

Bill No. CS for SB 1162

Barcode 280992

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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05/03/2006 01:35 PM

11 Senator Rich moved the following amendment:

13 **Senate Amendment (with title amendment)**

14 On page 2, between lines 5 and 6,

16 insert:

17 (d)1. To a commercial data aggregator that contracts
18 with law enforcement agencies or national homeland security
19 agencies, provided such information will only be used to
20 support such entities in connection with performance of their
21 lawful duties. The commercial data aggregator shall not
22 publicly post or publicly display in any manner an
23 individual's concealed weapon's license data. The term
24 "publicly post" or "publicly display" means to intentionally
25 communicate or otherwise make available to the general public
26 or any customer other than law enforcement agencies or
27 national homeland security agencies.

28 2. Any person who falsely certifies to a commercial
29 data aggregator that he or she is acting on behalf of an
30 authorized law enforcement agency and thereby accesses
31 concealed weapons license holder information commits a felony

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1 of the third degree, punishable as provided in s. 775.082, s.
2 775.083, or s. 775.084.

3 3. Individual concealed weapons license holders shall
4 have a private right of action against any person or entity
5 who falsely certifies to a commercial data aggregator that he,
6 she, or it is acting on behalf of an authorized law
7 enforcement agency and thereby accesses concealed weapons
8 license holder information.

9 4. If a court finds that a commercial data aggregator
10 or its employees acted with negligence or willful misconduct
11 in failing to implement commercially reasonable computer
12 security firewalls to protect the security and privacy of
13 concealed weapon license holder information or in failing to
14 conduct due diligence of a customer making application for
15 access to these records which results in such information
16 being publicly posted or publicly displayed as defined in
17 subparagraph 1., the commercial data aggregator shall be
18 subject fo penalties of \$5,000 per record per incident. The
19 Attorney General may bring a civil cause of action to enforce
20 the fines assessed under this paragraph.

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23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 On page 1, line 10, following the semicolon

26

27 insert:

28 providing penalties, including criminal
29 penalties, for unauthorized disclosure of
30 information by certain entities to which the
31 information may lawfully be disclosed;