

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Civil Justice & Claims offered the following:

Amendment (with title amendment)

On page 1, line 11,
remove from the bill: everything after the enacting clause,
and insert in lieu thereof:

Section 1. Subsections (14) and (15) of section
365.171, Florida Statutes, are amended to read:

365.171 Emergency telephone number "911."--

(14) INDEMNIFICATION AND LIMITATION OF LIABILITY.--All
local governments are authorized to undertake to indemnify the
telephone company against liability in accordance with the
telephone company's lawfully filed tariffs. Regardless of any
indemnification agreement, a the telephone company or
commercial mobile radio service provider as defined in s.
364.02 shall not be liable for damages resulting from or in
connection with "911" service or identification of the
telephone number, address, or name associated with any person
accessing "911" service, unless the telephone company or
commercial radio service provider acted with malicious purpose

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1 or in a manner exhibiting wanton and willful disregard of
2 human rights, safety, or property in providing such services.
3 (15) CONFIDENTIALITY OF RECORDS.--Any record,
4 recording, or information, or portions thereof, obtained by a
5 public agency or a public safety agency for the purpose of
6 providing services in an emergency and which reveals the name,
7 address, telephone number, or personal information about, or
8 information which may identify any person requesting emergency
9 service or reporting an emergency by accessing an emergency
10 telephone number "911" system is confidential and exempt from
11 the provisions of s. 119.07(1), except that such record or
12 information may be disclosed to a public safety agency. The
13 exemption applies only to the name, address, telephone number
14 or personal information about, or information which may
15 identify any person requesting emergency services or reporting
16 an emergency while such information is in the custody of the
17 public agency or public safety agency providing emergency
18 services. A telephone company or commercial mobile radio
19 service provider shall not be liable for damages to any person
20 resulting from or in connection with such telephone company's
21 or commercial mobile radio service provider's provision of any
22 lawful assistance to any investigative or law enforcement
23 officer of the State of florida or political subdivisions
24 thereof, of the United States, or of any other state or
25 political subdivision thereof, in connection with any lawful
26 investigation or other law enforcement activity by such law
27 enforcement officer unless the telephone company or commercial
28 mobile radio service provider acted in a wanton and willful
29 manner. The exemptions in this section are subject to the Open
30 Government Sunset Review Act of 1995 in accordance with s.
31 119.15 and shall stand repealed on October 2, 2001, unless

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1 reviewed and saved form repeal through reenactment by the
2 Legislature.

3 Section 2. This act shall take effect upon becoming a
4 law.

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7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 On page 1, line 5,
10 remove from the title of the bill: local governments and

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