The Florida Senate

COMMITTEE MEETING EXPANDED AGENDA

COMMERCE AND TOURISM
Senator Detert, Chair
Senator Abruzzo, Vice Chair

MEETING DATE: Monday, November 4, 2013
TIME: 4:00 —6:00 p.m.
PLACE: *Toni Jennings Committee Room,* 110 Senate Office Building

MEMBERS: Senator Detert, Chair; Senator Abruzzo, Vice Chair; Senators Bean, Hays, Hukill, Margolis, Richter, Ring, Simpson, Stargel, and Thompson

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Presentation by the Department of Economic Opportunity Implementation of the Initial Skills Review		Presented
2	Update on the status of CONNECT (new reemployment assistance benefits system)		Presented
3	**SB 242** Detert (Similar H 151)	Security of a Protected Consumer's Information; Authorizing the representative of a protected consumer to place a security freeze on a protected consumer's consumer report or record; prohibiting a consumer reporting agency from stating or implying that a security freeze reflects a negative credit history or rating; requiring a consumer reporting agency to provide a copy of a consumer report or record to a protected consumer or his or her representative upon request; requiring a consumer reporting agency to remove a security freeze under specified conditions, etc. CM 11/04/2013 Fav/CS JU GO	Fav/CS Yeas 10 Nays 0

Other Related Meeting Documents

An electronic copy of the Appearance Request form is available to download from any Senate committee page on the Senate's website, www.flsenate.gov

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Initial Skills Review

Committee on Commerce and Tourism
November 4, 2013

What is the Initial Skills Review?

- An on-line skills assessment tool
- 2011 Law requires most new Reemployment Assistance claimants to complete
- One of a number of initiatives designed to focus on getting the unemployed back to work
- The purpose of the ISR is to assess individuals' skills to assist in job placement or referral to training

What is Florida Ready To Work?

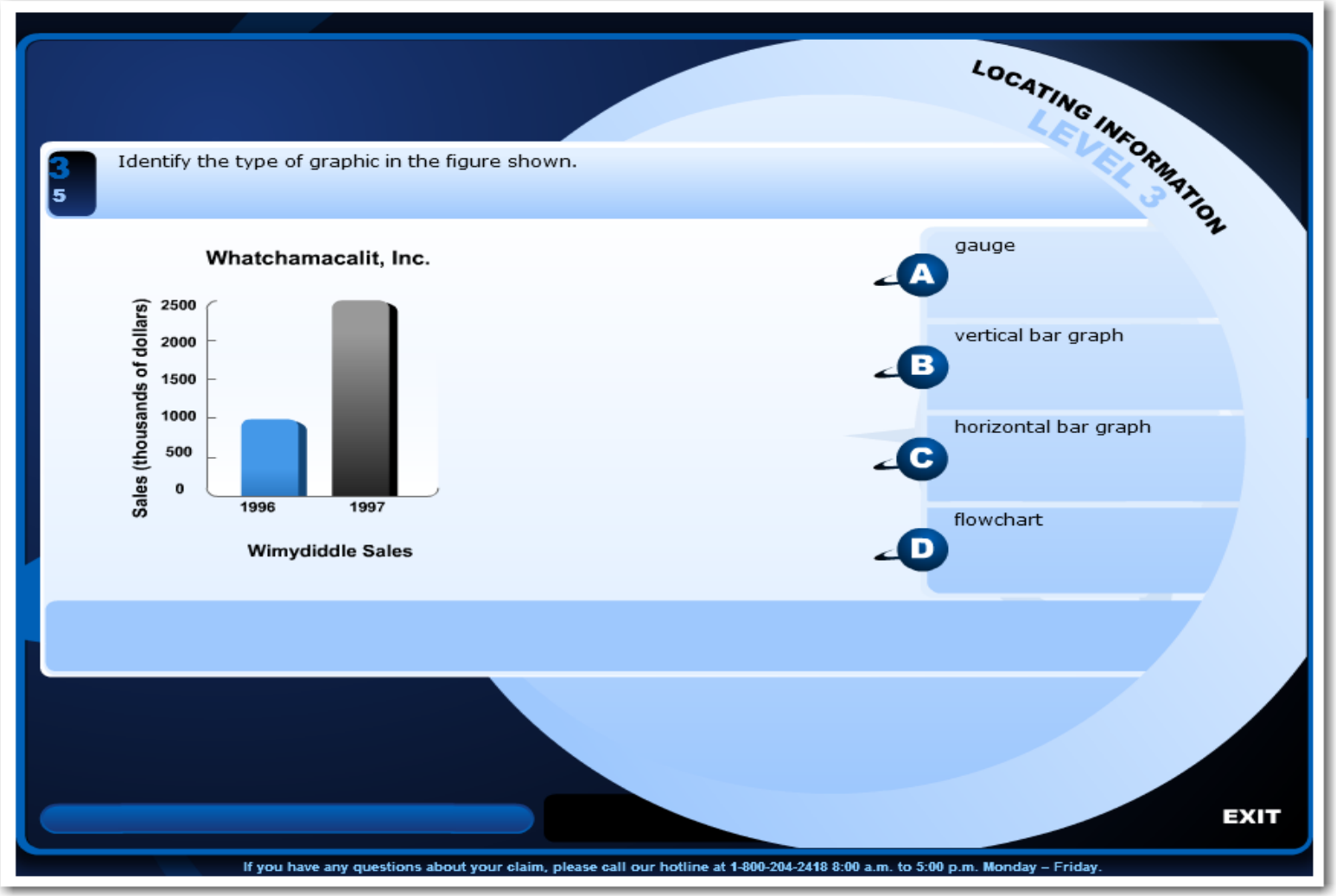
- Is a career readiness certificate program designed to assess and certify an individual as possessing baseline skills needed to perform, at minimum, entry-level work across employment sectors
- Includes on-line assessments, proctored exams and credentials/certificates
- Uses Implementation Partners to administer the program and recruits employers to consider hiring completers

