

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 subsection 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 36 repealed on October 2, 2026, unless reviewed and saved from  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 assess the viability of loans, an economic development  
 48 agency may obtain sensitive information of an applicant or  
 49 borrower, including certain contact and financial information.  
 50 If released, the sensitive information could be used by

51 fraudulent contractors, predatory lenders, thieves, or  
52 individuals seeking to impose on the applicant or borrower.  
53 Therefore, it is necessary that sensitive information held by an  
54 economic development agency pursuant to its administration of  
55 any state or federally funded small business loan program be  
56 protected to ensure that applicants and borrowers are not  
57 harassed, intimidated, or potentially defrauded. The Legislature  
58 finds the harm that may result from the release of such  
59 sensitive information outweighs the public benefit that may be  
60 derived from the disclosure of the information.

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