

CHAPTER 2010-196

Committee Substitute for House Bill No. 393

An act relating to public records; creating s. 341.3026, F.S.; providing an exemption from public records requirements for personal identifying information held by a public transit provider for the purpose of facilitating the prepayment of transit fares or the acquisition of a prepaid transit fare card or similar device; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

Section 1. Section 341.3026, Florida Statutes, is created to read:

341.3026 Public records exemption.—

(1) Personal identifying information held by a public transit provider, as defined in s. 341.031, for the purpose of facilitating the prepayment of transit fares or the acquisition of a prepaid transit fare card or similar device is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(2) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2015, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity to exempt from public records requirements personal identifying information held by a public transit provider for the purpose of facilitating the prepayment of transit fares or the acquisition of a prepaid transit fare card or similar device. The exemption puts individuals who choose a prepayment option for transit fares on an equal footing with users of public transit who pay their fares in cash. Allowing individuals to use a prepaid transit fare card is a more efficient and effective system for collecting transit fares, and not only saves individuals time in accessing the transit system in comparison with individuals who pay cash, but also costs significantly less to administer. The effective and efficient administration of the prepayment option for public transit programs would be hindered without the exemption because individuals would be less inclined to use this payment method if their personal information were made available to the public.

Section 3. This act shall take effect July 1, 2010.

Approved by the Governor June 3, 2010.

Filed in Office Secretary of State June 3, 2010.