

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1588

SPONSOR: Governmental Oversight & Productivity Committee and Senator Burt

SUBJECT: Public Records Exemption; Social Security Numbers

DATE: February 26, 2002      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rhea	Wilson	GO	Favorable/CS
2.	_____	_____	JU	_____
3.	_____	_____	RC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

## I. Summary:

This committee substitute makes social security numbers held by an agency, its agents, employees, or contractors confidential and exempt. The exemption is retroactive in nature. It also prohibits a final judgment, court order, or docket sheet from containing a social security number on or after October 1, 2002.

Exceptions to the exemption are created for other governmental entities and commercial interests.

A person who makes a false representation in order to obtain a social security number under the bill commits a felony of the third degree.

This committee substitute creates an undesignated section of the Florida Statutes.

## II. Present Situation:

Agencies collect and use social security numbers (SSNs). Public availability and dissemination of SSNs causes concern because of the potential for identity theft and the potential impact on personal privacy. Currently, there are 23 exemptions that explicitly exempt a person's SSN from public disclosure in certain circumstances, but they do not cover all situations.

The House Committee on State Administration, in conjunction with the House Committee on Information Technology, conducted a survey regarding the collection, use, and dissemination of

SSNs.<sup>1</sup> All state agencies, universities, community colleges, and junior colleges completed the survey.

Every agency and educational institution collects SSNs for various purposes.<sup>2</sup> Survey participants were asked to cite any statutory authority or Florida Administrative Code (FAC) rule that specifically authorizes the collection of SSNs.<sup>3</sup> Approximately 600 statutory or FAC rule citations were given as providing authority to collect SSNs. Of those citations, only 120 were categorized as “applicable.”<sup>4</sup>

Survey participants were asked if they ever disclose SSNs pursuant to a public records request. Sixty-three percent of the agencies responded that they either “always” disclose SSNs or “sometimes” disclose SSNs when a public records request is made; 37 percent responded that SSNs are never disclosed pursuant to a public records request. Sixty-six percent of the educational institutions never release SSNs pursuant to a public records request, while 34 percent of such institutions either “always” or “sometimes” release such numbers pursuant to a public records request.<sup>5</sup>

Approximately 50 percent of the agencies disclose SSNs to individuals, private entities, contractors, or any additional entities, by means other than through public records requests.<sup>6</sup> Educational institutions also disclose SSNs to individuals, private entities, contractors, and additional entities other than pursuant to a public records request. Seventy-one percent of the educational institutions disclose SSNs to various contractors, compared to 44 percent of the state agencies.<sup>7</sup> Fifty-nine percent of the state agencies have a contract with a non-governmental entity to provide information through which SSNs are disclosed.<sup>8</sup> Sixty-one percent of the educational

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<sup>1</sup> The Social Security Number was selected because it is the only nationwide, unique numeric form of identification, and because government entities routinely collect and often disclose them.

<sup>2</sup> For example, social security numbers are collected for personnel functions (*e.g.*, applications for employment, tax purposes), for registration purposes (*e.g.*, agency examinations, training classes), and permitting purposes (*e.g.*, The Florida Fish and Wildlife Commission issues permits for the possession, exhibition, or sale of wildlife).

<sup>3</sup> “Statutory authority” was not limited to Florida Statutes but was intended to include both federal and state law.

<sup>4</sup> Staff analyzed the responses from survey participants to determine the extent to which the cited statute or rule actually related to the collection of SSNs. The responses were categorized using the following terminology: “applicable,” “possibly applicable,” “not applicable,” “overly broad,” “no cite,” “no such statute or rule,” and “non responsive.” “Applicable” means that the cited statute explicitly authorizes the collection of SSNs.

<sup>5</sup> Survey results demonstrate that SSNs are consistently and routinely provided to other Florida state agencies, federal agencies, local governments, and other state governments.

<sup>6</sup> The Agency for Health Care Administration discloses SSNs to the University of South Florida’s Mental Health Institute and employee training contractors; the Department of Banking and Finance discloses SSNs to various collection agencies; and the Florida Fish and Wildlife Commission discloses SSNs to an appeals board for the issuance of lobster and stone crab trap certificates.

