

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 288.075, F.S.; providing an exemption from public
 4 records requirements for certain information held by
 5 an economic development agency; providing that such
 6 information may be released in an aggregated and
 7 anonymized format; providing for future legislative
 8 review and repeal of the exemption; providing a
 9 statement of public necessity; providing an effective
 10 date.

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

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14 Section 1. Subsection (7) of section 288.075, Florida
 15 Statutes, is renumbered as subsection (8), and a new subsection
 16 (7) is added to that section, to read:

17 288.075 Confidentiality of records.—

18 (7) LOAN PROGRAMS.—

19 (a) The following information held by an economic
 20 development agency pursuant to its administration of a state or
 21 federally funded small business loan program is exempt from s.
 22 119.07(1) and s. 24(a), Art. I of the State Constitution:

23 1. The home address, telephone number, and e-mail address
 24 of a person who submits an application for a loan on behalf of a
 25 business.

- 26 2. Tax returns.
- 27 3. Bank and financial statements.
- 28 4. Credit history information, credit reports, and credit
- 29 scores.

30 (b) This section does not prohibit the disclosure of
 31 information held by an economic development agency pursuant to
 32 its administration of a small business loan program in an
 33 aggregated and anonymized format.

34 (c) This subsection is subject to the Open Government
 35 Sunset Review Act in accordance with s. 119.15 and shall stand
 36 repealed on October 2, 2026, unless reviewed and saved from
 37 repeal through reenactment by the Legislature.

38 Section 2. The Legislature finds that it is a public
 39 necessity that the home address, telephone number, and e-mail
 40 address of a person who submits an application for a loan on
 41 behalf of a business; tax returns; bank and financial
 42 statements; and credit history information, credit reports, and
 43 credit scores held by an economic development agency pursuant to
 44 its administration of any state or federally funded small
 45 business loan program be made exempt from s. 119.07(1), Florida
 46 Statutes, and s. 24(a), Article I of the State Constitution. In
 47 order to process and disburse loan funds, an economic
 48 development agency may obtain sensitive information needed to
 49 assess viability of loans. This information may be used to
 50 locate and identify and contact the borrower. If released,

51 locating and identifying information could be used by fraudulent
52 contractors, predatory lenders, thieves, or individuals seeking
53 to impose on the borrower. Therefore, it is necessary that
54 certain information held by an economic development agency
55 pursuant to its administration of any state or federally funded
56 small business loan program be protected to ensure that
57 borrowers are not harassed, intimidated, or potentially
58 defrauded.

59 Section 3. This act shall take effect July 1, 2021.