saved from repeal
42 through reenactment by the Legislature.

43 Section 2. The Legislature finds that it is a public
44 necessity that records and information related to property
45 photographs, financial documents, or financial information of an
46 applicant for or a participant in a federal, state, or local
47 housing assistance program provided to the Department of
48 Economic Opportunity, the Florida Housing Finance Corporation, a
49 county, a municipality, or a local housing finance agency for
50 the purpose of disaster recovery assistance should be made

51 confidential and exempt from s. 119.07(1), Florida Statutes, and
52 s. 24 (a), Article I of the State Constitution. In response to a
53 disaster an agency, in an effort to determine storm damage and
54 ascertain the estimated cost of rehabilitation, may conduct a
55 property inspection to observe and record the presence of
56 damage. The damage assessment data collected may include
57 interior and exterior photographs of such individual's
58 residence. This information may be used to locate the damaged
59 property and identify and contact the property owner or tenant.
60 If released, this information may be used by fraudulent
61 contractors, predatory lenders, thieves, or individuals seeking
62 to impose on the vulnerability of a distressed property owner or
63 tenant following a disaster. Therefore, it is necessary that
64 this information be protected to ensure that people impacted by
65 a disaster do not have sensitive information released.

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