<sup>7</sup> Hillsborough Community College discloses records that contain SSNs to “numerous collection agencies.” Florida Agricultural and Mechanical University discloses SSNs to the National Student Loan Clearinghouse and various collection agencies.

<sup>8</sup> The Department of Revenue has contracts with the following entities: Florida Association of Court Clerks and Comptrollers, private legal service providers (25 different private attorney contracts), credit reporting agencies, financial institutions, genetic testing companies, BSWA (Internet software), and Deloitte and Touch Consulting. Electronic file transmission is the most popular means used by agencies for providing information containing SSNs to non-governmental entities when a contract exists. The Agency for Health Care Administrations uses the following methods when distributing such documents to non-governmental entities: data dumps, direct remote access to agency data base, direct magnetic media, hard copies, and CD-ROMS.

institutions have contracts with non-governmental entities to provide information through which SSNs are disclosed.<sup>9</sup> According to the survey, no educational institution, pursuant to a contractual agreement, receives payment for the disclosure of records containing SSNs.

**Social Security Numbers** - Agencies often use the SSN as a person's primary identifier in order to locate records on that person. There is, however, concern regarding public dissemination of the SSN. By knowing a person's SSN, other information is more readily accessible through governmental agencies and private entities. Much of the information available through the use of the SSN is private and personal information including financial and health information. With this number, and the information one can gain from its use, it is easier to perpetrate a fraud against someone, as well as to otherwise cause unwarranted harm to that person. Accordingly, over the years a number of public records exemptions have been created which prohibit or restrict the disclosure of the SSN. Currently, there are 23 statutory exemptions that explicitly exempt a person's SSN from public disclosure in certain situations.<sup>10</sup> There is no all-encompassing exemption for SSNs.

<sup>9</sup> Miami-Dade Community College has contracts with Cigna Health Insurance, MetLife Dental Insurance, the National Student Loan Clearinghouse, Academic Financial Service Association, Inc., NSO Financial Systems, Inc., and Enterprise Recovery System, Inc. Electronic file transmission is the most popular means used by educational institutions for providing information containing SSNs to non-governmental entities when a contract exists. St. Johns River Community College uses electronic files, which are uploaded and downloaded via the Internet; data dumps; direct remote access to a database; Internet access; hard copies; and disk copies.

<sup>10</sup> Current SSN exemptions: s. 61.052(8), F.S. – SSN of each party to dissolution of marriage held by the court; s. 61.13(9)(b), F.S. – SSN of each party to any paternity or child support proceeding held by the tribunal and the State Case Registry; s. 97.0585(2), F.S. – Registered voters' SSNs held by voter registration agencies; s. 119.07(3)(i), F.S. – SSNs held by the employing agency of certain law enforcement personnel, certain personnel of the Department of Children and Families, certain personnel of the Department of Health, and certain personnel of the Department of Revenue or local governments, SSNs of the spouse and child of such personnel; SSNs of state attorney, assistant state attorney, statewide prosecutor, or assistant statewide prosecutor, SSNs of the spouse and child of such attorneys and prosecutors, SSNs of certain human resource, labor relations, or employee relations directors and managers, SSNs of the spouse and child of such directors and managers, SSNs of certain code enforcement officer and such officer's spouse and child; s. 193.114(6), F.S. – SSNs in an application for homestead tax exemption; s. 231.17(1), F.S. – SSNs of applicants seeking teacher certification held by the Department of Education; s. 288.99(16), F.S. – SSNs of customers of certified capital company, complainant, or person associated with a certified capital company or qualified business; s. 372.561(2), F.S. – SSNs of applicants, for a license, permit, or authorization to take wild animal life or freshwater aquatic life, held by the Fish and Wildlife Conservation Commission; s. 372.57, F.S. – SSNs of applicants, for a license, permit, or authorization to take game, freshwater fish, or fur-bearing animals, held by the Fish and Wildlife Conservation Commission; s. 372.574(4), F.S. – SSNs provided for a license, permit, or authorization to take wild animal life or freshwater aquatic life, or for a license, permit, or authorization to take game, freshwater fish, or fur-bearing animals contained in records held by an subagent appointed by the county tax collector; s. 395.3025(11), F.S. – SSNs of employees of a licensed facility who have a reasonable belief that release of such number may be used to threaten, intimidate, harass, inflict violence upon, or defraud the employee or any member of the employee's family, the SSNs of the spouses and children of such person; s. 411.011, F.S. – SSNs contained in records of children enrolled in school readiness programs, held by the school readiness coalition or the Florida Partnership for School Readiness; s. 455.213(9), F.S. – SSNs of applicants desiring a license held by the Department of Business and Professional Regulation (DBPR); s. 456.213(9), F.S. – SSNs of applicants desiring to take the licensure examination held by DBPR; s. 434.00125(1)(b), F.S. – Except as necessary for the Department of Banking and Finance (DBF) to enforce the provisions of chapter 434, F.S. a consumer complaint and other information relative to an investigation or examination must remain confidential and exempt after the investigation or examination is completed or ceases to be active to the extent disclosure would reveal the SSN of a complainant, customer, or account holder; s. 498.047(8)(b), F.S. – Except as necessary for the Division of Florida Land Sales, Condominiums, and Mobile Homes to enforce the provisions of chapter 498, F.S., a consumer complaint and other information relative to an investigation must remain confidential and exempt after the filing of a notice to show cause or the investigation is completed or ceases to be active to the extent disclosure would reveal the SSN of a purchase, account holder, or complainant; ss. 517.2015(1)(b) and 520.9965(1)(b), F.S. –

