

ENROLLED

CS/HB 7023

2019 Legislature

1
 2 An act relating to public records; amending s.
 3 112.31446, F.S.; providing exemptions from public
 4 records requirements for secure login credentials held
 5 by the Commission on Ethics and certain information
 6 entered into the electronic filing system for
 7 financial disclosure forms; specifying conditions
 8 under which such information is no longer exempt;
 9 providing for future legislative review and repeal of
 10 the exemption; providing a statement of public
 11 necessity; providing a contingent effective date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

14
 15 Section 1. Subsection (6) is added to section 112.31446,
 16 Florida Statutes, as created by HB 7021, 2019 Regular Session,
 17 to read:

18 112.31446 Electronic filing system for financial
 19 disclosure.—

20 (6) (a) All secure login credentials held by the commission
 21 for the purpose of allowing access to the electronic filing
 22 system are exempt from s. 119.07(1) and s. 24(a), Art. I of the
 23 State Constitution.

24 (b) Information entered in the electronic filing system
 25 for purposes of financial disclosure is exempt from s. 119.07(1)

ENROLLED

CS/HB 7023

2019 Legislature

26 | and s. 24(a), Art. I of the State Constitution. Information
27 | entered in the electronic filing system is no longer exempt once
28 | the disclosure of financial interests or statement of financial
29 | interests is submitted to the commission or, in the case of a
30 | candidate, filed with a qualifying officer, whichever occurs
31 | first.

32 | (c) This subsection is subject to the Open Government
33 | Sunset Review Act in accordance with s. 119.15 and shall stand
34 | repealed on October 2, 2024, unless reviewed and saved from
35 | repeal through reenactment by the Legislature.

36 | Section 2. The Legislature finds that it is a public
37 | necessity that all secure login credentials held by the
38 | Commission on Ethics for the purpose of allowing access to the
39 | electronic filing system for financial disclosures and
40 | information entered into the system be exempt from public
41 | records requirements. The Legislature finds that the public's
42 | need for access to information included in the full and public
43 | disclosures of financial interests or statements of financial
44 | interests filed by reporting individuals be balanced with the
45 | filer's interest in safeguarding personally sensitive
46 | information. The Legislature further finds that the
47 | unintentional publication of such information may subject the
48 | filer to identity theft, financial harm, or other adverse
49 | impacts. Without the public records exemption, the effective and
50 | efficient administration of the electronic filing system, which

ENROLLED

CS/HB 7023

2019 Legislature

51 otherwise is designed to increase the ease of filing for
52 reporting individuals and to improve the public's access to
53 financial disclosure information, would be hindered. For these
54 reasons, the Legislature finds that it is a public necessity to
55 exempt such information from public records requirements.

56 Section 3. This act shall take effect on the same date
57 that HB 7021 or similar legislation takes effect, if such
58 legislation is adopted in the same legislative session or an
59 extension thereof and becomes a law.