

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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BILL #: [CS/HB 1329](#)

TITLE: Pub. Rec./Hope Florida Participants

SPONSOR(S): Gerwig

COMPANION BILL: None

LINKED BILLS: [HB 1327](#) Gerwig

RELATED BILLS: [SB 1146](#) (Burgess)

Committee References

[Human Services](#)

17 Y, 0 N, As CS



[Government Operations](#)



[Health & Human Services](#)

SUMMARY

Effect of the Bill:

HB 1329 creates a public records exemption for the personal identifying information of individuals seeking assistance from the Hope Florida initiative provided to the Hope Florida Office or a Hope Navigator.

The exemption is subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2030, unless reviewed and saved from repeal by the Legislature.

Fiscal or Economic Impact:

None

Extraordinary Vote Required for Passage:

The bill requires a two-thirds vote of the members present and voting in both houses of the Legislature for final passage.

[JUMP TO](#)

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

[BILL HISTORY](#)

ANALYSIS

EFFECT OF THE BILL:

Hope Florida Public Records Exemption

Hope Florida is an initiative intended to assist individuals in reducing or eliminating their reliance on government programs to become self-sufficient. Participants provide their identifying information to the Hope Florida Office and Hope Navigators to obtain assistance.

The bill creates a [public records](#) exemption for personal identifying information of participants in the Hope Florida initiative. (Section [1](#))

The bill allows access to confidential and exempt information within the Hope Florida case management system as follows:

- To an employee of a participating state agency for purposes of periodic reporting or disclosure of information that has been redacted to exclude personal.
- At the direction of the Governor or the Hope Florida partner network.
- To an employee of the Hope Florida Office for purposes of approving or disapproving a request for additional assistance within the purview of Hope Florida. (Section [1](#))

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DATE: 4/2/2025

The bill specifies that all information released remains confidential and exempt and that the person who receives the information must maintain such status. Any person who willfully and knowingly violates these provisions commits a felony of the third degree. (Section [1](#))

The bill does not provide a public necessity statement for the public records exemption, as required by the State Constitution.¹

The bill specifies that the public records exemption is subject to the [Open Government Sunset Review Act](#) and will stand repealed on October 2, 2030, unless reviewed and saved from repeal by the Legislature.² (Section [1](#))

The bill becomes effective on the same date HB 1327 or similar legislation becomes law. (Section [2](#))

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Hope Florida

Hope Florida, an initiative launched by First Lady Casey DeSantis in September 2021, is intended to assist individuals in reducing or eliminating their reliance on government programs to become self-sufficient.³

This is accomplished by financial and employment assistance provided by the private sector, faith-based community and nonprofit organizations, as well as individuals willing to donate funds or their time by volunteering.⁴

The initiative is operated by the Department of Children and Families.⁵

Open Government

The Florida Constitution sets forth the state's public policy regarding access to government records and meetings. Every person is guaranteed a right to inspect or copy any public records or the legislative, executive, and judicial branches of government.⁶ All meetings of any collegial public body of the executive branch of state government or any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, must be open and noticed to the public.⁷ The Legislature, however, may provide by general law an exemption⁸ from public record or meeting requirements provided that the exemption passes by a two-thirds vote of each chamber, states with specificity the public necessity justifying the exemption, and is no broader than necessary to meet its public purpose.

[Public Records](#)

Current law also addresses the public policy regarding access to government records, guaranteeing every person a right to inspect and copy any state, county, or municipal record, unless the record is exempt.⁹ Furthermore, the [Open Government Sunset Review Act](#) provides that a public records exemption may be created, revised, or maintained only if it serves an identifiable public purpose and the "Legislature finds that the purpose is sufficiently

¹ See Art. I, s. 24(c), Fla. Const.

² S. [119.15, F.S.](#)

³ Hope Florida, *Timeline*, <https://hopeflorida.com/about-us/timeline.html> (last visited Mar. 28, 2025).

⁴ *First Lady Casey DeSantis Announces Major New Initiative*, <https://www.flgov.com/eog/news/press/2021/first-lady-casey-desantis-announces-major-new-initiative> (last visited Mar. 28, 2025).

⁵ Department of Children and Families, Agency Bill Analysis for HB 1327 (2025), pp. 2 (Mar. 14, 2025).

⁶ Art. I, s. 24(a), Fla. Const.

⁷ Art. I, s. 24(b), Fla. Const.

⁸ A public record exemption means a provision of general law which provides that a specified record or meeting, or portion thereof, is not subject to the access requirements of [s. 119.07\(1\), F.S.](#), [s. 286.011, F.S.](#), or s. 24, Art. I of the Florida Constitution. See [s. 119.011\(8\), F.S.](#)

⁹ See [s. 119.01, F.S.](#)

compelling to override the strong public policy of open government and cannot be accomplished without the exemption.¹⁰ An identifiable public purpose is served if the exemption meets one of the following purposes:

- Allows the state or its political subdivisions to effectively and efficiently administer a governmental program, which administration would be significantly impaired without the exemption;
- Protects sensitive personal information that, if released, would be defamatory or would jeopardize an individual’s safety; however, only the identity of an individual may be exempted under this provision; or
- Protects trade or business records.¹¹

Personal Identifying Information of Applicants, Participants and Recipients of State Programs

Current law provides many public records exemptions for the personal identifying information of applicants for, participants in, or recipients of, state programs. Examples include:

- Individuals eligible for health-related services whose information is held by the Department of Health.¹²
- Applicants or enrollees in a Florida Kidcare program whose information is held by the Agency for Health Care Administration, the Department of Children and Families, the Department of Health, or the Florida Healthy Kids Corporation.¹³
- Participants of a temporary cash assistance program, families of participants, or a participant’s family or household member whose information is held by the Department of Children and Families, CareerSource Florida, Inc., the Department of Health, the Department of Revenue, the Department of Education, or a local workforce development board.¹⁴
- Applicants or participants of a school food and nutrition service program whose information is held by the Department of Education.¹⁵
- Participants of health-related, elder care, or long-term care services whose information is held by the Department of Elder Affairs.¹⁶

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Human Services Subcommittee	17 Y, 0 N, As CS	4/1/2025	Mitz	Mitz
THE CHANGES ADOPTED BY THE COMMITTEE:				
<ul style="list-style-type: none"> • Added the constitutionally-required public necessity statement. 				
Government Operations Subcommittee				
Health & Human Services Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

¹⁰ S. [119.15\(6\)\(b\), F.S.](#)

¹¹ *Id.*

¹² S. [119.0712, F.S.](#)

¹³ S. [409.821, F.S.](#)

¹⁴ S. [414.295, F.S.](#)

¹⁵ S. [595.409, F.S.](#)

¹⁶ S. [430.105, F.S.](#)

