

By Senator Burt

16-547-01

1 A bill to be entitled
 2 An act relating to the Department of Law
 3 Enforcement; amending s. 943.03, F.S.;
 4 requiring that a state agency notify the
 5 department if the agency suspects that it is,
 6 may be, or has been the victim of certain
 7 crimes that involve the misappropriation of the
 8 agency's name or authority, the misuse of
 9 technology used by the agency, or the
 10 misappropriation or illegal use of agency or
 11 state records; requiring the department to
 12 evaluate such reports; authorizing the
 13 department to refer the report to another
 14 agency for appropriate action; providing an
 15 effective date.

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

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 19 Section 1. Subsection (14) is added to section 943.03,
 20 Florida Statutes, to read:

21 943.03 Department of Law Enforcement.--

22 (14)(a) Any agency of the state shall immediately
 23 notify the department if the agency suspects that:

24 1. The agency is, could be, or has been the victim of
 25 an attempted or actual crime that involves the
 26 misappropriation or illegal use of the agency's name or
 27 authority or that involves the misappropriation or illegal use
 28 of the name, title, or identity of any employee, agent, or
 29 representative of the agency which is related to that person's
 30 duties and responsibilities with the agency;

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1 2. The agency is, could be, or has been the victim of
2 an attempted or actual crime that involves technology used by
3 the agency of the state, including, but not limited to,
4 computers, computer programs, computer systems, or
5 communications systems; or

6 3. Records of the agency or the state have been used
7 by an employee of the agency or the state, any person acting
8 on behalf of the agency or the state, or any party acting upon
9 direction of such employee or person in an attempted or actual
10 crime that involves the misappropriation or illegal use of
11 another person's name or identity.

12 (b) The department shall evaluate each report received
13 under this subsection to determine whether a criminal
14 investigation should be conducted and whether the
15 investigation should be done by the department or referred to
16 another criminal investigative agency. The department may also
17 refer the information to the Office of Statewide Technology or
18 any other entity for appropriate review and response, or may
19 defer action by returning the matter to the reporting agency
20 for whatever action the reporting agency considers
21 appropriate. The department shall notify the reporting agency
22 of the department's determination with respect to the handling
23 of a report received from the agency.

24 Section 2. This act shall take effect July 1, 2001.
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SENATE SUMMARY

Requires that each state agency notify the Department of Law Enforcement if the agency suspects certain crimes have been committed which involve the misappropriation of the agency's name or authority, the misuse of technology used by the agency, or the misappropriation or illegal use of agency records. Requires that the department take certain actions, which may include referring the report to another agency for appropriate action. (See bill for details.)