A bill to be entitled
An act relating to public records; amending s. 119.071, F.S.; defining the term “financial documentation”; providing an exemption from public records requirements for property photographs and financial documentation provided to the Department of Economic Opportunity, the Florida Housing Finance Corporation, a county, a municipality, or a local housing finance agency by or on behalf of an applicant for or a participant in a federal, state, or local housing assistance program for the purpose of disaster recovery assistance; authorizing access to such records and information for certain purposes; 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. Paragraph (1) is added to subsection (5) of section 119.071, Florida Statutes, to read:

119.071 General exemptions from inspection or copying of public records.—

(5) OTHER PERSONAL INFORMATION.—

(1) For purposes of this paragraph, the term “financial documentation” means income statements, paystubs, bank statements, tax returns, public assistance information, disaster recovery benefits, social security disability benefits, and insurance information.
2. Property photographs and applicant financial documentation provided to the Department of Economic Opportunity, the Florida Housing Finance Corporation, a county, a municipality, or a local housing finance agency by or on behalf of an applicant for or a participant in a federal, state, or local housing assistance program for the purpose of disaster recovery assistance for a presidentially declared disaster are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

3. An agency provided such confidential and exempt records pursuant to subparagraph 2. may disclose such confidential and exempt records to a governmental entity or its agents for the purpose of auditing federal, state, or local housing programs or housing assistance programs. The entities or agents receiving such confidential information must maintain the confidential and exempt status of such records. Such confidential and exempt records may be used in any administrative or judicial proceeding, provided such records are kept confidential and exempt unless otherwise ordered by a court.

4. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2025, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that property photographs and applicant financial documentation provided to the Department of Economic Opportunity, the Florida Housing Finance Corporation, a county, a municipality, or a local housing finance agency by or on behalf of an applicant for or a participant in a federal, state,
or local housing assistance program for the purpose of disaster
recovery assistance for a presidentially declared disaster be
made confidential and exempt from s. 119.07(1), Florida
Statutes, and s. 24 (a), Article I of the State Constitution. In
response to a disaster an agency, in an effort to determine
storm damage and ascertain the estimated cost of rehabilitation,
may conduct a property inspection to observe and record the
presence of damage. The damage assessment data collected may
include interior and exterior photographs of such individual’s
residence. This information may be used to locate the damaged
property and identify and contact the property owner or tenant.
If released, this information may be used by fraudulent
contractors, predatory lenders, thieves, or individuals seeking
to impose on the vulnerability of a distressed property owner or
tenant following a disaster. Therefore, it is necessary that
this information be protected to ensure that people impacted by
a disaster do not have sensitive information released.

Section 3. This act shall take effect July 1, 2020.