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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/10/2020	.	
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The Committee on Governmental Oversight and Accountability
(Gainer) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

(5) OTHER PERSONAL INFORMATION.—

(1)1. For purposes of this paragraph, the term "financial



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11 documentation" means income statements, paystubs, bank
12 statements, tax returns, public assistance information, disaster
13 recovery benefits, social security disability benefits, and
14 insurance information.

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

24 3. An agency provided such confidential and exempt records
25 pursuant to paragraph 2. may disclose such confidential and
26 exempt records to a governmental entity or its agents for the
27 purpose of auditing federal, state, or local housing programs or
28 housing assistance programs. The entities or agents receiving
29 such confidential information must maintain the confidential and
30 exempt status of such records. Such confidential and exempt
31 records may be used in any administrative or judicial
32 proceeding, provided such records are kept confidential and
33 exempt unless otherwise ordered by a court.

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35 Review Act in accordance with s. 119.15 and shall stand repealed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

38 Section 2. The Legislature finds that it is a public
39 necessity that property photographs and applicant financial



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

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

62
63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete everything before the enacting clause
66 and insert:

67 An act relating to public records; amending s. 119.071, F.S.;
68 providing a definition for financial documentation; providing an



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