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A bill to be entitled
 An act relating to arrest booking photographs;
 amending s. 951.23, F.S.; providing definitions;
 prohibiting a county or municipal detention facility
 from electronically publishing arrest booking
 photographs of certain arrestees; providing
 exceptions; providing construction; providing an
 effective date.

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

Section 1. Subsection (12) is added to section 951.23,
 Florida Statutes, to read:

951.23 County and municipal detention facilities;
 definitions; administration; standards and requirements.—

(12) ARREST BOOKING PHOTOGRAPHS.—

(a) As used in this subsection, the term:

1. "Arrest booking photograph" means a photograph of an
 arrestee taken for the purpose of recording the arrestee's image
 as part of the arrest and booking process.

2. "Criminal justice agency" has the same meaning as
 provided in s. 943.045, and includes county and municipal
 detention facilities.

(b) A county or municipal detention facility may not
 electronically publish an arrest booking photograph of an
 arrestee who is charged with, but not yet convicted of, a

27 | criminal offense.

28 | (c) Paragraph (b) does not apply to the electronic
 29 | publication of arrest booking photographs:

30 | 1. To governmental entities.

31 | 2. To third parties that provide electronic criminal
 32 | justice services to criminal justice agencies.

33 | 3. To any entity if the sheriff or police chief, or a
 34 | designee thereof, decides such publication is necessary to
 35 | protect public safety.

36 | (d) This subsection does not restrict public access to
 37 | records as provided by s. 119.07.

38 | Section 2. This act shall take effect October 1, 2014.