**Laws in Other States** - Florida is the only state that has a constitutional provision requiring public access to records.<sup>11</sup> Many states do, however, have statutory provisions governing access to records as well as provisions governing the collection of personal identifying information by agencies.

Some states do not have specific statutory exemptions for SSNs and therefore release such numbers to the public if the numbers are contained in a requested public record.<sup>12</sup> On the other hand, some states might not need specific exemptions for SSNs in order to keep such numbers from being disclosed. For example, New Jersey has a common law right to access records that is very different from Florida's Public Records Act. Under their common law right, a person requesting information must demonstrate their interest in the information. This interest is then weighed against the interest of keeping the requested information private. If the person is granted access to the requested information and such information contains a SSN, then such number is not redacted from the document. However, New Jersey has pending legislation<sup>13</sup> that will change that common law right to a public records act similar to Florida's. The pending legislation creates an exemption for SSNs, but provides exceptions for groups such as creditors and credit reporting agencies.<sup>14</sup>

Some states have exemptions for SSNs contained in specified records.<sup>15</sup> In Texas, some state agencies redact SSNs from records prior to release of those records to the public, even though there is not a specific exemption for SSNs under Texas state law.<sup>16</sup>

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Except as necessary for DBF to enforce the provisions of chapters 517 and 520, F.S., a consumer complaint and other information relative to an investigation or examination must remain confidential and exempt after the investigation or examination is completed or ceases to be active to the extent disclosure would reveal the SSN of a complainant, customer, or account holder; s. 548.021(4), F.S. – SSNs of applicants for licenses and permits associated with boxing and boxing matches held by Florida State Boxing Commission or DBPR; s. 741.04(1), F.S. – SSN of each party to a marriage held by the court; s. 742.031(3), F.S. – SSN of each party to a paternity hearing held by the court; s. 742.032(3), F.S. – SSN of each party to any paternity or child support proceeding held by the tribunal and the State Case Registry; s. 742.10(2), F.S. - SSN of each parent listed on any acknowledgement of paternity, consent affidavit, or stipulation of paternity held by the Office of Vital Statistics and the court.

<sup>11</sup> Article I, s. 24 of the State Constitution.

<sup>12</sup> Massachusetts does not have a statutory exemption of SSNs. SSNs are not specifically exempted from public disclosure under Maryland law. Illinois has an exemption for information that if disclosed would constitute “a clearly unwarranted invasion of personal privacy” unless each person who is the subject of that information provides written consent allowing the release of such information. The exemption does not specifically include SSNs in the list of exempt information. New Hampshire does not have a public records exemption for SSNs. Such numbers are not redacted when contained in public records. Nevada has no specific statutory exemption for SSNs. Pennsylvania does not have a public records exemption for SSNs.

<sup>13</sup> Assembly Bill 1309 (A 1309, 4<sup>th</sup> reprint).

<sup>14</sup> Principal Council, Office of Legislative Services State Government Section, January 2, 2002.

