

## CHAPTER 2024-138

### Senate Bill No. 7026

An act relating to public records; amending s. 570.822, F.S.; providing an exemption from public records requirements for certain information held by the Department of Agriculture and Consumer Services; providing that such information may be released in an aggregated and anonymized format; providing for future legislative 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. Present subsections (8), (9), and (10) of section 570.822, Florida Statutes, are redesignated as subsections (9), (10), and (11), respectively, and a new subsection (8) is added to that section, to read:

570.822 Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program.—

(8) PUBLIC RECORDS EXEMPTION.—

(a) The following information held by the department pursuant to its administration of the program is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1. Tax returns.
2. Credit history information, credit reports, and credit scores.

(b) This subsection does not prohibit the disclosure of information held by the department pursuant to its administration of the program in an aggregated and anonymized format.

(c) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that the tax returns and credit history information, credit reports, and credit scores held by the Department of Agriculture and Consumer Services pursuant to its administration of the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. In order to assess the viability of loans, the department may obtain sensitive information about a borrower, including certain financial information. If released, the sensitive information could be used by fraudulent contractors, predatory lenders, thieves, or individuals seeking to impose on the borrower. Therefore, it is necessary that sensitive information held by the department

pursuant to its administration of the program be protected to ensure that borrowers are not harassed, intimidated, or potentially defrauded. The Legislature finds the harm that may result from the release of such sensitive information outweighs the public benefit that may be derived from the disclosure of the information.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor May 1, 2024.

Filed in Office Secretary of State May 1, 2024.