Components of the Initial Skills Review

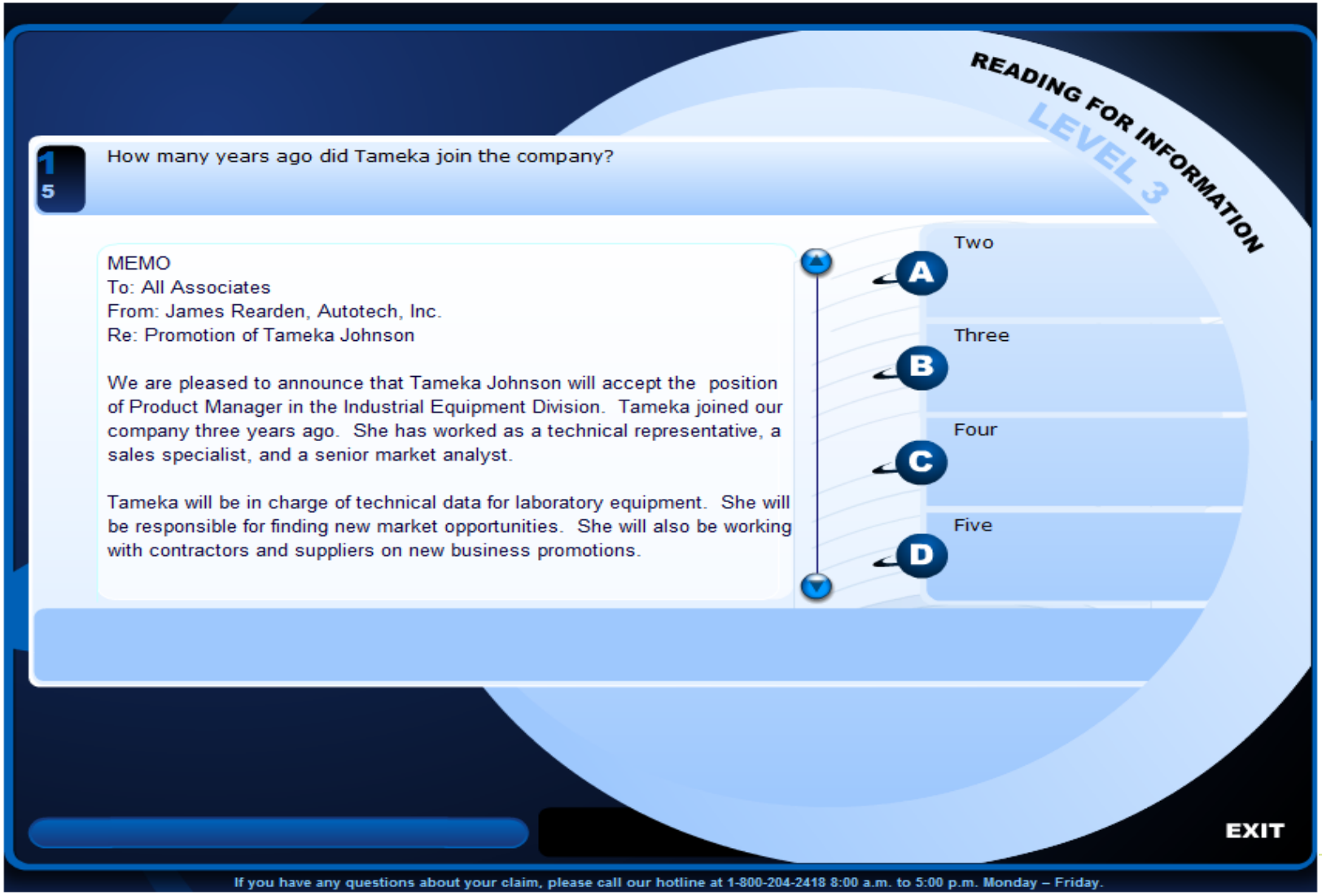
- Three parts focus on core foundational skills required for most jobs today
  - Applied Mathematics (15 questions total)
  - Reading for Information (15 questions total)
  - Locating Information (15 questions total)
- Each module utilizes three levels of questions (Levels 3-4-5), which designate progressively higher workforce skill