<sup>15</sup> Missouri has specific exemptions for SSNs under certain circumstances. Virginia has specific exemptions for SSNs under certain circumstances. New York's “Personal Privacy Protection Law” addresses the responsibility of state agencies in the collection of personal information. That law requires each agency that maintains a system of records to “maintain in its records only such personal information that is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or executive order, or to implement a program specifically authorized by law.” (New York State Consolidated Laws, Article 6-A, section 94(a), Personal Privacy Protection Law). In addition, the law, in regard to the disclosure of personal information, provides that no agency may disclose any records or personal information unless that disclosure is pursuant to a written request by or the voluntary written consent of the person for which the records or personal information pertain. The written request or consent must specifically describe the personal information which is requested to be disclosed, the person or entity to whom such personal information is requested to be disclosed, and the uses which will be

Certain states redact SSNs from all public records whether there is a specific public records exemption for such numbers or not.<sup>17</sup> For example, Ohio does not have a statutory exemption for SSNs, but such numbers are still redacted, prior to public disclosure, pursuant to a 1994 Ohio Supreme Court case ruling. In *State ex rel. Beacon Journal Publishing company et al. vs. City of Akron*,<sup>18</sup> the Ohio Supreme Court held that employees' SSNs were "records" for purposes of the Public Records Act, but that disclosure of city employees' SSNs would violate their federal constitutional right to privacy. The court found that the harm caused by the invasion of an employee's privacy as a result of the release of that employee's SSN outweighed the public's interest in obtaining such number. Because of this holding, Ohio state agencies do not release any person's SSNs contained in any public records. Such numbers are redacted.<sup>19</sup>

**Identity Theft** - Improper use of personal identification information is becoming both a state and national problem. On July 31, 2000, Governor Bush appointed 17 citizens to serve on a statewide Task Force on Privacy and Technology (Task Force), which was established pursuant to s. 282.3095, F.S.

Identity protection policies became a primary focus of the Task Force. According to the Task Force's report, identity theft is one of the fastest growing crimes in America, affecting nearly half a million people in 1998. Florida accounts for more reported complaints of identity theft to the Federal Trade Commission than any other state, with the exception of California and New York. Of those complaints, 26 percent pertained to an identity thief opening up telephone, cellular, or other utility services in the victim's name, and 54 percent were regarding credit card fraud.<sup>20</sup>

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made of such personal information by the person or entity receiving it. (New York State Consolidated Laws, Article 6-A, section 96(a), Personal Privacy Protection Law.) Finally, "personal information" is defined in New York's Personal Privacy Protection Law as ". . . any information concerning a data subject which, because of name, number, symbol, mark or other identifier, can be used to identify that data subject." This definition clearly includes an identifier such as the SSN. Oklahoma has specific language relating to the collection and usage of SSNs. Oklahoma law provides that no state agency, board, commission or other unit or subdivision of state government can request or require, unless otherwise required by law, that any person reveal their SSN in order to obtain services or assistance. Additionally, no state agency, board, commission or other unit or subdivisions of state government can use, for any purpose, numbers which correspond to the SSN of any person, unless otherwise required by law. (Section 74-3111, Oklahoma Statutes. Use of SSNs by state or subdivisions prohibited – Exceptions). Oklahoma law also addresses the indexing of databases that include the SSN. Such law provides that ([n]o state agency, board, commission or other unit or subdivisions of state government may furnish any information indexed by social security number unless required by law or specifically authorized to do so by the holder of said social security number. Provided that this section shall not apply to a report produced by a state agency of monetary payments made to any state official or employee from State Treasury funds or accounts." (Section 74-3113. Disclosure of information indexed by SSNs prohibited – Exceptions.)

<sup>16</sup> Clerk, House Committee on State Affairs, January 14, 2002.

<sup>17</sup> Michigan redacts SSNs from copies of requested records. (House Majority Staff Legal Council, January 7, 2002). Hawaii redacts SSNs from public records. (Staff Attorney, Office of Information Practices, January 10, 2002).

<sup>18</sup> 70 Ohio St. 3d 605, 640 N.E. 2d 164.

