

By the Committee on Transportation and Senator Brown-Waite

306-1988-99

1                                   A bill to be entitled  
2           An act relating to Department of Highway Safety  
3           and Motor Vehicles; repealing s. 322.142(5) and  
4           (6), F.S., relating to color photographic or  
5           digital imaged licenses; eliminating provisions  
6           permitting the Department of Highway Safety and  
7           Motor Vehicles to sell certain information  
8           related to driver's licenses and other  
9           information; providing for the establishment of  
10          a task force to study privacy and public  
11          records issues; providing membership; providing  
12          for meetings; providing for a report; providing  
13          for repeal; providing an effective date.

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

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17           Section 1. Subsections (5) and (6) of section 322.142,  
18 Florida Statutes, 1998 Supplement, are repealed.

19           Section 2. (1) There is hereby created the Task Force  
20 on Privacy and Technology in the Executive Office of the  
21 Governor. The task force shall be composed of 19 members as  
22 follows:

23           (a) The Governor shall appoint 7 members and shall  
24 attempt in the 7 appointments to select the following: one  
25 representative of the print media; one representative who is  
26 in the private practice of law and has legal expertise in  
27 constitutional law as it relates to privacy and public  
28 records; one representative from private industry who has  
29 experience in technology and electronic commerce; one  
30 representative from the private industry who has expertise in  
31 marketing government information; one representative from the

1 telecommunications industry; one representative of the public  
2 with an interest in privacy electronic commerce and one  
3 additional member.

4 (b) The Speaker of the House of Representatives shall  
5 appoint 6 members and shall attempt in the 6 appointments to  
6 select the following: one representative from a law school in  
7 this state with expertise in constitutional law, public  
8 records law, or computer law; one representative of the  
9 broadcast media; one representative from the financial  
10 services industry; one representative from private industry  
11 who has expertise in technology and electronic commerce; one  
12 representative from an Internet service provider and one  
13 additional member.

14 (c) The President of the Senate shall appoint 6  
15 members and shall attempt in the 6 appointments to select the  
16 following: one representative from the direct marketing  
17 industry; one representative from the credit or charge card  
18 industry; one representative from the Florida Retail  
19 Federation; one representative from the Statewide Prosecutor's  
20 Office who has experience in the area of electronic fraud; one  
21 representative from the credit bureau industry and one  
22 additional member.

23 (d) The Governor shall appoint the chair of the task  
24 force.

25 (2) The task force is to study and make  
26 recommendations to the Governor and the Legislature on:

27 (a) Privacy issues under the United States and Florida  
28 Constitution and Laws, the Public Records Act, and the advent  
29 of the use of advanced technology.

30 (b) Technology fraud, including the illegal use of  
31 citizens' identity, credit, and other uses.

1           (c) Balancing the traditional openness of public  
2 records in Florida with the need to protect individuals'  
3 privacy and identities.

4           (d) The sale of public records to private individuals  
5 and companies.

6           (3) The task force shall exist for 1 year and shall  
7 meet as often as necessary to carry out its duties and  
8 responsibilities. The task force shall be supported by the  
9 Executive Office of the Governor within its existing  
10 resources.

11           (4) The task force may obtain information and  
12 assistance from any state agency, community college, or state  
13 university.

14           (5) The task force shall report its findings and  
15 recommendations to the Governor, the President of the Senate,  
16 and the Speaker of the House of Representatives by February 1,  
17 2000.

18           (6) This section is repealed effective July 1, 2000.

19           Section 3. This act shall take effect upon becoming a  
20 law.

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22                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
23                           COMMITTEE SUBSTITUTE FOR  
24                           SB 1898

25           The CS creates the Task Force on Privacy and Technology in the  
26 Executive Office of the Governor. The task force is composed  
27 of 19 members appointed by the Governor, the President of the  
28 Senate, and the Speaker of the House of Representatives. The  
29 task force is directed to study and make recommendations to  
30 the Governor and the Legislature by February 1, 2000, on  
31 issues relating to privacy and technology.