

By Senator Boyd

21-01425-22

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1                   A bill to be entitled  
2       An act relating to public records; amending s.  
3       119.0714, F.S.; providing an exemption from public  
4       records requirements for personal identifying  
5       information and annuity contract numbers of a payee of  
6       a structured settlement and the names of family  
7       members, dependents, and beneficiaries of such payee;  
8       providing for future legislative review and repeal of  
9       the exemption; providing a statement of public  
10       necessity; providing an effective date.

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

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14       Section 1. Paragraph (1) is added to subsection (1) of  
15       section 119.0714, Florida Statutes, to read:

16       119.0714 Court files; court records; official records.—

17       (1) COURT FILES.—Nothing in this chapter shall be construed  
18       to exempt from s. 119.07(1) a public record that was made a part  
19       of a court file and that is not specifically closed by order of  
20       court, except:

21       (1) Personal identifying information and annuity contract  
22       numbers of a payee of a structured settlement as defined in s.  
23       626.99296(2) and the names of family members, dependents, and  
24       beneficiaries of such payee are exempt from s. 119.07(1) and s.  
25       24(a), Art. I of the State Constitution. This paragraph is  
26       subject to the Open Government Sunset Review Act in accordance  
27       with s. 119.15 and shall stand repealed on October 2, 2027,  
28       unless reviewed and saved from repeal through reenactment by the  
29       Legislature.

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30           Section 2. The Legislature finds that it is a public  
31 necessity that the personal identifying information and annuity  
32 contract numbers of a payee of a structured settlement and the  
33 names of family members, dependents, and beneficiaries of such  
34 payee be made exempt from s. 119.07(1), Florida Statutes, and s.  
35 24(a), Article I of the State Constitution. Recipients of  
36 structured settlements have been targets of criminal and  
37 fraudulent acts based upon publicly available identifying  
38 information. The Legislature finds that the harm that may result  
39 from the release of personal identifying information and annuity  
40 contract numbers of a payee of a structured settlement and the  
41 names of family members, dependents, and beneficiaries of such  
42 payee outweighs any public benefit that may be derived from the  
43 disclosure of such information.

44           Section 3. This act shall take effect July 1, 2022.