<sup>19</sup> Attorney, Legislative Service Commission, January 15, 2002. But see, Attorney General Opinion 99-20 (No federal law has been found that would preclude the release of a social security number by a state or local agency that has properly obtained the number. Moreover, the Social Security Administration informed House staff that the Federal Privacy Act of 1974 relates to the collection of social security numbers and, in the context of controlling the release of such numbers, applies only to the executive branch of the federal government.")

<sup>20</sup> The Task Force on Privacy and Technology: Executive Summary of Policy Recommendations, 2000.

Reports obtained by the Task Force from identity theft victims suggest that the financial toll on victims is highly significant. The Task Force found that, on average, victims spend more than 175 hours to regain their financial health, at a personal cost of almost \$1,000. The Task Force also found that victims of identity theft include nationwide businesses that either absorb or pass on to the consumer annual costs exceeding \$1 billion due to identity theft-related fraud.<sup>21</sup>

Statistics collected by Federal offices attest to the growing problem of identity theft. The General Accounting Office reported that consumer inquiries to the Trans Union Credit Bureau's Fraud Victim Assistance Department increased from 35,235 in 1992 to 522,922 in 1997, and that the Social Security Administration's Office of the Inspector General conducted 1153 SSN misuse investigations in 1997 compared with 305 in 1996. In 1999, the telephone hotline established by the Social Security Administration Inspector General received reports of almost 39,000 incidents of misuse of SSNs.<sup>22</sup>

**Public Records Law** - Article I, s. 24(a), Florida Constitution, expresses Florida's public policy regarding access to government records as follows:

Every person has the right to inspect or copy any public records made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution. This section specifically includes the legislative, executive, and judicial branches of government and each agency or department created thereunder; counties, municipalities, and districts; and each constitutional officer, board, and commission, or entity created pursuant to law or this Constitution.

Article I, s. 24(c), Florida Constitution, does, however, permit the Legislature to provide by general law for the exemption of records from the requirements of s. 24. The general law must state with specificity the public necessity justifying the exemption (public necessity statement) and must be no broader than necessary to accomplish its purpose.

Public policy regarding access to government records is also addressed in the Florida Statutes. Section 119.07(1)(a), F.S., provides:

Every person who has custody of a public record shall permit the record to be inspected and examined by any person desiring to do so, at a reasonable time, under reasonable conditions, and under supervision by the custodian of the public record or the custodian's designee.

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<sup>21</sup> *Id.*

<sup>22</sup> Prepared Statement of the Federal Trade Commission (FTC) on Identity Theft. Before the Subcommittee on Technology, Terrorism, and Government Information of the Committee on the Judiciary, United States Senate, July 12, 2000. The following are consumer complaints made to the FCC:

Someone used my social security number to get credit in my name. This has caused a lot of problems. I have been turned down for jobs, credit, and refinancing offers. This is stressful and embarrassing. I want to open my own business, but it may be impossible with this unresolved problem hanging over my head. (May 18, 1999).

Section 119.15, F.S., the Open Government Sunset Review Act of 1995, provides that an exemption may be created or maintained only if it serves an identifiable public purpose and may be no broader than is necessary to meet the public purpose it serves. An identifiable public purpose is served if the exemption meets one of the following purposes, and the Legislature finds that the purpose is sufficiently compelling to override the strong public policy of open government and cannot be accomplished without the exemption:

1. Allows the state or its political subdivisions to effectively and efficiently administer a governmental program, which administration would be significantly impaired without the exemption;
2. Protects information of a sensitive personal nature concerning individuals, the release of which information would be defamatory to such individuals or cause unwarranted damage to the good name or reputation of such individuals or would jeopardize the safety of such individuals. However, in exemptions under this subparagraph, only information that would identify the individuals may be exempted; or
3. Protects information of a confidential nature concerning entities, including, but not limited to, a formula, pattern, device, combination of devices, or compilation of information which is used to protect or further a business advantage over those who do not know or use it, the disclosure of which information would injure the affected entity in the marketplace.

### **III. Effect of Proposed Changes:**

Effective October 1, 2002, all social security numbers held by an agency, its agents, employees, or contractors are made confidential and exempt by the committee substitute. The exemption is retroactive.

The committee substitute permits the disclosure of social security numbers to another governmental entity, its agents, employees, or contractors if necessary for the receiving entity to perform its duties. The receiving entity must maintain the confidential and exempt status upon receipt.

