

1                   A bill to be entitled  
 2           An act relating to public records; creating s.  
 3           560.312, F.S.; providing an exemption from public  
 4           records requirements for information contained in the  
 5           database of payment instrument transactions within the  
 6           Office of Financial Regulation into which payment  
 7           instrument transaction information submitted by money  
 8           services business licensees is maintained; providing  
 9           for specified access to such information; authorizing  
 10          the office to enter into information-sharing  
 11          agreements and provide access to information contained  
 12          in the database to certain governmental agencies;  
 13          requiring any department or agency that receives  
 14          confidential information to maintain the  
 15          confidentiality of the information except under  
 16          certain circumstances; providing a penalty for willful  
 17          disclosure of confidential information; providing for  
 18          future review and repeal of the exemption; providing a  
 19          statement of public necessity; providing a contingent  
 20          effective date.

21  
 22   Be It Enacted by the Legislature of the State of Florida:

23  
 24           Section 1. Section 560.312, Florida Statutes, is created  
 25   to read:

26           560.312 Database of payment instrument transactions;  
 27   confidentiality.-

28           (1) Information contained in the database of payment

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29 instrument transactions administered by the office pursuant to  
30 s. 560.311 is confidential and exempt from s. 119.07(1) and s.  
31 24(a), Art. I of the State Constitution.

32 (2) (a) A licensee may access information that it submits  
33 to the office for inclusion in the database.

34 (b) The office, to the extent permitted by state and  
35 federal law, may enter into information-sharing agreements with  
36 the department, law enforcement agencies, and other governmental  
37 agencies and, in accordance with such agreements, may provide  
38 the department, law enforcement agencies, and other governmental  
39 agencies with access to information contained in the database  
40 for use in detecting and deterring financial crimes. Any  
41 department or agency that receives confidential information from  
42 the office under this paragraph must maintain the  
43 confidentiality of the information, except to the extent that a  
44 court order compels disclosure of the information to a specific  
45 party.

46 (3) Subsection (1) is subject to the Open Government  
47 Sunset Review Act in accordance with s. 119.15 and shall stand  
48 repealed on October 2, 2017, unless reviewed and saved from  
49 repeal through reenactment by the Legislature.

50 Section 2. The Legislature finds that it is a public  
51 necessity that information contained in the database of payment  
52 instrument transactions administered by the Office of Financial  
53 Regulation pursuant to s. 560.311, Florida Statutes, be held  
54 confidential and exempt from s. 119.07(1), Florida Statutes, and  
55 s. 24(a), Art. I of the State Constitution. The electronic  
56 database provides for the maintenance of payment instrument

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57 transaction information that, pursuant to s. 560.311, Florida  
58 Statutes, money services business licensees are required to  
59 submit to the office and is intended to assist the office, the  
60 Department of Financial Services, law enforcement agencies, and  
61 other governmental agencies in detecting and deterring financial  
62 crimes. Licensees that cash a payment instrument exceeding a  
63 specified amount, a corporate payment instrument, or a third-  
64 party payment instrument must submit information about the  
65 transaction to the office for inclusion in the database.  
66 Information submitted includes personal identifying information  
67 of licensees, sensitive financial information, and other  
68 sensitive information such as insurance policy numbers and  
69 workers' compensation information that, if not held exempt from  
70 public disclosure, could be used to the detriment or  
71 disadvantage of a licensee.

72 Section 3. This act shall take effect on the same date  
73 that HB 1277 or similar legislation takes effect, if such  
74 legislation is adopted in the same legislative session or an  
75 extension thereof and becomes a law.