

By Senator Martin

33-00446B-26

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

18 Section 1. Subsection (4) of section 322.142, Florida
19 Statutes, is amended, and subsections (5) and (6) are added to
20 that section, to read:

322.142 Color photographic or digital imaged licenses.—
(4) The department may maintain a film negative or print file. The department shall maintain a record of the digital image and signature of the licensees, together with other data required by the department for identification and retrieval. Reproductions from the file or digital record are exempt from the provisions of s. 119.07(1) and may be made and issued only:

28 (a) For departmental administrative purposes;
29 (b) For the issuance of duplicate licenses;

33-00446B-26

20261328

30 (c) For the purpose of fraud prevention, identity
31 verification, and ensuring the integrity or security of
32 individual identities within this state, with the licensee's
33 consent, to any of the following:

34 1. A state agency pursuant to an interagency agreement with
35 the department.

36 2. A third party that has entered into a contract with the
37 department to perform identity verification services for persons
38 or entities, which services are regulated by a state agency
39 pursuant to standards established by the department;

40 (d) In response to law enforcement agency requests;

41 (e) ~~(d)~~ To the Department of Business and Professional
42 Regulation and the Department of Health pursuant to an
43 interagency agreement for the purpose of accessing digital
44 images for reproduction of licenses issued by the Department of
45 Business and Professional Regulation or the Department of
46 Health;

47 (f) ~~(e)~~ To the Department of State or a supervisor of
48 elections pursuant to an interagency agreement to facilitate
49 determinations of eligibility of voter registration applicants
50 and registered voters in accordance with ss. 98.045 and 98.075;

51 (g) ~~(f)~~ To the Department of Revenue pursuant to an
52 interagency agreement for use in establishing paternity and
53 establishing, modifying, or enforcing support obligations in
54 Title IV-D cases;

55 (h) ~~(g)~~ To the Department of Children and Families pursuant
56 to an interagency agreement to conduct protective investigations
57 under part III of chapter 39 and chapter 415;

58 (i) ~~(h)~~ To the Department of Children and Families pursuant

33-00446B-26

20261328

59 to an interagency agreement specifying the number of employees
60 in each of that department's regions to be granted access to the
61 records for use as verification of identity to expedite the
62 determination of eligibility for public assistance and for use
63 in public assistance fraud investigations;

64 (j) (i) To the Agency for Health Care Administration
65 pursuant to an interagency agreement for the purpose of
66 authorized agencies verifying photographs in the Care Provider
67 Background Screening Clearinghouse authorized under s. 435.12;

68 (k) (j) To the Department of Financial Services pursuant to
69 an interagency agreement to facilitate the location of owners of
70 unclaimed property, the validation of unclaimed property claims,
71 the identification of fraudulent or false claims, and the
72 investigation of allegations of violations of the insurance code
73 by licensees and unlicensed persons;

74 (l) (k) To the Department of Commerce pursuant to an
75 interagency agreement to facilitate the validation of
76 reemployment assistance claims and the identification of
77 fraudulent or false reemployment assistance claims;

78 (m) (l) To district medical examiners pursuant to an
79 interagency agreement for the purpose of identifying a deceased
80 individual, determining cause of death, and notifying next of
81 kin of any investigations, including autopsies and other
82 laboratory examinations, authorized in s. 406.11;

83 (n) (m) To the following persons for the purpose of
84 identifying a person as part of the official work of a court:

- 85 1. A justice or judge of this state;
- 86 2. An employee of the state courts system who works in a
87 position that is designated in writing for access by the Chief

33-00446B-26

20261328

88 Justice of the Supreme Court or a chief judge of a district or
89 circuit court, or by his or her designee; or

90 3. A government employee who performs functions on behalf
91 of the state courts system in a position that is designated in
92 writing for access by the Chief Justice or a chief judge, or by
93 his or her designee; or

94 (o) (n) To the Agency for Health Care Administration
95 pursuant to an interagency agreement to prevent health care
96 fraud. If the Agency for Health Care Administration enters into
97 an agreement with a private entity to carry out duties relating
98 to health care fraud prevention, such contracts must shall
99 include, but need not be limited to:

100 1. Provisions requiring internal controls and audit
101 processes to identify access, use, and unauthorized access of
102 information.

103 2. A requirement to report unauthorized access or use to
104 the Agency for Health Care Administration within 1 business day
105 after the discovery of the unauthorized access or use.

106 3. Provisions for liquidated damages for unauthorized
107 access or use of no less than \$5,000 per occurrence.

108 (5) A third party performing identity verification services
109 in accordance with subparagraph (4)(c)2. may use licensee
110 images, signatures, and data in a manner consistent with this
111 section if the data remains in the department's possession. The
112 third party may not retain or sell a licensee's image,
113 signature, or data without the consent of the licensee and may
114 not retain Internet protocol addresses, geolocation data, or
115 other information that describes the location, computer,
116 computer system, or computer network from which a person or

33-00446B-26

20261328

117 entity accesses identity verification services.

118 (6) Any revenues generated as a result of an interagency
119 agreement entered into under subparagraph (4) (c)1. or funds due
120 to the department under a contract entered into under
121 subparagraph (4) (c)2. shall be deposited in the Highway Safety
122 Operating Trust Fund.

123 Section 2. This act shall take effect July 1, 2026.