

By the Committee on Judiciary; and Senators Pizzo and Book

590-02910-24

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 696.031, F.S.; providing an exemption from public
4 records requirements for certain information provided
5 to a property appraiser as part of a title fraud
6 prevention pilot program; providing for future
7 legislative review and repeal; providing a statement
8 of public necessity; providing a contingent effective
9 date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Present subsection (6) of section 696.031,
14 Florida Statutes, as created by SB 526 or similar legislation,
15 2024 Regular Session, is redesignated as subsection (7), and a
16 new subsection (6) is added to that section, to read:

17 696.031 Title fraud prevention through sales contract
18 notification services; pilot program.—

19 (6) (a) The name, mailing address, e-mail address, and phone
20 number of a seller submitted to a property appraiser pursuant to
21 this section are confidential and exempt from s. 119.07(1) and
22 s. 24(a), Art. I of the State Constitution.

23 (b) This subsection is subject to the Open Government
24 Sunset Review Act in accordance with s. 119.15 and shall stand
25 repealed on October 2, 2029, unless reviewed and saved from
26 repeal through reenactment by the Legislature.

27 Section 2. The Legislature finds that it is a public
28 necessity that the name, mailing address, e-mail address, and
29 phone number of a seller submitted to a property appraiser

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30 pursuant to s. 696.031, Florida Statutes, be made confidential
31 and exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
32 Article I of the State Constitution. The provisions of s.
33 696.031, Florida Statutes, are created to encourage
34 participation in an optional program to protect real property
35 owners from fraud in real estate transactions. The program uses
36 the information collected to inform an owner that a contract for
37 the sale or purchase of his or her real estate has been
38 executed. Information that is provided to the property appraiser
39 pursuant to s. 696.031, Florida Statutes, may be considered by
40 some participants to be of a sensitive and personal nature. The
41 Legislature finds that the potential of such information about a
42 property seller being made public could have a chilling effect
43 on participation in the program and thereby negate the fraud
44 deterrent value of the program. The Legislature also finds that
45 it is a public necessity to protect persons whose name is not
46 submitted to the property appraiser pursuant to this program
47 from becoming the target of a fraudulent real property
48 conveyance by virtue of their lack of participation in the
49 program. Thus, the Legislature finds that this act serves a
50 compelling state interest. The Legislature further finds that
51 the harm that may result from the exemption of the name, mailing
52 address, e-mail address, and phone number of a seller submitted
53 to a property appraiser outweighs any public benefit that may be
54 derived from the disclosure of such information.

55 Section 3. This act shall take effect on the same date that
56 SB 526 or other similar legislation takes effect, if such
57 legislation is adopted in the same legislative session or an
58 extension thereof and becomes a law.