

By Senators Crist and Brown-Waite

13-677A-02

1 A bill to be entitled
2 An act relating to domestic security; creating
3 s. 775.30, F.S.; defining the term "terrorism"
4 for purposes of the Florida Criminal Code;
5 creating s. 943.0321, F.S.; creating the
6 Florida Domestic Security and Counter-Terrorism
7 Intelligence Center within the Department of
8 Law Enforcement; creating the Florida Domestic
9 Security and Counter-Terrorism Database within
10 the intelligence center; providing functions of
11 the intelligence center with respect to
12 gathering and analyzing active criminal
13 intelligence information and criminal
14 investigative information; requiring the
15 intelligence center to maintain and operate the
16 database; providing requirements for the
17 database; requiring that the Department of Law
18 Enforcement establish methods for providing
19 information from the database to law
20 enforcement agencies and prosecutors; providing
21 that information that is exempt from public
22 disclosure and is released to another agency or
23 prosecutor by the intelligence center retains
24 such exemption; providing that information that
25 is exempt from public disclosure and is
26 obtained by the intelligence center retains
27 such exemption; providing an effective date.
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29 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Section 775.30, Florida Statutes, is
2 created to read:

3 775.30 Terrorism; defined.--As used in the Florida
4 Criminal Code, the term "terrorism" means an activity that:

5 (1)(a) Involves a violent act or an act dangerous to
6 human life which is a violation of the criminal laws of this
7 state or of the United States; or

8 (b) Involves a violation of s. 815.06; and

9 (2) Is intended to:

10 (a) Intimidate, injure, or coerce a civilian
11 population;

12 (b) Influence the policy of a government by
13 intimidation or coercion; or

14 (c) Affect the conduct of government through
15 destruction of property, assassination, murder, kidnapping, or
16 aircraft piracy.

17 Section 2. Section 943.0321, Florida Statutes, is
18 created to read:

19 943.0321 The Florida Domestic Security and
20 Counter-Terrorism Intelligence Center and the Florida Domestic
21 Security and Counter-Terrorism Database.--

22 (1)(a) There is created within the Department of Law
23 Enforcement the Florida Domestic Security and
24 Counter-Terrorism Intelligence Center.

25 (b) The Florida Domestic Security and
26 Counter-Terrorism Database is created within the Florida
27 Domestic Security and Counter-Terrorism Intelligence Center.

28 (2) The intelligence center shall:

29 (a) Gather, document, and analyze active criminal
30 intelligence and criminal investigative information related to
31 terrorism, as defined in s. 775.30, including information

1 related to individuals or groups that plot, plan, or
2 coordinate acts of terrorism, as defined in s. 775.30, and
3 that operate within this state or otherwise commit acts
4 affecting this state;

5 (b) Maintain and operate the domestic security and
6 counter-terrorism database; and

7 (c) Provide support and assistance to federal, state,
8 and local law enforcement agencies and prosecutors that
9 investigate or prosecute terrorism, as defined in s. 775.30.

10 (3)(a) The database shall include active criminal
11 intelligence information and active criminal investigative
12 information submitted by federal, state, or local law
13 enforcement agencies and prosecutors and information that is
14 available from other law-enforcement databases.

15 (b) The database shall be capable of performing data
16 review and processing that may reveal patterns, trends, and
17 correlations indicative of potential or actual terrorism
18 activity within or affecting this state.

19 (c) The department shall establish methods and
20 parameters by which information and data is transferred to the
21 department for inclusion in the database. Information
22 developed in or through the use of the database shall be made
23 available to federal, state, and local law enforcement
24 agencies and prosecutors in a manner defined by the department
25 and as allowed by state or federal law or rule.

26 (4)(a) Information that is exempt from public
27 disclosure under chapter 119 when in the possession of the
28 intelligence center retains its exemption from public
29 disclosure after such information is revealed to a federal,
30 state, or local law enforcement agency or prosecutor, except
31 as otherwise provided by law.

1 (b) Information obtained by the intelligence center
2 from a federal, state, or local law enforcement agency or
3 prosecutor which is exempt from public disclosure under state
4 or federal law when in the possession of a federal, state, or
5 local law enforcement agency or prosecutor retains its
6 exemption from public disclosure after such information is
7 revealed to the intelligence center, except as otherwise
8 provided by law.

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

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13 SENATE SUMMARY

14 Defines the term "terrorism" for purposes of the Florida
15 Criminal Code. Creates the Florida Domestic Security and
16 Counter-Terrorism Intelligence Center within the
17 department and provides its duties. Creates the Florida
18 Domestic Security Counter-Terrorism Database within the
19 department and provides for its contents and use. (See
20 bill for details.)

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