Applied Mathematics Example

Locating Information Example



Reading for Information Example



Initial Skill Review Usage

- From August 2011 through June 2013, over a million (1,033,586) individuals have taken the Initial Skills Review
- Claimants are not required to pass or even score a minimum level; only take the review
- Individuals with barriers to taking the assessment can be exempted

Scoring the Initial Skills Review

- The Department established an ISR score of “3” to represent the minimal proficiency in work skills
- Individuals who score less than 3 are encouraged to seek free training including on-line remediation exercises and tests
- Scores are provided to Regional Workforce Boards to be used in assessment

Initial Skills Review Scores

Initial Skills Review Completer Results
August 2011 – June 2013

Applied Mathematics	
Below Minimal Proficiency (3)	37%
3	19%
4	22%
5	22%
Total (≥ Minimal Proficiency)	63%

Reading for Information	
Below Minimal Proficiency (3)	45%
3	26%
4	20%
5	9%
Total (≥ Minimal Proficiency)	55%

Locating Information	
Below Minimal Proficiency (3)	41%
3	25%
4	18%
5	16%
Total (≥ Minimal Proficiency)	59%

Source: WIN submission – July 2013

Department of Economic Opportunity

Division of Workforce Services

Bureau of One-Stop and Program Support

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/4/13
Meeting Date

Topic: ISR

Bill Number: _____ (if applicable)

Name: Tom Clendenning

Amendment Barcode: _____ (if applicable)

Job Title: WS Director

Address: Caldwell Building
Street

Tallahassee
City State Zip

Phone: 245-7499

E-mail: Tom.Clendenning@dep.myflorida.com

Speaking: ☐ For ☐ Against ☐ Information

Representing: DEO

Appearing at request of Chair: ☒ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

Tab 1

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: _____

Topic: Initial Skills Review

Bill Number: – (if applicable)

Name: Colleen Englert

Amendment Barcode: _____ (if applicable)

Job Title: ~~[illegible]~~, Ready to Work

Address: Thomasville Rd.
Street

Tallahassee, FL 32303
City, State, Zip

Phone: 850-228-9558

E-mail: cenglert@readytowork.com

Speaking: ☐ For ☐ Against ☑ Information

Representing: _____

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☑ No

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S-001 (10/20/11)

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Presentation to the Senate
Commerce & Tourism Committee

Update on CONNECT

November 4, 2013

www.floridajobs.org

History of CONNECT

- 2006: **Gartner Group** concludes legacy unemployment compensation software system was "nearing end-of-life" and "struggles to support real-time decision making and efficient business process operations"

- 2008: **IBM** lists many concerns & risks with legacy system and concludes it can only aid "in keeping the UC system running in the short-term"

- 2009: legislatively mandated feasibility study by **North Highland** concludes that "30-45% of [staff time] spent waiting for the system to respond" and "[m]any customers were unable to access on the online claims application during peak hours" – "the system can no longer keep pace with the needs of the UC program" and the "the impact of a UC system failure would be catastrophic"
  - modernization project would be an "excellent investment"
  - predicted cost of $68.3 million over four-year implementation (1% of UC operations)
  - the "hidden costs of not using technology to enable AWI to modernize its UC system … far exceed the cost of this investment"

