

0-0-1 | 2022 LEGISLATIVE HIGHLIGHTS

The following are some of the more significant actions which occurred during the 2022 legislative session relating to the public's right of access to meetings and records.

Annuity contract personal identifying information

Provides that personal identifying information and annuity contract numbers of a payee of a structured settlement as defined in statute and the names of family members, dependents, and beneficiaries of such payee contained within a court file relating to a proceeding for the approval of the transfer of settlement rights under the statute shall remain exempt during the pendency of the proceedings and for 6 months after the final court order approving or not approving the application. Chapter 22-125, Laws of Florida, amending s. 119.0714, F.S.

Applicants for presidency of postsecondary institution

Establishes confidentiality for personal identifying information of an applicant for president of a state university or college except as provided in the exemption. Also provides that any portion of a meeting held for the purpose of identifying or vetting applicants is exempt. The exemption does not apply to meetings held to establish qualifications for the position or a "compensation framework" or to meetings held after a final group of applicants has been established. Chapter 22-15, Laws of Florida, creating s. 1004.098, F.S.

Crash reports, traffic citations

Amends current statute relating to confidentiality of crash reports to provide that the exemption applies to any agency, not just those that regularly receive crash reports. Provides for immediate disclosure to the media of redacted reports within the 60-day period that do not contain specified personal information about parties involved in the crash. Provides that computerized crash report data held by an agency is confidential. Specified driver information in traffic citations is made exempt from disclosure requirements. The term "driver information" does not include the driver's name. Chapter 22-198, Laws of Florida, amending s. 316.066 and amending s. 316.650, F.S. Effective date: March 1, 2023.



Cybersecurity records and meetings

Provides confidentiality for cybersecurity information held by an agency, including coverage limits for insurance acquired to protect information technology systems; critical infrastructure information; cybersecurity incident information reported pursuant to cited statutes; as well as network schematics and other information that identifies detection, investigation, or response practices for cybersecurity incidents. There is also an exemption from the Sunshine Law for portions of meetings that would reveal such confidential information. Disclosure is authorized in certain circumstances. Chapter 22-221, Laws of Florida, creating s. 119.0725, F.S., and amending ss. 98.015 and 282.318, F.S.

Execution records

Establishes confidentiality for identification information of persons or entities that participate in execution related functions. Chapter 22-115, Laws of Florida, amending s. 945.10(1), F.S.

Family trust company records

In specified statutory proceedings in which a family trust company is a party, the clerk must, on written notice from a party, keep all court records of that case separate from other court records and confidential. Chapter 22-111, Laws of Florida, creating s. 662.1465, F.S.

Homeless counts identifying information

Individual identifying information of a person contained in specified homeless management information system is confidential and exempt. Release of aggregate information that does not disclose identifying information of a person is not precluded. Chapter 22-33, Laws of Florida, creating s. 420.6231, F.S.

Juvenile expunged records

Nonjudicial records held by the Florida Department of Law Enforcement pertaining to the arrest of juveniles for certain crimes who have had the records sealed or expunged pursuant to s. 943.0582, F.S., are confidential. Disclosure is authorized as provided in the exemption. Chapter 22-112, Laws of Florida, amending s. 943.0582, F.S.



Law enforcement geolocation information

Provides that law enforcement geolocation information, as defined in the exemption, that is held by a law enforcement agency is exempt. The exemption does not apply to traffic citations, crash reports, homicide reports, arrest reports, or any other official reports issued by an agency which contain law enforcement geolocation information. Disclosure is authorized under specified circumstances. Chapter 22-107, Laws of Florida, creating s. 119.071(4)(e), F.S.

Lottery winners

The name of a winner of a prize valued at \$250,000 or more is confidential and exempt for 90 days from the date the prize is claimed, unless the winner consents to the release of his or her name as provided in cited statutes. Chapter 22-134, Laws of Florida, amending s. 24.1051, F.S.

Sexual harassment victims

The exemption providing confidentiality for personal identifying information of alleged victims of sexual harassment was amended to add that the exemption applies to the victim of sexual harassment as well as the alleged victim, if such information identifies that person as an alleged victim or as a victim of sexual harassment. The amendment also states that confidentiality may be waived in writing by the alleged victim or victim. Chapter 22-172, Laws of Florida, amending s. 119.071(2)(n), F.S.

(Florida Office of the Attorney General // © March 9, 2023)

