

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Agriculture & Natural
2 Resources Subcommittee
3 Representative Goodson offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
7 Section 1. Section 379.107, Florida Statutes, is created
8 to read:

9 379.107 Public records exemption; personal information.-

10 (1) For purposes of this section, the term:

11 (a) "Commercial entity" means any corporation,
12 partnership, limited partnership, proprietorship, sole
13 proprietorship, firm, enterprise, franchise, or association.

14 (b) "Personal information" means information that
15 identifies an individual, including, but not limited to, an
16 individual's photograph; social security number; driver license
17 number; name; date of birth; address, exclusive of the five-

Amendment No.

18 digit zip code; telephone number; e-mail or other electronic
19 communication address; and medical or disability information.

20 (2) Except as provided in subsection (3), personal
21 information held by the commission in connection with the
22 following licenses, permits, and certifications issued by the
23 commission is confidential and exempt from s. 119.07(1) and s.
24 24(a), Art. I of the State Constitution:

25 (a) Recreational fishing, hunting, or use licenses and
26 permits, or other noncommercial or nonprofessional licenses and
27 permits.

28 (b) Hunter safety certification.

29 (c) Boating safety certification or recreation record.

30 (3) Personal information may be disclosed only as follows:

31 (a) For use by a court, law enforcement agency, or other
32 agency, as defined in s. 119.011(2), in carrying out its duties.

33 (b) For use in connection with any civil, criminal,
34 administrative, or arbitral proceeding in any federal, state, or
35 local court or agency presenting before a self-regulatory body,
36 including the service of process, investigation in anticipation
37 of litigation, and the execution or enforcement of judgments and
38 orders, or pursuant to an order of a federal, state, or local
39 court.

40 (c) For use by any requester, if the requester
41 demonstrates it has obtained the written consent of the
42 individual to whom the information pertains.

Amendment No.

43 (d) For use by a commercial entity for verification of the
44 accuracy of personal information received by a commercial entity
45 in the normal course of its business, including identification
46 or prevention of fraud or matching, verifying, or retrieving
47 information, which does not include the display or bulk sale of
48 a legal residential address, date of birth, and telephone number
49 of a licenseholder to the public or the distribution of such
50 numbers to any customer that is not identifiable by the
51 commercial entity.

52 (4) This exemption applies to personal information held by
53 the commission before, on, or after July 1, 2016.

54 (5) This section is subject to the Open Government Sunset
55 Review Act in accordance with s. 119.15 and shall stand repealed
56 October 2, 2021, unless reviewed and saved from repeal through
57 reenactment by the Legislature.

58 Section 2. The Legislature finds that it is a public
59 necessity that personal information held by the Fish and
60 Wildlife Conservation Commission in connection with applications
61 for licenses, permits, or certifications for recreational,
62 nonprofessional, or noncommercial activities be made
63 confidential and exempt from s. 119.07(1), Florida Statutes, and
64 s. 24(a), Article I of the State Constitution. Under current
65 law, personal information held by the commission relating to
66 such licenses, permits, or certifications is a public record
67 available for any purpose. Such information can be obtained and
68 used to perpetrate identity theft and other invasive contacts.

Amendment No.

69 The public availability of this personal information needlessly
70 increases the risk of identity theft and invasive contacts with
71 those individuals who have a commission issued license, permit,
72 or certificate. These unnecessary risks would be diminished or
73 eliminated if the commission preserved the confidentiality of
74 personal information held by the commission relating to such
75 licenses, permits, or certifications. Therefore, the Legislature
76 finds that it is a public necessity to make confidential and
77 exempt from public records requirements personal information
78 held by the commission relating to licenses, permits, or
79 certifications for recreational, nonprofessional, or
80 noncommercial activities.

81 Section 3. This act shall take effect July 1, 2016.

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85 **T I T L E A M E N D M E N T**

86 Remove everything before the enacting clause and insert:
87 An act relating to public records; creating s.
88 379.107, F.S.; defining the terms "commercial entity"
89 and "personal information"; providing an exemption
90 from public records requirements for personal
91 information provided to the Fish and Wildlife
92 Conservation Commission on applications for certain
93 licenses, permits, and certifications; providing
94 circumstances under which personal information may be

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1153 (2016)

Amendment No.

95 | disclosed; providing applicability; providing for
96 | future legislative review and repeal of the exemption;
97 | providing a statement of public necessity; providing
98 | an effective date.
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