

FOR CONSIDERATION By the Committee on Agriculture

575-01897-24

20247026pb

1                                   A bill to be entitled  
2       An act relating to public records; amending s.  
3       570.822, F.S.; providing an exemption from public  
4       records requirements for certain information held by  
5       the Department of Agriculture and Consumer Services;  
6       providing that such information may be released in an  
7       aggregated and anonymized format; providing for future  
8       legislative review and repeal of the exemption;  
9       providing a statement of public necessity; providing  
10      an effective date.

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

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14       Section 1. Present subsections (8), (9), and (10) of  
15       section 570.822, Florida Statutes, are redesignated as  
16       subsection (9), (10), and (11), respectively, and a new  
17       subsection (8) is added to that section, to read:

18       570.822 Agriculture and Aquaculture Producers Natural  
19       Disaster Recovery Loan Program.—

20       (8) PUBLIC RECORDS EXEMPTION.—

21       (a) The following information held by the department  
22       pursuant to its administration of the program is exempt from s.  
23       119.07(1) and s. 24(a), Art. I of the State Constitution:

24       1. Tax returns.

25       2. Credit history information, credit reports, and credit  
26       scores.

27       (b) This subsection does not prohibit the disclosure of  
28       information held by the department pursuant to its  
29       administration of the program in an aggregated and anonymized

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30 format.

31 (c) This subsection is subject to the Open Government  
32 Sunset Review Act in accordance with s. 119.15 and shall stand  
33 repealed on October 2, 2029, unless reviewed and saved from  
34 repeal through reenactment by the Legislature.

35 Section 2. The Legislature finds that it is a public  
36 necessity that the tax returns and credit history information,  
37 credit reports, and credit scores held by the Department of  
38 Agriculture and Consumer Services pursuant to its administration  
39 of the Agriculture and Aquaculture Producers Natural Disaster  
40 Recovery Loan Program be made exempt from s. 119.07(1), Florida  
41 Statutes, and s. 24(a), Article I of the State Constitution. In  
42 order to assess the viability of loans, the department may  
43 obtain sensitive information about a borrower, including certain  
44 financial information. If released, the sensitive information  
45 could be used by fraudulent contractors, predatory lenders,  
46 thieves, or individuals seeking to impose on the borrower.  
47 Therefore, it is necessary that sensitive information held by  
48 the department pursuant to its administration of the program be  
49 protected to ensure that borrowers are not harassed,  
50 intimidated, or potentially defrauded. The Legislature finds the  
51 harm that may result from the release of such sensitive  
52 information outweighs the public benefit that may be derived  
53 from the disclosure of the information.

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