



973116

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
02/17/2016	.	
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The Committee on Rules (Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 379.107, Florida Statutes, is created to
read:

379.107 Public records exemption; personal information
obtained in connection with licensure.-

(1) For purposes of this section, the term "personal
information" means information that identifies an individual,
including, but not limited to, an individual's photograph;



973116

12 social security number; driver license number; name; date of
13 birth; address, exclusive of the five-digit zip code; telephone
14 number; e-mail or other electronic communication address; and
15 medical or disability information.

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

21 (a) Recreational hunting licenses and privileges.

22 (b) Hunter safety certifications.

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

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

26 (b) For use in connection with any civil, criminal,
27 administrative, or arbitral proceeding in any federal, state, or
28 local court or agency presenting before a self-regulatory body,
29 including the service of process, investigation in anticipation
30 of litigation, and the execution or enforcement of judgments and
31 orders, or pursuant to an order of a federal, state, or local
32 court.

33 (c) For use by any requester, if the requester demonstrates
34 he or she has obtained the written consent of the individual to
35 whom the information pertains.

36 (4) This exemption applies to personal information held by
37 an agency before, on, or after July 1, 2016.

38 (5) This section is subject to the Open Government Sunset
39 Review Act in accordance with s. 119.15 and shall stand repealed
40 October 2, 2021, unless reviewed and saved from repeal through



973116

41 reenactment by the Legislature.

42 Section 2. The Legislature finds that it is a public
43 necessity that personal information held by the Fish and
44 Wildlife Conservation Commission in connection with applications
45 for recreational hunting licenses and privileges, and hunting
46 safety certifications be made exempt from s. 119.07(1), Florida
47 Statutes, and s. 24(a), Article I of the State Constitution.
48 Under current law, personal information that applicants must
49 provide to the commission in order to apply for such licenses,
50 privileges, and certifications is a public record available for
51 any purpose. Such information can be obtained and used to
52 perpetrate identity theft and other invasive contacts. The
53 public availability of this personal information needlessly
54 increases the risk of identity theft and invasive contacts with
55 those applying to the commission for such licenses, privileges,
56 and certifications. These unnecessary risks would be diminished
57 or eliminated if the commission preserved the confidentiality of
58 personal information provided on applications for such licenses,
59 privileges, and certifications. Therefore, the Legislature finds
60 that it is a public necessity to make exempt from public records
61 requirements personal information that is provided to the
62 commission on applications for recreational hunting licenses and
63 privileges, and hunting safety certifications.

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

65
66 ===== T I T L E A M E N D M E N T =====

67 And the title is amended as follows:

68 Delete everything before the enacting clause
69 and insert:



973116

70 A bill to be entitled
71 An act relating to public records; creating s.
72 379.107, F.S.; defining the term "personal
73 information"; providing an exemption from public
74 records requirements for personal information provided
75 to the Fish and Wildlife Conservation Commission on
76 applications for certain hunting-related licenses,
77 privileges, and certifications; providing
78 circumstances under which personal information may be
79 disclosed; providing applicability; providing for
80 future legislative review and repeal of the exemption;
81 providing a statement of public necessity; providing
82 an effective date.