CS for SB 968

 $\mathbf{B}\mathbf{y}$  the Committee on Governmental Oversight and Accountability; and Senator Gainer

1A bill to be entitled2An act relating to public records; amending s.3288.075, F.S.; providing an exemption from public4records requirements for certain information held by5an economic development agency; providing that such6information may be released in an aggregated and7anonymized format; providing for future legislative8review and repeal of the exemption; providing a9statement of public necessity; providing an effective10date.11Be It Enacted by the Legislature of the State of Florida:13Section 1. Present subsection (7) of section 288.075,14Section (7) is added to that section, to read:15288.075 Confidentiality of records16(1) LOAN PROGRAMS17(a) The following information held by an economic18(1) The following information, credit reports, and credit20scores.21(b) This subsection does not prohibit the disclosure of23information held by an economic development agency pursuant to242. Credit history information, credit reports, and credit25scores.26(b) This subsection does not prohibit the disclosure of27information held by an economic development agency pursuant to28its administration of a small business loan program in an29aggregated and anonymized format.		585-03621-21 2021968c1
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CODING: Words stricken are deletions; words underlined are additions.

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30	(c) This subsection is subject to the Open Government
31	Sunset Review Act in accordance with s. 119.15 and shall stand
32	repealed on October 2, 2026, unless reviewed and saved from
33	repeal through reenactment by the Legislature.
34	Section 2. The Legislature finds that it is a public
35	necessity that the tax returns and credit history information,
36	credit reports, and credit scores held by an economic
37	development agency pursuant to its administration of any state
38	or federally funded small business loan program be made exempt
39	from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
40	the State Constitution. In order to assess the viability of
41	loans, an economic development agency may obtain sensitive
42	information of a borrower, including certain financial
43	information. If released, the sensitive information could be
44	used by fraudulent contractors, predatory lenders, thieves, or
45	individuals seeking to impose on the borrower. Therefore, it is
46	necessary that sensitive information held by an economic
47	development agency pursuant to its administration of any state
48	or federally funded small business loan program be protected to
49	ensure that borrowers are not harassed, intimidated, or
50	potentially defrauded. The Legislature finds the harm that may
51	result from the release of such sensitive information outweighs
52	the public benefit that may be derived from the disclosure of
53	the information.
54	Section 3. This act shall take effect July 1, 2021.

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