

By Senator Burgess

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 655.057, F.S.; providing an exemption from public
4 records requirements for certain information received
5 by the Office of Financial Regulation pursuant to an
6 application for a de novo banking charter; providing
7 for future legislative review and repeal of the
8 exemption; providing a statement of public necessity;
9 providing an effective date.

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

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13 Section 1. Present subsections (5) through (14) of section
14 655.057, Florida Statutes, are redesignated as subsections (6)
15 through (15), respectively, a new subsection (5) is added to
16 that section, and present subsection (14) of that section is
17 amended, to read:

18 655.057 Records; limited restrictions upon public access.—

19 (5) (a) Except as otherwise provided in this section and
20 except for such portions thereof which are public records,
21 information received by the office pursuant to an application
22 for a de novo banking charter is confidential and exempt from s.
23 119.07(1) and s. 24(a), Art. I of the State Constitution to the
24 extent that disclosure would:

25 1. Reveal personal financial information.

26 2. Reveal a driver license or identification card number, a
27 passport number, a military identification number, or any other
28 similar number issued on a government document used to verify
29 identity.

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30 3. Reveal the home address of any individual.

31 4. Reveal the identity of a minority shareholder or
32 subscriber.

33 5. Reveal the name of a proposed officer or director, to
34 the extent that doing so would jeopardize the proposed officer's
35 or director's current employment with or participation in the
36 affairs of another financial institution.

37 6. Defame or cause unwarranted damage to the good name or
38 reputation of an individual or jeopardize the safety of an
39 individual.

40 7. Reveal books and records of a financial institution or
41 registrant.

42 8. Reveal an applicant's business plan and any attached
43 supporting documentation.

44 (b) This subsection is subject to the Open Government
45 Sunset Review Act in accordance with s. 119.15 and is repealed
46 on October 2, 2026, unless reviewed and saved from repeal
47 through reenactment by the Legislature.

48 (15)(14) Subsections (1), (2), (6), and (10) (5), and (9)
49 are subject to the Open Government Sunset Review Act in
50 accordance with s. 119.15 and are repealed on October 2, 2022,
51 unless reviewed and saved from repeal through reenactment by the
52 Legislature.

53 Section 2. The Legislature finds that it is a public
54 necessity that information received by the Office of Financial
55 Regulation pursuant to an application for a de novo banking
56 charter be made confidential and exempt from s. 119.07(1),
57 Florida Statutes, and s. 24(a), Article I of the State
58 Constitution to the extent that disclosure would reveal personal

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59 financial information; reveal a driver license or identification
60 card number, passport number, military identification number, or
61 other similar number issued on a government document used to
62 verify identity; reveal the home address of any individual;
63 reveal the identity of a minority shareholder or subscriber;
64 reveal the name of a proposed officer or director, to the extent
65 that doing so would jeopardize the proposed officer's or
66 director's current employment with or participation in the
67 affairs of another financial institution; defame or cause
68 unwarranted damage to the good name or reputation of an
69 individual or jeopardize the safety of an individual; reveal
70 books and records of a financial institution or registrant; or
71 reveal an applicant's business plan and any attached supporting
72 documentation. The office may receive sensitive personal,
73 financial, and business information in conjunction with its
74 duties related to the review of applications for the
75 organization or establishment of state financial institutions.
76 An exemption from public records is necessary to ensure the
77 office's ability to administer its regulatory duties while
78 preventing unwarranted damage to an applicant's good name or
79 impairment of its safety and soundness, as well as the safety
80 and soundness of the financial system of this state. Release of
81 any portion of an application that reveals an individual's
82 personal financial information, government identity verification
83 documents, or home address could cause unwarranted damage to the
84 good names or reputation of those individuals or jeopardize
85 their safety.

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