

By Senator Burt

16-1200-01

1 A bill to be entitled
2 An act relating to state technology systems;
3 providing legislative intent; creating the
4 position of Chief Privacy and Public Access
5 Officer; assigning duties; requiring each state
6 agency and university in the State University
7 System to conduct a survey; providing
8 requirements for the survey content; providing
9 for a report to the Legislature; providing an
10 effective date.

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

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14 Section 1. (1) The Legislature finds that
15 technological advances have made it possible for state and
16 local governments to operate more efficiently and economically
17 for the benefit of Floridians. Increased use of computers by
18 governments, businesses, and individuals, the growth of the
19 Internet, and the likelihood of more technological advances
20 will permit even more coordination of services, greater
21 sharing of information, and additional opportunities to
22 improve service. The Legislature also recognizes that the
23 state has a long policy of open records that is ensured by the
24 State Constitution. The Legislature also recognizes that the
25 constitutional right of privacy provided under the State
26 Constitution cannot be construed to limit the right of access
27 to public records. As a result, the Legislature finds that
28 greater consideration should be given to the types of
29 information that state agencies and universities collect and
30 that the necessity for collecting specific types of
31 information should be identified.

1 (2) Each state agency and university within the State
2 University System shall conduct an internal survey to
3 determine what types of information they compile in databases
4 or other electronic formats, sell, share with third parties,
5 or provide online. The survey shall be directed and
6 coordinated by the Chief Privacy and Public Access Officer. By
7 no later than July 30, 2001, the Chief Privacy and Public
8 Access Officer shall provide in writing to each agency and
9 university the specific types of information that are to be
10 collected in the survey. The Chief Privacy and Public Access
11 Officer, with the assistance of the State Technology Office,
12 shall compile the information, make recommendations, and
13 report to the Legislature no later than January 15, 2002.

14 Section 2. There is authorized in the State Technology
15 Office within the Department of Management Services one
16 full-time employee who shall be designated the State's Chief
17 Privacy and Public Access Officer. The Chief Privacy and
18 Public Access Officer is responsible for continually reviewing
19 the policies, laws, rules, and practices of state agencies
20 which may affect the privacy concerns of state residents and
21 shall annually advise the Legislature and Governor of such
22 practices. The Chief Privacy and Public Access Officer shall
23 direct a survey of each state agency and each university
24 within the State University System to determine what types of
25 information they compile in databases or other electronic
26 formats, sell, share with third parties, or provide online and
27 report his or her findings to the Legislature no later than
28 January 15, 2002. The Chief Privacy and Public Access Officer
29 shall review proposed contracts between state agencies and
30 third parties involving the sharing or sale of personal

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1 information and make specific recommended changes to any such
2 contract to the agency as necessary.

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

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7 SENATE SUMMARY

8 Creates the Chief Privacy and Public Access Officer in
9 the State Technology Office of the Department of
10 Management Services. Provides for a survey of information
11 compiled in databases or other electronic formats by
12 state agencies and universities within the State
13 University System. Requires a report to the Legislature.
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