

Bill No. SB 2292

Barcode 412744

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Comm: RCS
04/25/2006 09:56 PM

.
. .
. .
. .
. .
. .

The Committee on Criminal Justice (Haridopolos) recommended
the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Paragraph (g) is added to subsection (5) of
section 119.071, Florida Statutes, to read:

119.071 General exemptions from inspection or copying
of public records.--

(5) OTHER PERSONAL INFORMATION.--

(g)1. Biometric identification information held by an
agency before, on, or after the effective date of this
exemption is exempt from s. 119.07(1) and s. 24(a), Art. I of
the State Constitution. As used in this paragraph, the term
"biometric identification information" means:

- a. Any record of friction ridge detail;
- b. Fingerprints;
- c. Palm prints; and
- d. Footprints.

Bill No. SB 2292

Barcode 412744

1 2. This paragraph is subject to the Open Government
 2 Sunset Review Act in accordance with s. 119.15 and shall stand
 3 repealed on October 2, 2011, unless reviewed and saved from
 4 repeal through reenactment by the Legislature.

5 Section 2. The Legislature finds that it is a public
 6 necessity that biometric identification information held by an
 7 agency before, on, or after the effective date of this
 8 exemption be made exempt from public-records requirements.
 9 Biometric identification information is used to verify the
 10 identity of persons and by its very nature involves matters
 11 uniquely related to individual persons. The use of multiple
 12 methods of biometric identification is a growing technology in
 13 detecting and solving crime, in preventing identity theft, and
 14 in providing enhanced levels of security in agency and other
 15 operations. Given existing technological capabilities for
 16 duplicating, enhancing, modifying, and transferring records,
 17 the availability of biometric identification information
 18 creates the opportunity for improper, illegal, or otherwise
 19 harmful use of such information. At the same time, use of
 20 biometric identification information by agencies is a useful
 21 and increasingly valuable tool. Thus, the Legislature finds
 22 that it is a public necessity to protect biometric
 23 identification information held by an agency before, on, or
 24 after the effective date of this act.

25 Section 3. This act shall take effect July 1, 2006, if
 26 Senate Bill 544, or similar legislation relating to
 27 fingerprint identification information held by an agency, is
 28 adopted in the same legislative session or an extension
 29 thereof and becomes law.

30
31

Bill No. SB 2292

Barcode 412744

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

2 And the title is amended as follows:

3 Delete everything before the enacting clause

4

5 and insert:

6 A bill to be entitled

7 An act relating to public records; amending s.

8 119.071, F.S.; exempting from public-records

9 requirements biometric identification

10 information held by an agency before, on, or

11 after the effective date of the exemption;

12 providing a definition; providing for future

13 legislative review and repeal; providing a

14 finding of public necessity; providing a

15 contingent effective date.

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31