

Florida Lottery 2008 Legislative Priorities

Public Records Exemption

Under current law (s. 119(11)), a public record is defined to include “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.”

E-mail is rapidly becoming a primary means for businesses to communicate with their customers. E-mail permits the quick and efficient construction of player databases, and provides lotteries with an efficient and cost-effective way to communicate with its players. E-mail provides lotteries a means to quickly and effectively communicate new product offerings, alert players of jackpot amounts and notify players of winning numbers, among other marketing messages.

Under current law, these databases are considered to be public records. As such, the Lottery cannot ensure the privacy and security of any personal information submitted by its players. This effectively prohibits the Lottery from a valuable direct marketing tool to communicate with its players.

Amending s. 24.105(12) to exempt personal information submitted by Lottery players for use in the Lottery’s marketing efforts from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution would correct this situation.

Lottery Specialty License Plate

The Florida Lottery may seek an amendment to sections 320.08056 and 320.0858 F.S. in order to create a Florida Lottery License Plate. Section 320.08058, F.S., lists the approved specialty license plates and specifies funding requirements.

The Legislature has authorized 109 specialty license plates to date. Sales of specialty license plates generated more than \$26 million in annual use fee revenues in 2004, \$29 million in 2005 and more than \$32 million in 2006.

In 2002 and in 2007, OPPAGA issued reports that recognized that the Lottery operates in an environment in which it should strive to remain competitive and recommended that the Lottery explore options to increase revenue(s) to the EETF.

Currently, specialty license plates are available to any owner or lessee of a motor vehicle who is willing to pay an annual use fee for the privilege. The revenue collected is then distributed to an organization or organizations in support of a particular cause or charity signified in the plate’s design and designated in statute. In this case all proceeds derived from the Lottery specialty tag will go to the EETF to support improvements to public education.