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A bill to be entitled 1 2 An act relating to public records; amending s. 943.05, F.S.; exempting from public records requirements 3 4 fingerprint identification information held by an agency 5 before, on, or after the effective date of the exemption; providing for future legislative review and repeal; 6 7 providing a finding of public necessity; providing an effective date. 8 9 10 Be It Enacted by the Legislature of the State of Florida: 11 Subsection (3) is added to section 943.05, Section 1. 12 13 Florida Statutes, to read: 943.05 Criminal Justice Information Program; duties; crime 14 15 reports.--Fingerprint identification information held by an 16 (3)(a) agency before, on, or after the effective date of this exemption 17 18 is exempt from s. 119.071(1) and s. 24(a), Art. I of the State Constitution. For purposes of this subsection, the term 19 "fingerprint identification information" means any record of 20 friction ridge detail, including, but not limited to, 21 fingerprints, palm prints, and footprints, in whatever form or 22 medium recorded. 23 24 (b) This subsection is subject to the Open Government 25 Sunset Review Act in accordance with s. 119.15 and shall stand 26 repealed on October 2, 2011, unless reviewed and saved from 27 repeal through reenactment by the Legislature.

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28 The Legislature finds that it is a public Section 2. 29 necessity that fingerprint identification information held by an 30 agency before, on, or after the effective date of this exemption be made exempt from public records requirements. Fingerprint 31 identification is currently the most widely used ultimate means 32 of verifying identity and of detecting or preventing false 33 claims of identity. Given existing technological capabilities 34 for duplicating, enhancing, modifying, and transferring records, 35 36 the availability of fingerprint identification information, 37 whether in traditional ink and paper form or when digitized, creates the opportunity for improper, illegal, or harmful use, 38 particularly the crime of identify theft. In addition, release 39 40 of fingerprint identification information could create 41 opportunities for breach of security, which could result in harm to programs, property, and persons. Thus, the Legislature finds 42 that it is a public necessity to protect fingerprint 43 44 identification information held by an agency before, on, or 45 after the effective date of this act. 46 Section 3. This act shall take effect July 1, 2006, if

House Bill 151, or similar legislation relating to fingerprint identification information held by an agency, is adopted in the same legislative session or an extension thereof and becomes law.

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