History of CONNECT

- Legislative Mandate: In 2010, the Florida Legislature enacts Section 443.1113, Florida Statutes, mandating that the Agency for Workforce Innovation (now DEO) "shall replace and enhance the functionality" provided by the unemployment compensation systems"
  - Statute requires Executive Steering Committee (DEO & DOR)

- Appropriation: $68 million in federal administrative funding

- Competitive Procurement: 9 bids, Deloitte Consulting selected in March 2011

- Contract Renegotiation: because vendor was not on track to meet timelines, DEO renegotiated contract in 2012 to provide financial restitution, revise deliverables, and extend completion dates; new management team deployed

- System Launch: October 15, 2013

Communication & Outreach

- Legislative Office Outreach
- Business Community Outreach
- Claimant Outreach
- Call Centers
- One Stops

System Preparation

- Understanding UI Systems

- Rigorous Implementation Process
  - Project Organization
  - Project Governance
  - Identified Florida Requirements
  - Robust Testing and Training Approach
  - Identification of Gaps and Solutions
  - Data Conversion

Deloitte.

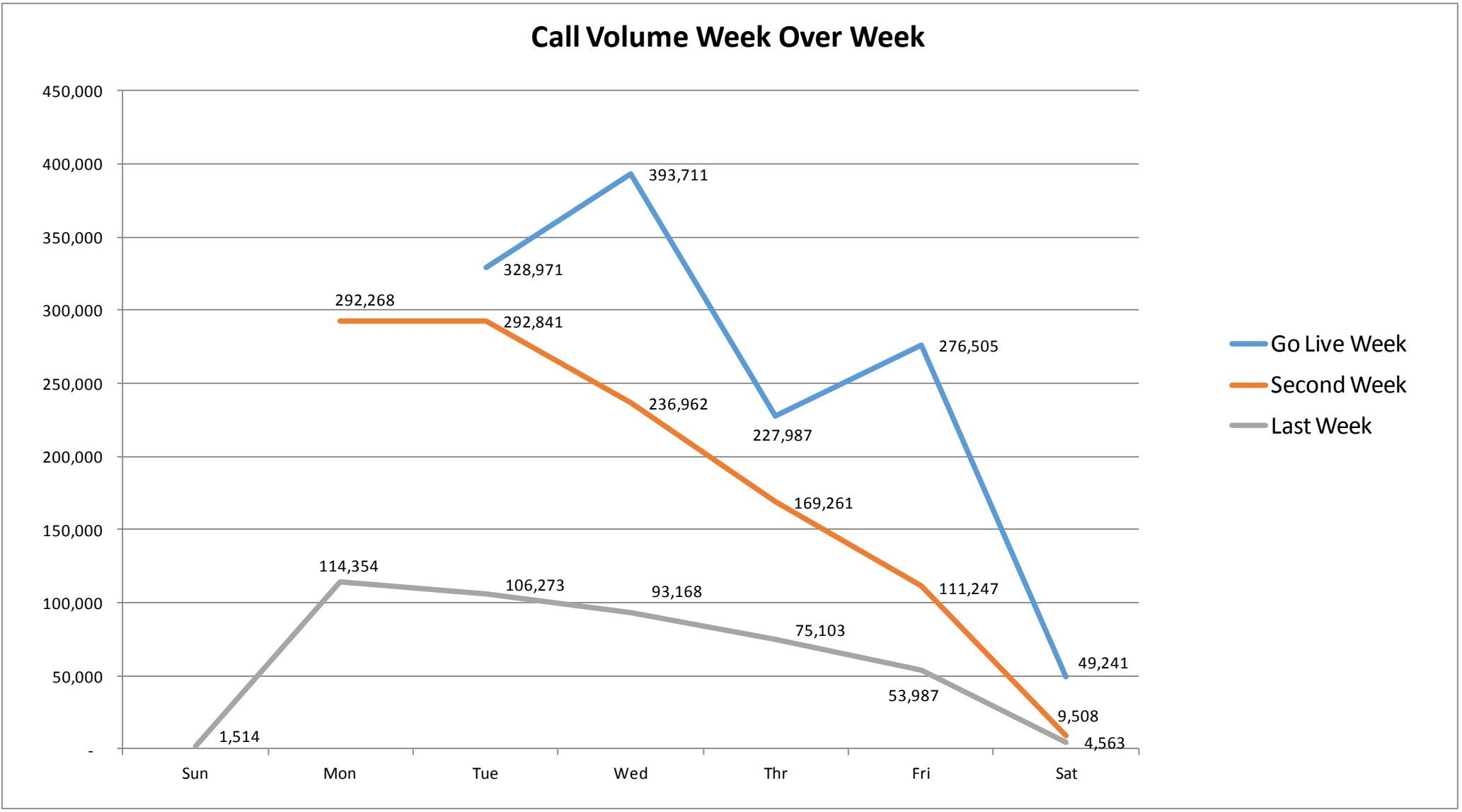
Implementation

- October 15 Launch

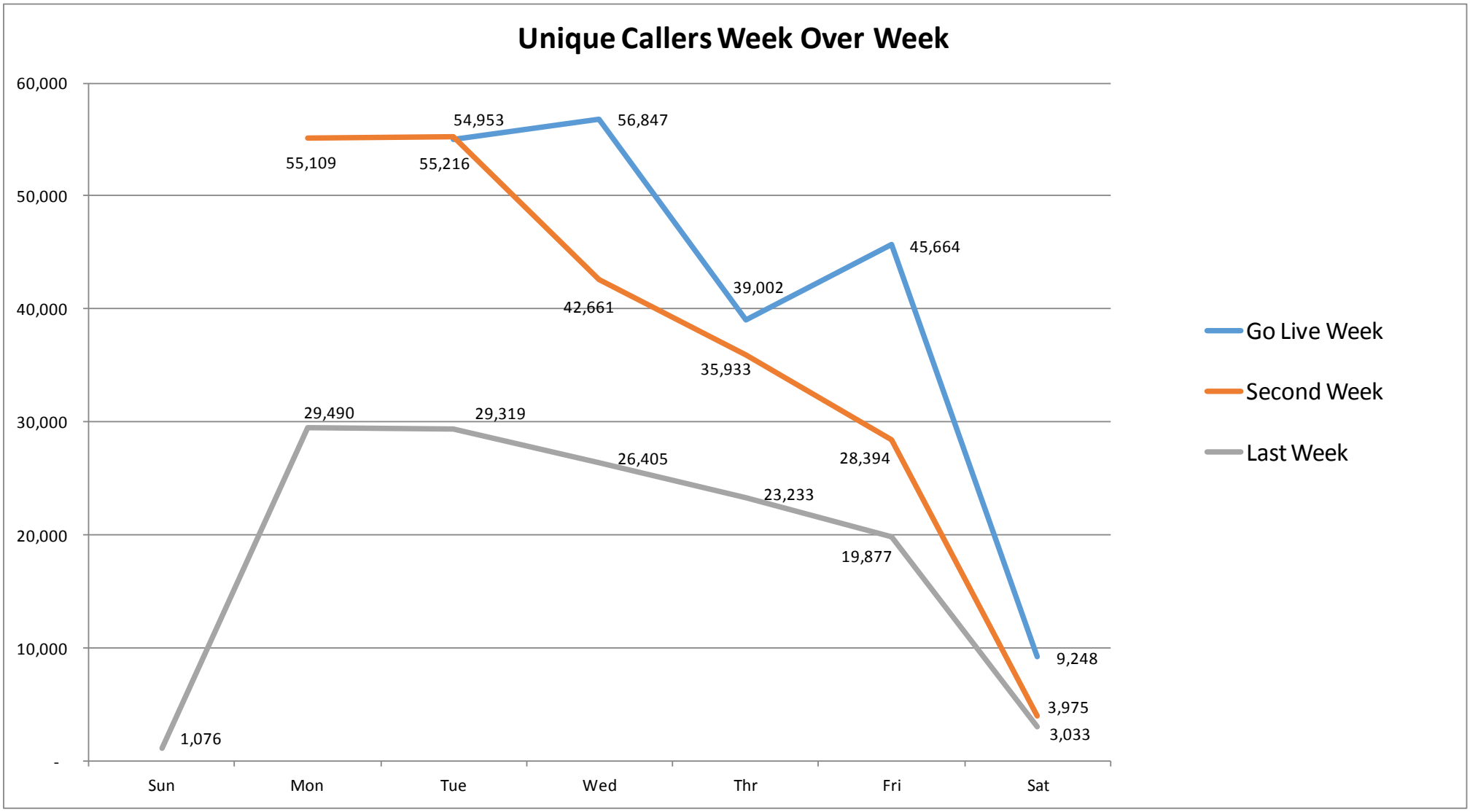
- Difficulties Targeted and Remedied
  - -Big Bang Implementation
  - -Increased Security
    - -PIN Reset
    - -Increased Identity Check
  - -Claimant Weeks Available

