

FLORIDA HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 939 TITLE: Pub. Rec./E-mail Addresses Collected by the Department of Highway Safety and Motor Vehicles SPONSOR(S): Yarkosky	COMPANION BILL: SB 490 (Massullo) LINKED BILLS: CS/CS/HB 937 (Yarkosky, Bankson) RELATED BILLS: None
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FINAL HOUSE FLOOR ACTION: 110 Y's 0 N's **GOVERNOR'S ACTION:** Pending

SUMMARY

Effect of the Bill:

The bill expands an existing public record exemption by exempting from public disclosure all email addresses collected by the Department of Highway Safety and Motor Vehicles (DHSMV), for all general notifications, and not solely renewal notices, relating to motor vehicle title, motor vehicle and mobile home registration, and driver license and identification card transactions. The bill also creates a public record exemption for email addresses collected by DHSMV that are used for general notifications relating to vessel title and lien transactions.

The bill specifies that the public record exemptions will repeal on October 2, 2031, unless reenacted by the Legislature.

Fiscal or Economic Impact:

None.

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ANALYSIS

EFFECT OF THE BILL:

HB 939 passed as [SB 490](#).

The bill expands an existing [public record](#) exemption to include all email addresses collected by the Department of Highway Safety and Motor Vehicles (DHSMV) for all general notifications, and not solely renewal notices, relating to motor vehicle title; motor vehicle and mobile home registration; and driver license and identification card transactions. The bill also creates a public record exemption for email addresses collected by DHSMV that are used for all general notifications, including renewal notices, relating to vessel title and lien transactions. (Section 1)

The bill provides that the public record exemptions are scheduled to repeal on October 2, 2031, unless reviewed and saved from repeal by the Legislature. (Section 1)

As required by the State Constitution, the bill contains a statement of public necessity for the public record exemptions. The public necessity statement provides that an email address is unique to each individual and, when combined with other personal identifying information, may be used for identity theft, consumer scams, unwanted solicitations, or other invasive contacts. The public necessity statement further provides that if email addresses held by DHSMV were released, the risk to such customers outweighs Florida's public policy favoring open government. (Section 2)

Subject to the Governor's veto powers, the effective date of this bill is the same date that [SB 488](#) or similar legislation takes effect. (Section 3)

STORAGE NAME: h0939z.GOS

DATE: 3/31/2026

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Public Records

The Florida Constitution sets forth the state’s public policy regarding access to government records, guaranteeing every person a right to inspect or copy any public record of the legislative, executive, and judicial branches of government.¹ The Legislature, however, may provide by general law an exemption² from public record 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.³

Current law also addresses the public policy regarding access to government records by guaranteeing every person a right to inspect and copy any state, county, or municipal record, unless the record is exempt.⁴ Furthermore, the Open Government Sunset Review (OGSR) Act⁵ provides that a public record exemption may be created, revised, or maintained only if it serves an identifiable public purpose and the “Legislature finds that the purpose is sufficiently compelling to override the strong public policy of open government and cannot be accomplished without the exemption.”⁶ An identifiable public purpose is served if the exemption meets one of the following purposes:

- Allow the state or its political subdivisions to effectively and efficiently administer a governmental program, which administration would be significantly impaired without the exemption;
- Protect 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
- Protect trade or business secrets.⁷

Pursuant to the OGSR Act, a new public record exemption, or the substantial amendment of an existing public record exemption, is repealed on October 2nd of the fifth year following enactment, unless the Legislature reenacts the exemption.⁸

Exempted Email Addresses Collected by the Department of Highway Safety and Motor Vehicles (DHSMV)

Current law provides that email addresses collected by DHSMV are exempt from public disclosure for the following transactions:

- Motor vehicle title notifications.⁹
- Motor vehicle and mobile home registration renewals.¹⁰
- Driver license and identification card renewals.¹¹

SB 488 (2026)

In part, SB 488 authorizes DHSMV to expand the circumstances in which email addresses may be used in lieu of the U.S. Postal Service by authorizing email to be used as a method of notification for various notices and orders issued by DHSMV, including those relating to driver licenses, identification cards, motor vehicle registrations, motor vehicle insurance, and vessel registrations. SB 488 passed the House on March 9, 2026. Subject to the Governor’s veto powers, SB 488 takes effect on October 1, 2026.

¹ [Art. I, s. 24\(a\), FLA. CONST.](#)

² A “public record exemption” means a provision of general law which provides that a specified record, or portion thereof, is not subject to the access requirements of [s. 119.07\(1\), F.S.](#), or s. 24, Art. I of the Florida Constitution. See [s. 119.011\(8\), F.S.](#)

³ [Art. I, s. 24\(c\), FLA. CONST.](#)

⁴ S. [119.01, F.S.](#)

⁵ S. [119.15, F.S.](#)

⁶ S. [119.15\(6\)\(b\), F.S.](#)

⁷ *Id.*

⁸ S. [119.15\(3\), F.S.](#)

⁹ [Section 319.40\(3\), F.S.](#), provides that any notice regarding the potential forfeiture or foreclosure of an interest in property must be sent via the U.S. Postal Service.

¹⁰ [S. 320.95\(2\), F.S.](#)

¹¹ [S. 322.08\(1\), F.S.](#)