



155268

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/24/2016	.	
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The Committee on Rules (Lee) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (d) of subsection (4) of section  
934.425, Florida Statutes, is amended to read:

934.425 Installation of tracking devices or tracking  
applications; exceptions; penalties.—

(4) This section does not apply to:

(d) A person acting in good faith on behalf of a business  
entity for a legitimate business purpose. This paragraph does



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12 not apply to a person engaged in private investigation, as  
13 defined in s. 493.6101, on behalf of another person, except  
14 that:

15 1. A person or business entity that is exempt under  
16 paragraph (b), paragraph (c), or paragraph (e) may hire a  
17 private investigator to install a tracking device or tracking  
18 application consistent with the applicable exemption.

19 2. A private investigator may install a tracking device or  
20 tracking application pursuant to a lawful court order unless  
21 ~~such activities would otherwise be exempt under this subsection~~  
22 ~~if performed by the person engaging the private investigator.~~

23 Section 2. For the purpose of incorporating the amendment  
24 made by this act to section 934.425, Florida Statutes, in a  
25 reference thereto, paragraph (y) of subsection (1) of section  
26 493.6118, Florida Statutes, is reenacted to read:

27 493.6118 Grounds for disciplinary action.—

28 (1) The following constitute grounds for which disciplinary  
29 action specified in subsection (2) may be taken by the  
30 department against any licensee, agency, or applicant regulated  
31 by this chapter, or any unlicensed person engaged in activities  
32 regulated under this chapter.

33 (y) Installation of a tracking device or tracking  
34 application in violation of s. 934.425.

35 Section 3. This act shall take effect July 1, 2016.

36  
37 ===== T I T L E A M E N D M E N T =====

38 And the title is amended as follows:

39 Delete everything before the enacting clause  
40 and insert:



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41                   A bill to be entitled  
42           An act relating to installation of tracking devices or  
43           tracking applications; amending s. 934.425, F.S.;  
44           revising an exception to a prohibition on the  
45           installation of tracking devices or applications to  
46           specify that the exception applies only to private  
47           investigators under certain circumstances; deleting a  
48           provision concerning persons engaged in private  
49           investigation; reenacting s. 493.6118(1)(y), F.S.,  
50           relating to grounds for disciplinary action, to  
51           incorporate the amendment made to s. 934.425, F.S., in  
52           a reference thereto; providing an effective date.