Another exception to the exemption is provided for commercial interests under specified circumstances, provided certain requirements are met. An agency is not permitted to deny a commercial entity engaged in a commercial activity as defined in s. 14.203, F.S., or its agents, employees, or contractors access to social security numbers, provided the social security numbers will be used only in the normal course of business for legitimate business purposes, and provided the entity makes a written request for the social security numbers. The request must be signed by an authorized officer, employee, or agent of the commercial entity. The written request must contain:

- < The commercial entity's name;
- < The business mailing and location addresses;

- < The business telephone number;
- < A statement of the specific purposes for which it needs the social security numbers and how the social security numbers will be used in the normal course of business for legitimate business purposes.

The committee substitute authorizes an agency to request any other information as may be reasonably necessary to verify the identity of the entity requesting the social security numbers and the specific purposes for which such numbers will be used.

The committee substitute defines a “legitimate business purpose” to include only the following:

- < Verification of the accuracy of personal information received by a commercial entity in the normal course of its business;
- < Use in civil, criminal, or administrative proceeding;
- < Use for insurance purposes;
- < Use in law enforcement and investigation of crimes;
- < Use in identifying and preventing fraud;
- < Use in matching, verifying, or retrieving information; and
- < Use in research activities.

The committee substitute excludes the display or bulk sale of social security numbers to a non-commercial entity from the definition of “legitimate business purpose.”

The bill makes it a felony of the third degree for any person who makes a false representation in order to obtain a social security number pursuant to the section. Further, any public officer who violates any provision of the section is guilty of a noncriminal infraction punishable by a fine not to exceed \$500.

The bill also prohibits any final judgment, court order, or docket sheet from containing a social security number on or after October 1, 2002. If a court determines that it is imperative to include a social security number in one of those documents, that number must be entered on a separate sheet to facilitate redaction of the number. Persons who prepare such documents for filing are prohibited from including social security numbers in those documents, as well, unless otherwise required by law.

Hard copies of documents recorded in the official records on or after October 1, 2002, must not include any attached page containing a social security number except under circumstances provided in the committee substitute.

The committee substitute does not require social security numbers contained in a document recorded in the official records prior to October 1, 2002, and which are stored in microfiche or microfilm, to be redacted prior to inspection or copying of an official record. Records microfiched or microfilmed after October 1, 2002, must segregate attached pages that contain social security numbers in order to prevent inspection or copying of those numbers, except as otherwise provided in the act. Further, if a county recorder makes official records available over a publicly available Internet website, then any social security number attached separately to an



official record recorded after October 1, 2002, must not be transmitted, except as otherwise provided by the committee substitute.

The committee substitute provides that if a county recorder can remove social security numbers from official records made available electronically within current resources and with current technological capabilities, irrespective of when the document was recorded, then the county recorder must do so. Further, as county recorders acquire improved computer technology and upgrade their computer capabilities, they must consider the ability of programs or software to identify social security numbers and redact them.

The committee substitute permits any person to request, in writing, that a county recorder remove a social security number from an image or copy of an official record placed on a public available Internet website.

County recorders are required to post signs in their offices and on their Internet website that social security numbers must be held confidential and exempt, except for the stated exceptions in the act. Further, the notice must include the other requirements of the act regarding non-inclusion of social security numbers in acts prepared or filed and the right of persons to request the removal of their social security numbers from publicly accessible websites.

The committee substitute also requires each agency to file a report with the Secretary of State, the President of the Senate and the Speaker of the House of Representatives listing the identity of all commercial entities that have requested social security numbers during the preceding calendar year, as well as the specified purposes stated for the numbers.

The committee substitute also prohibits agencies from collecting social security numbers unless authorized by law to do so or unless it is imperative for the performance of that agency's duties and responsibilities. Agencies are required to segregate social security numbers from other public record information.

The exemption is made subject to the requirements of s. 119.15, F.S., the Open Government Sunset Review Act and is repealed October 2, 2007, unless reviewed and re-enacted by the Legislature.

The committee substitute contains a statement of public necessity.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

See "Effect of Proposed Changes" *supra*.

C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The committee substitute could affect businesses that rely on obtaining information from governmental sources by limiting access to personal information.

C. Government Sector Impact:

There will be some costs associated with redacting social security numbers from public information, though this number is indeterminate.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.