

## CHAPTER 2019-40

### Committee Substitute for House Bill No. 7023

An act relating to public records; amending s. 112.31446, F.S.; providing exemptions from public records requirements for secure login credentials held by the Commission on Ethics and certain information entered into the electronic filing system for financial disclosure forms; specifying conditions under which such information is no longer exempt; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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

Section 1. Subsection (6) is added to section 112.31446, Florida Statutes, as created by HB 7021, 2019 Regular Session, to read:

112.31446 Electronic filing system for financial disclosure.—

(6)(a) All secure login credentials held by the commission for the purpose of allowing access to the electronic filing system are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(b) Information entered in the electronic filing system for purposes of financial disclosure is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Information entered in the electronic filing system is no longer exempt once the disclosure of financial interests or statement of financial interests is submitted to the commission or, in the case of a candidate, filed with a qualifying officer, whichever occurs first.

(c) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2024, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that all secure login credentials held by the Commission on Ethics for the purpose of allowing access to the electronic filing system for financial disclosures and information entered into the system be exempt from public records requirements. The Legislature finds that the public's need for access to information included in the full and public disclosures of financial interests or statements of financial interests filed by reporting individuals be balanced with the filer's interest in safeguarding personally sensitive information. The Legislature further finds that the unintentional publication of such information may subject the filer to identity theft, financial harm, or other adverse impacts. Without the public records exemption, the effective and efficient administration of the electronic filing system, which otherwise is designed to increase the ease of filing for reporting individuals and to improve the public's access to financial disclosure information, would

be hindered. For these reasons, the Legislature finds that it is a public necessity to exempt such information from public records requirements.

Section 3. This act shall take effect on the same date that HB 7021 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

Approved by the Governor May 14, 2019.

Filed in Office Secretary of State May 14, 2019.