

House Bill No. 1675

An act relating to a public records exemption for bank account numbers and debit, charge, and credit card numbers; amending s. 119.07, F.S.; creating an exemption from public records requirements for bank account numbers and debit, charge, and credit card numbers held by an agency; providing retroactive application of the exemption; providing for future review and repeal; providing a finding of public necessity; repealing s. 119.07(3)(z), F.S., relating to bank account numbers and debit, charge, and credit card numbers given to an agency for the purpose of payment of a fee or debt owed to the agency; providing an effective date.

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

Section 1. Paragraph (ee) is added to subsection (3) of section 119.07, Florida Statutes, to read:

119.07 Inspection, examination, and duplication of records; exemptions.—

(3)

(ee) Bank account numbers and debit, charge, and credit card numbers held by an agency are exempt from subsection (1) and s. 24(a), Art. I of the State Constitution. This exemption applies to bank account numbers and debit, charge, and credit card numbers held by an agency before, on, or after the effective date of this exemption. This paragraph is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15, and shall stand repealed on October 2, 2007, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that bank account numbers and debit, charge, and credit card numbers held by an agency be exempt from public disclosure because such numbers are of a sensitive, personal nature and disclosure of such numbers would create the opportunity for theft or fraud, thereby jeopardizing the financial security of an individual. Revealing such numbers could interfere with an individual's willingness to pay a financial debt owed to an agency or to otherwise provide such numbers to an agency for the furtherance of that agency's duties and responsibilities. When people are discouraged from providing or refuse to provide such numbers to an agency, the effective and efficient administration of that agency's programs is significantly impaired.

Section 3. Paragraph (z) of subsection (3) of section 119.07, Florida Statutes, is repealed.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor May 13, 2002.

Filed in Office Secretary of State May 13, 2002.