

PCB GVOPS 12-13

ORIGINAL

2012

1                                   A bill to be entitled  
 2           An act relating to a review under the Open Government  
 3           Sunset Review Act; amending s. 717.117, F.S., which  
 4           provides an exemption from public record requirements  
 5           for social security numbers and property identifiers  
 6           contained in reports of unclaimed property; removing  
 7           the exception to the public record exemption for  
 8           social security numbers; providing for future  
 9           legislative review and repeal of the exemption;  
 10          providing a statement of public necessity; providing  
 11          an effective date.

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

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 15           Section 1. Subsection (8) of section 717.117, Florida  
 16           Statutes, is amended to read:

17           717.117 Report of unclaimed property.—

18           (8) (a) As used in this subsection, the term "property  
 19           identifier" means the descriptor used by the holder to identify  
 20           the unclaimed property.

21           (b) Social security numbers and property identifiers  
 22           contained in reports required under this section, held by the  
 23           department, are confidential and exempt from s. 119.07(1) and s.  
 24           24(a), Art. I of the State Constitution.

25           ~~(c) Social security numbers shall be released, for the~~  
 26           ~~limited purpose of locating owners of abandoned or unclaimed~~  
 27           ~~property, to a person registered with the department under this~~  
 28           ~~chapter who is an attorney, Florida-certified public accountant,~~

29 ~~private investigator who is duly licensed in this state, or a~~  
 30 ~~private investigative agency licensed under chapter 493.~~

31 ~~(c)-(d)~~ This exemption applies to social security numbers  
 32 and property identifiers held by the department before, on, or  
 33 after the effective date of this exemption.

34 ~~(d)-(e)~~ This subsection is subject to the Open Government  
 35 Sunset Review Act in accordance with s. 119.15, and shall stand  
 36 repealed October 2, 2017 ~~2012~~, unless reviewed and saved from  
 37 repeal through reenactment by the Legislature.

38 Section 2. The Legislature finds that it is a public  
 39 necessity that social security numbers contained in reports of  
 40 unclaimed property remain confidential and exempt from public  
 41 records requirements. Social security numbers, which are used by  
 42 a holder of unclaimed property to identify such property, could  
 43 be used to fraudulently obtain unclaimed property. The release  
 44 of social security numbers could also place owners of unclaimed  
 45 property at risk of identity theft. Therefore, the protection of  
 46 social security numbers is a public necessity in order to  
 47 prevent the fraudulent use of such information by creating  
 48 falsified or forged documents that appear to demonstrate  
 49 entitlement to unclaimed property and to prevent opportunities  
 50 for identify theft. Such use defrauds the rightful owner or the  
 51 State School Fund, which is the depository for all remaining  
 52 unclaimed funds.

53 Section 3. This act shall take effect upon becoming a law.