

By the Committee on Banking and Insurance; and Senator Boyd

597-02318-22

20221526c1

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 contained in the court records for a proceeding for
9 the approval of the transfer of structured settlement
10 payment rights; limiting such exemption to a specified
11 period; providing for future legislative review and
12 repeal of the exemption; providing a statement of
13 public necessity; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Paragraph (1) is added to subsection (1) of
18 section 119.0714, Florida Statutes, to read:

19 119.0714 Court files; court records; official records.—

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

24 (1) Personal identifying information and annuity contract
25 numbers of a payee of a structured settlement as defined in s.
26 626.99296(2) and the names of family members, dependents, and
27 beneficiaries of such payee contained within a court file
28 relating to a proceeding for the approval of the transfer of
29 structured settlement payment rights under s. 626.99296. Such

597-02318-22

20221526c1

30 information shall remain exempt from s. 119.07(1) and s. 24(a),
31 Art. I of the State Constitution during the pendency of the
32 transfer proceeding and for 6 months after the final court order
33 approving, or not approving, the transferee's application. This
34 paragraph is subject to the Open Government Sunset Review Act in
35 accordance with s. 119.15 and shall stand repealed on October 2,
36 2027, unless reviewed and saved from repeal through reenactment
37 by the Legislature.

38 Section 2. The Legislature finds that it is a public
39 necessity that the 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 be made exempt from s. 119.07(1), Florida Statutes, and s.
43 24(a), Article I of the State Constitution. Recipients of
44 structured settlements have been targets of criminal and
45 fraudulent acts based upon publicly available identifying
46 information and are especially vulnerable during transfer
47 proceedings to fraudulent actors purporting to be from
48 legitimate entities. These fraudulent actors may use such
49 information to intercept transfer payments or obtain other
50 sensitive information, such as bank account and social security
51 numbers. The Legislature finds that the harm that may result
52 from the release of personal identifying information and annuity
53 contract numbers of a payee of a structured settlement and the
54 names of family members, dependents, and beneficiaries of such
55 payee outweighs any public benefit that may be derived from the
56 disclosure of such information during the specified period.

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