

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.0712, F.S.; providing exemptions from public
 4 records requirements for e-mail addresses collected
 5 and held by the Department of State and secure login
 6 credentials held by the Department of State for a
 7 certain purpose; providing for retroactive
 8 application; providing for future legislative review
 9 and repeal of the exemptions; providing a statement of
 10 public necessity; providing a contingent effective
 11 date.

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

15 Section 1. Subsection (5) is added to section 119.0712,
 16 Florida Statutes, to read:

17 119.0712 Executive branch agency-specific exemptions from
 18 inspection or copying of public records.—

19 (5) DEPARTMENT OF STATE.—

20 (a) E-mail addresses collected and held by the Department
 21 of State pursuant to chapter 48, chapter 55, chapter 117,
 22 chapter 118, chapter 495, chapter 605, chapter 606, chapter 607,
 23 chapter 610, chapter 617, chapter 620, chapter 621, chapter 679,
 24 chapter 713, or chapter 865 are exempt from s. 119.07(1) and s.
 25 24(a), Art. I of the State Constitution. This exemption applies

26 | to e-mail addresses held by the department before, on, or after
 27 | the effective date of this act.

28 | (b) Secure login credentials held by the Department of
 29 | State for purposes of a password protected system implemented
 30 | pursuant to s. 15.16(3) are exempt from s. 119.07(1) and s.
 31 | 24(a), Art. I of the State Constitution. This exemption applies
 32 | to secure login credentials held by the department before, on,
 33 | or after the effective date of the exemption. For purposes of
 34 | this paragraph, the term "secure login credentials" means
 35 | information held by the department for purposes of
 36 | authenticating a user logging into a user account on a computer,
 37 | a computer system, a computer network, or an electronic device;
 38 | an online user account accessible over the Internet, whether
 39 | through a mobile device, a website, or any other electronic
 40 | means; or information used for authentication or password
 41 | recovery.

42 | (c) This subsection is subject to the Open Government
 43 | Sunset Review Act in accordance with s. 119.15 and shall stand
 44 | repealed on October 2, 2028, unless reviewed and saved from
 45 | repeal through reenactment by the Legislature.

46 | Section 2. The Legislature finds that it is a public
 47 | necessity that e-mail addresses collected and held by the
 48 | Department of State and secure login credentials held by the
 49 | Department of State for purposes of a password protected system
 50 | implemented pursuant to s. 15.16(3), Florida Statutes, be made

51 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
52 Article I of the State Constitution. Such identifying
53 information can be used as a tool to perpetuate fraud against an
54 individual or corporation, the release of which could cause
55 great financial harm to the individual or corporation.
56 Therefore, the Legislature finds that it is a public necessity
57 that such information be made exempt from public records
58 requirements.

59 Section 3. This act shall take effect on the same date
60 that HB 909 or similar legislation takes effect, if such
61 legislation is adopted in the same legislative session or an
62 extension thereof and becomes a law.