

By Senator Polsky

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 24.1051, F.S.; creating a temporary exemption from
4 public records for the names of lottery winners who
5 win prizes of more than a specified value; providing
6 for future legislative review and repeal of the
7 exemption; providing a statement of public necessity;
8 providing an effective date.

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

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12 Section 1. Present subsections (3) and (4) of section
13 24.1051, Florida Statutes, are redesignated as subsections (4)
14 and (5), respectively, and a new subsection (3) is added to that
15 section, to read:

16 24.1051 Exemptions from inspection or copying of public
17 records.—

18 (3) (a) The name of a winner of a prize valued at \$250,000
19 or more is confidential and exempt from s. 119.07(1) and s.
20 24(a), Art. I of the State Constitution for 90 days from the
21 date the prize is claimed, unless the winner consents to the
22 release of his or her name or as provided for in s. 24.115(4) or
23 s. 409.2577. After 90 days, the winner's name is no longer
24 confidential and exempt.

25 (b) This subsection is subject to the Open Government
26 Sunset Review Act in accordance with s. 119.15 and shall stand
27 repealed on October 2, 2027, unless reviewed and saved from
28 repeal through reenactment by the Legislature.

29 Section 2. The Legislature finds that it is a public

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30 necessity that the name of a winner of a lottery prize valued at
31 \$250,000 or more be made confidential and exempt from s.
32 119.07(1), Florida Statutes, and s. 24(a), Article I of the
33 State Constitution for 90 days from the date the prize is
34 claimed, unless such exemption is waived by the winner. Persons
35 who win valuable lottery prizes have been the targets of violent
36 and nonviolent criminal acts based upon publicly available
37 identifying information. For this reason, the Legislature finds
38 that it is a public necessity to temporarily maintain the
39 confidential and exempt status of such information. The
40 Legislature finds that the harm that may result from the release
41 of the name of a winner of a lottery prize valued at \$250,000 or
42 more outweighs the public benefit that may be derived from the
43 disclosure of the information.

44 Section 3. This act shall take effect upon becoming a law.