

HB911

2023

1                                   A bill to be entitled  
 2           An act relating to public records; amending s.  
 3           119.0712, F.S.; providing exemptions from public  
 4           records requirements for e-mail addresses collected  
 5           and held by the Department of State and secure login  
 6           credentials held by the Department of State for a  
 7           certain purpose; providing for retroactive  
 8           application; providing for future legislative review  
 9           and repeal of the exemptions; providing a statement of  
 10          public necessity; providing a contingent effective  
 11          date.

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

15           Section 1. Subsection (5) is added to section 119.0712,  
 16 Florida Statutes, to read:

17           119.0712 Executive branch agency-specific exemptions from  
 18 inspection or copying of public records.—

19           (5) DEPARTMENT OF STATE.—

20           (a) E-mail addresses collected and held by the Department  
 21 of State pursuant to chapter 55, chapter 117, chapter 118,  
 22 chapter 495, chapter 605, chapter 606, chapter 607, chapter 610,  
 23 chapter 617, chapter 620, chapter 621, chapter 679, chapter 713,  
 24 or chapter 865 are exempt from s. 119.07(1) and s. 24(a), Art. I  
 25 of the State Constitution. This exemption applies to e-mail

26 addresses held by the department before, on, or after the  
 27 effective date of this act.

28 (b) Secure login credentials held by the Department of  
 29 State for purposes of a password protected system implemented  
 30 pursuant to s. 15.16(3) are exempt from s. 119.07(1) and s.  
 31 24(a), Art. I of the State Constitution. This exemption applies  
 32 to secure login credentials held by the department before, on,  
 33 or after the effective date of the exemption. For purposes of  
 34 this paragraph, the term "secure login credentials" means  
 35 information held by the department for purposes of  
 36 authenticating a user logging into a user account on a computer,  
 37 a computer system, a computer network, or an electronic device;  
 38 an online user account accessible over the Internet, whether  
 39 through a mobile device, a website, or any other electronic  
 40 means; or information used for authentication or password  
 41 recovery.

42 (c) This subsection is subject to the Open Government  
 43 Sunset Review Act in accordance with s. 119.15 and shall stand  
 44 repealed on October 2, 2028, unless reviewed and saved from  
 45 repeal through reenactment by the Legislature.

46 Section 2. The Legislature finds that it is a public  
 47 necessity that e-mail addresses collected and held by the  
 48 Department of State and secure login credentials held by the  
 49 Department of State for purposes of a password protected system  
 50 implemented pursuant to s. 15.16(3), Florida Statutes, be made

HB911

2023

51 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
52 Article I of the State Constitution. Such identifying  
53 information can be used as a tool to perpetuate fraud against an  
54 individual or corporation, the release of which could cause  
55 great financial harm to the individual or corporation.  
56 Therefore, the Legislature finds that it is a public necessity  
57 that such information be made exempt from public records  
58 requirements.

59 Section 3. This act shall take effect on the same date  
60 that HB 909 or similar legislation takes effect, if such  
61 legislation is adopted in the same legislative session or an  
62 extension thereof and becomes a law.