

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Anderson offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove lines 21-85 and insert:

7 a. "DNA record" means all information associated with the
 8 collection and analysis of a person's DNA sample, including the
 9 distinguishing characteristics collectively referred to as a DNA
 10 profile, and includes a single nucleotide polymorphism and a
 11 whole genome sequencing DNA profile.

12 b. "Genetic genealogy" means the use of DNA testing in
 13 combination with traditional genealogical methods to infer
 14 relationships between persons and determine ancestry.

15 c. "Investigative genetic genealogy" means the application
 16 of genetic genealogy and law enforcement investigative

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17 techniques to develop investigative leads in unsolved violent
18 crimes and provide investigative leads as to the identity of
19 unidentified human remains and living unidentified missing
20 persons.

21 d. "Investigative genetic genealogy information and
22 materials" means the information, records, and DNA records
23 created or collected by or on behalf of a law enforcement agency
24 conducting investigative genetic genealogy research, and
25 includes the names and personal identifying information of
26 persons identified through the use of genealogy databases,
27 traditional genealogical methods, or other investigative means.
28 The term does not include the name or personal identifying
29 information of:

30 (I) The donor of a biological sample attributable to a
31 perpetrator; or

32 (II) A person identified through investigative genetic
33 genealogy who is a witness to or has personal knowledge related
34 to the crime under investigation.

35 e. "Traditional genealogical methods" means the use of
36 genealogical databases and historical records to trace the
37 family lineage of a person.

38 2. Investigative genetic genealogy information and
39 materials are confidential and exempt from s. 119.07(1) and s.
40 24(a), Art. I of the State Constitution.

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41 3. Notwithstanding subparagraph 2., a law enforcement
42 agency:

43 a. May disclose investigative genetic genealogy
44 information and materials in furtherance of its official duties
45 and responsibilities or to another governmental agency in the
46 furtherance of its official duties and responsibilities.

47 b. Shall disclose investigative genetic genealogy
48 information and materials pursuant to a court order for
49 furtherance of a criminal prosecution. If a court orders the
50 disclosure of such information and materials, the recipient of
51 the information and materials must maintain the confidential and
52 exempt status of the information and materials and may only
53 publicly disclose the information and materials as necessary for
54 purposes of a criminal prosecution as determined by the court.

55 4. The exemption in this paragraph applies to
56 investigative genetic genealogy information and materials held
57 by an agency before, on, or after July 1, 2023.

58 5. This paragraph is subject to the Open Government Sunset
59 Review Act in accordance with s. 119.15 and shall stand repealed
60 on October 2, 2028, unless reviewed and saved from repeal
61 through reenactment by the Legislature.

62 Section 2. The Legislature finds that it is a public
63 necessity that investigative genetic genealogy information and
64 materials be made

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

Remove lines 5-7 and insert:
investigative genetic genealogy information and materials;
authorizing the disclosure of such information and materials in
certain circumstances;