

Committee Substitute for Senate Bill No. 1848

An act relating to a review under the Open Government Sunset Review Act; amending s. 717.117, F.S.; revising the public-records exemption for information held by the Department of Financial Services concerning unclaimed property; defining the term “property identifiers”; providing an exemption from public-records requirements for property identifiers held by the department in reports concerning unclaimed property; authorizing the release of certain information to persons registered with the department for the purpose of locating owners of abandoned or unclaimed property; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

Section 1. Subsection (8) of section 717.117, Florida Statutes, is amended to read:

717.117 Report of unclaimed property.—

(8)(a) As used in this subsection, the term “property identifier” means the descriptor used by the holder to identify the unclaimed property.

(b) Social security numbers and property identifiers ~~financial account numbers~~ contained in reports required under this section, held by the department, are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. ~~Notwithstanding this exemption,~~

(c) Social security numbers shall be released, for the limited purpose of locating owners of abandoned or unclaimed property, to a person registered with the department under this chapter who is an attorney, Florida-certified public accountant, private investigator who is duly licensed in this state, or a private investigative agency licensed under chapter 493 and registered with the department under this chapter.

(d) This exemption applies to social security numbers and property identifiers ~~financial account numbers~~ held by the department before, on, or after the effective date of this exemption.

(e) This subsection is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15, and shall stand repealed October 2, ~~2012~~ 2007, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that property identifiers contained in reports of unclaimed property be made confidential and exempt from public-records requirements. Property identifiers, which are descriptors used by a holder to identify unclaimed property, could be

used to obtain fraudulently unclaimed funds or property. Protection of property identifiers is a public necessity in order to prevent the fraudulent use of such information for purposes of creating falsified or forged documents that appear to demonstrate entitlement to unclaimed property. Such use defrauds the rightful property owner or the State School Fund. Furthermore, the release of property identifiers contained in reports of unclaimed property hinders the effective and efficient administration of the unclaimed property program.

Section 3. This act shall take effect October 1, 2007.

Approved by the Governor May 24, 2007.

Filed in Office Secretary of State May 24, 2007.