

2020966e1

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

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Paragraph (f) of subsection (5) of section
16 119.071, Florida Statutes, is amended to read:

17 119.071 General exemptions from inspection or copying of
18 public records.—

19 (5) OTHER PERSONAL INFORMATION.—

20 (f) 1. The following information held by the Department of
21 Economic Opportunity, the Florida Housing Finance Corporation, a
22 county, a municipality, or a local housing finance agency is
23 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
24 of the State Constitution:

25 a. Medical history records and information related to
26 health or property insurance provided to the Department of
27 Economic Opportunity, the Florida Housing Finance Corporation, a
28 county, a municipality, or a local housing finance agency by an
29 applicant for or a participant in a federal, state, or local

2020966e1

30 housing assistance program ~~are confidential and exempt from s.~~
31 ~~119.07(1) and s. 24(a), Art. I of the State Constitution.~~

32 b. Property photographs and personal identifying
33 information of an applicant for or a participant in a federal,
34 state, or local housing assistance program for the purpose of
35 disaster recovery assistance for a presidentially declared
36 disaster.

37 2. Governmental entities or their agents shall have access
38 to such confidential and exempt records and information for the
39 purpose of auditing federal, state, or local housing programs or
40 housing assistance programs.

41 3. Such confidential and exempt records and information may
42 be used in any administrative or judicial proceeding, provided
43 such records are kept confidential and exempt unless otherwise
44 ordered by a court.

45 4. Sub-subparagraph 1.b. is subject to the Open Government
46 Sunset Review Act in accordance with s. 119.15 and shall stand
47 repealed on October 2, 2025, unless reviewed and saved from
48 repeal through reenactment by the Legislature.

49 Section 2. The Legislature finds that it is a public
50 necessity that property photographs and personal identifying
51 information of an applicant for or 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, held by the Department of Economic Opportunity, the
55 Florida Housing Finance Corporation, a county, a municipality,
56 or a local housing finance agency, be made confidential and
57 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
58 Article I of the State Constitution. In response to a disaster,

2020966e1

59 an agency, in an effort to determine damage and ascertain the
60 estimated cost of rehabilitation, may conduct a property
61 inspection to observe and record damage to the property. This
62 information may be used to locate the damaged property and to
63 identify and contact the property owner or tenant. Following a
64 disaster, the people affected are vulnerable and frequently
65 displaced due to the severely damaged and often uninhabitable
66 condition of their residences. If released, property photographs
67 and personal identifying information could be used by fraudulent
68 contractors, predatory lenders, thieves, or individuals seeking
69 to impose on the vulnerability of the distressed property owner
70 or tenant following a disaster. Therefore, it is necessary that
71 property photographs and personal identifying information be
72 protected to ensure that those affected by a disaster are not
73 harassed, intimidated, or potentially defrauded.

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