

HB 1117

2007

1 A bill to be entitled
 2 An act relating to personal identification information;
 3 amending s. 817.568, F.S.; providing an enhanced penalty
 4 for certain uses of personal identification information
 5 concerning an individual 65 years of age or older without
 6 consent; creating s. 817.5682, F.S.; prohibiting willfully
 7 possessing sensitive personal information of another
 8 without that person's consent; providing definitions;
 9 providing penalties; providing an effective date.

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

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13 Section 1. Subsections (8) through (17) of section
 14 817.568, Florida Statutes, are renumbered as subsections (9)
 15 through (18), respectively, and a new subsection (8) is added to
 16 that section, to read:

17 817.568 Criminal use of personal identification
 18 information.--

19 (8) Any person who willfully and without authorization
 20 fraudulently uses personal identification information concerning
 21 an individual 65 years of age or older without first obtaining
 22 the consent of that individual commits a felony of the first
 23 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 24 775.084.

25 Section 2. Section 817.5682, Florida Statutes, is created
 26 to read:

27 817.5682 Possession of sensitive personal information.--
 28 (1) As used in this section, the term:

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29 (a) "Individual" means a single human being and does not
30 mean a firm, association of individuals, corporation,
31 partnership, joint venture, sole proprietorship, or any other
32 entity.

33 (b) "Sensitive personal information" means any name or
34 number that may be used, alone or in conjunction with any other
35 information, to identify a specific individual, including any
36 alien registration number, government passport number, employer
37 or taxpayer identification number, Medicaid or food stamp
38 account number, bank account number, credit or debit card
39 number, or unique biometric data, such as fingerprint, voice
40 print, retina or iris image, or other unique physical
41 representation.

42 (2) Any person who willfully possesses sensitive personal
43 information concerning an individual without first obtaining
44 that individual's consent commits a felony of the third degree,
45 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

46 Section 3. This act shall take effect October 1, 2007.