

PCB GEAC 07-16

ORIGINAL

YEAR

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act regarding reports of unclaimed property;
 4 amending s. 717.117, F.S.; expanding the exemption to
 5 include property identifiers; creating a definition;
 6 reorganizing the exemption; providing for future review
 7 and repeal of the exemption; providing a statement of
 8 public necessity; providing an effective date.

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

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

14 717.117 Report of unclaimed property.--

15 (8) (a) For purposes of this subsection, "property
 16 identifier" means the descriptor used by the holder to identify
 17 the unclaimed property.

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

22 (c) Notwithstanding this exemption, Social security numbers
 23 shall be released, for the limited purpose of locating owners of
 24 abandoned or unclaimed property, to a person registered with the
 25 department under this chapter who is:

- 26 1. An attorney;
 27 2. A Florida-certified public accountant;
 28 3. A private investigator who is duly licensed in this
 29 state; or

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30 4. A private investigative agency licensed under chapter
 31 493 and registered with the department under this chapter.

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

36 (e) This subsection is subject to the Open Government
 37 Sunset Review Act ~~of 1995~~ in accordance with s. 119.15, and shall
 38 stand repealed October 2, 2012 ~~2007~~, unless reviewed and saved
 39 from repeal through reenactment by the Legislature.

40 Section 2. The Legislature finds that it is a public
 41 necessity that property identifiers contained in reports of
 42 unclaimed property be made confidential and exempt from public
 43 records requirements. Property identifiers, which are descriptors
 44 used by a holder to identify unclaimed property, could be used to
 45 obtain fraudulently unclaimed funds or property. Protection of
 46 property identifiers is a public necessity in order to prevent
 47 the fraudulent use of such information for purposes of creating
 48 falsified or forged documents that demonstrate entitlement to
 49 unclaimed property. Such use defrauds the rightful property owner
 50 or the State School Fund. Furthermore, the release of property
 51 identifiers contained in reports of unclaimed property hinders
 52 the effective and efficient administration of the unclaimed
 53 property program.

54 Section 3. This act shall take effect October 1, 2007.