



108428

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/05/2023	.	
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	.	

The Committee on Governmental Oversight and Accountability
(Martin) recommended the following:

Senate Amendment (with title amendment)

Delete lines 21 - 104
and insert:

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

b. "Genetic genealogy" means the use of DNA testing in



11 combination with traditional genealogical methods to infer
12 relationships between persons and determine ancestry.

13 c. "Investigative genetic genealogy" means the application
14 of genetic genealogy and law enforcement investigative
15 techniques to develop investigative leads in unsolved violent
16 crimes and provide investigative leads as to the identity of
17 unidentified human remains and living unidentified missing
18 persons.

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

28 (I) The donor of a biological sample attributable to a
29 perpetrator; or

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

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

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

39 3. Notwithstanding subparagraph 2., a law enforcement



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40 agency:

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

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

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

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

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

63
64 ===== T I T L E A M E N D M E N T =====

65 And the title is amended as follows:

66 Delete lines 5 - 7

67 and insert:

68 genetic genealogy information and materials;



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69 authorizing and requiring the disclosure of such
70 information and materials under certain circumstances;
71 providing for