

1                   A bill to be entitled  
 2           An act relating to public records; amending s.  
 3           119.071, F.S.; defining the term "financial  
 4           documentation"; providing an exemption from public  
 5           records requirements for property photographs and  
 6           financial documentation provided to specified entities  
 7           by certain persons for the purpose of disaster  
 8           recovery assistance; authorizing access to such  
 9           records and information for certain purposes;  
 10          providing for future legislative review and repeal of  
 11          the exemption; providing a statement of public  
 12          necessity; providing an effective date.

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

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

18           119.071 General exemptions from inspection or copying of  
 19          public records.—

20           (5) OTHER PERSONAL INFORMATION.—

21           (1) 1. For purposes of this paragraph, the term "financial  
 22          documentation" means income statements, paystubs, bank  
 23          statements, tax returns, public assistance information, disaster  
 24          recovery benefits, social security disability benefits, and  
 25          insurance information.

26        2. Property photographs and applicant financial  
 27 documentation provided to the Department of Economic  
 28 Opportunity, the Florida Housing Finance Corporation, a county,  
 29 a municipality, or a local housing finance agency by or on  
 30 behalf of an applicant for, or a participant in, a federal,  
 31 state, or local housing assistance program for the purpose of  
 32 disaster recovery assistance for a presidentially declared  
 33 disaster are confidential and exempt from s. 119.07(1) and s.  
 34 24(a), Art. I of the State Constitution.

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

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

46        Section 2. The Legislature finds that it is a public  
 47 necessity that property photographs and applicant financial  
 48 documentation provided to the Department of Economic  
 49 Opportunity, the Florida Housing Finance Corporation, a county,  
 50 a municipality, or a local housing finance agency by or on

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

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