- Implementation Statistics

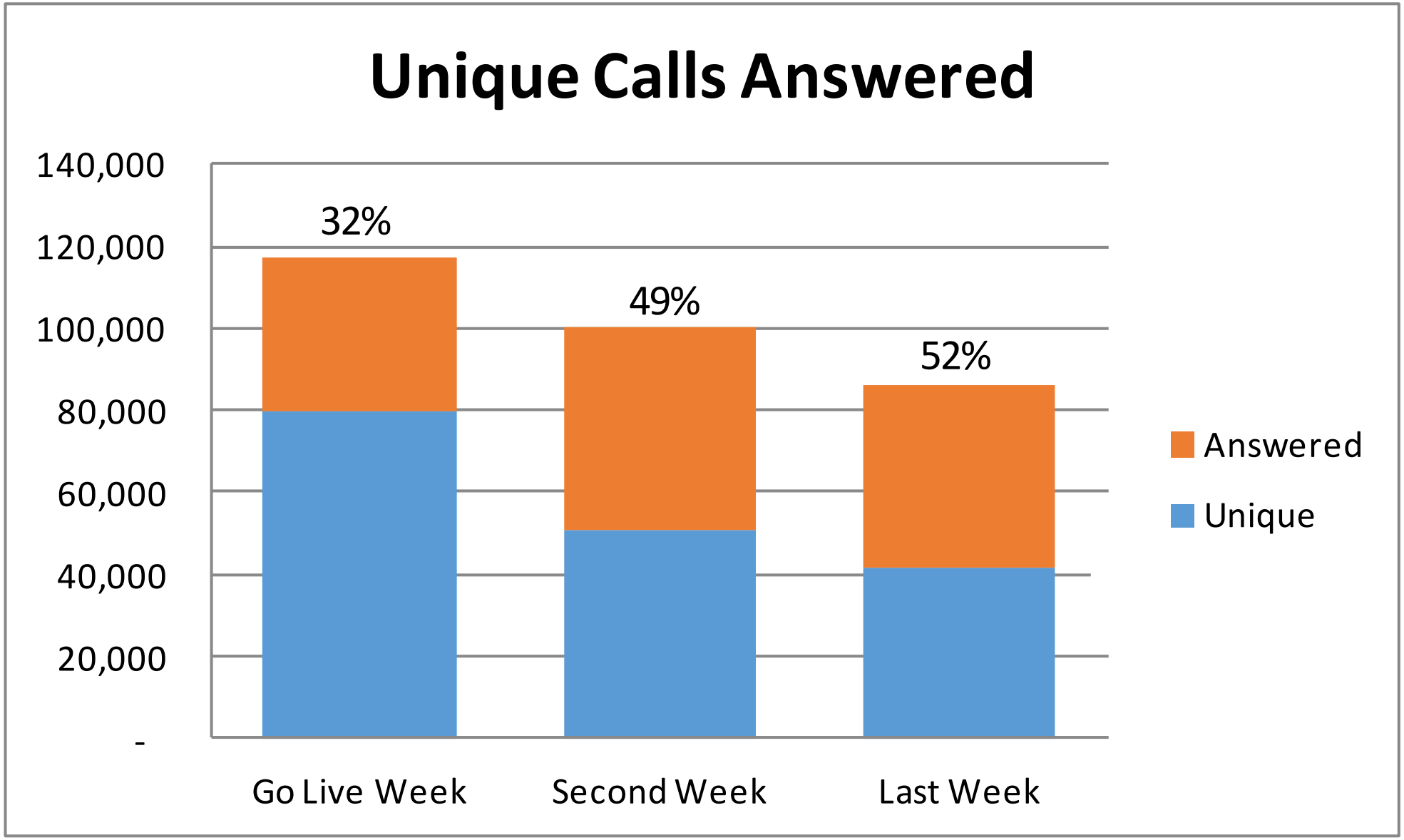
Deloitte.


Call Volume Week Over Week
450,000
400,000
350,000
300,000
250,000
200,000
150,000
100,000
50,000
-
Sun
Mon
Tue
Wed
Thr
Fri
Sat
328,971
393,711
227,987
276,505
49,241
292,268
292,841
236,962
169,261
111,247
9,508
1,514
114,354
106,273
93,168
75,103
53,987
4,563
Go Live Week
Second Week
Last Week

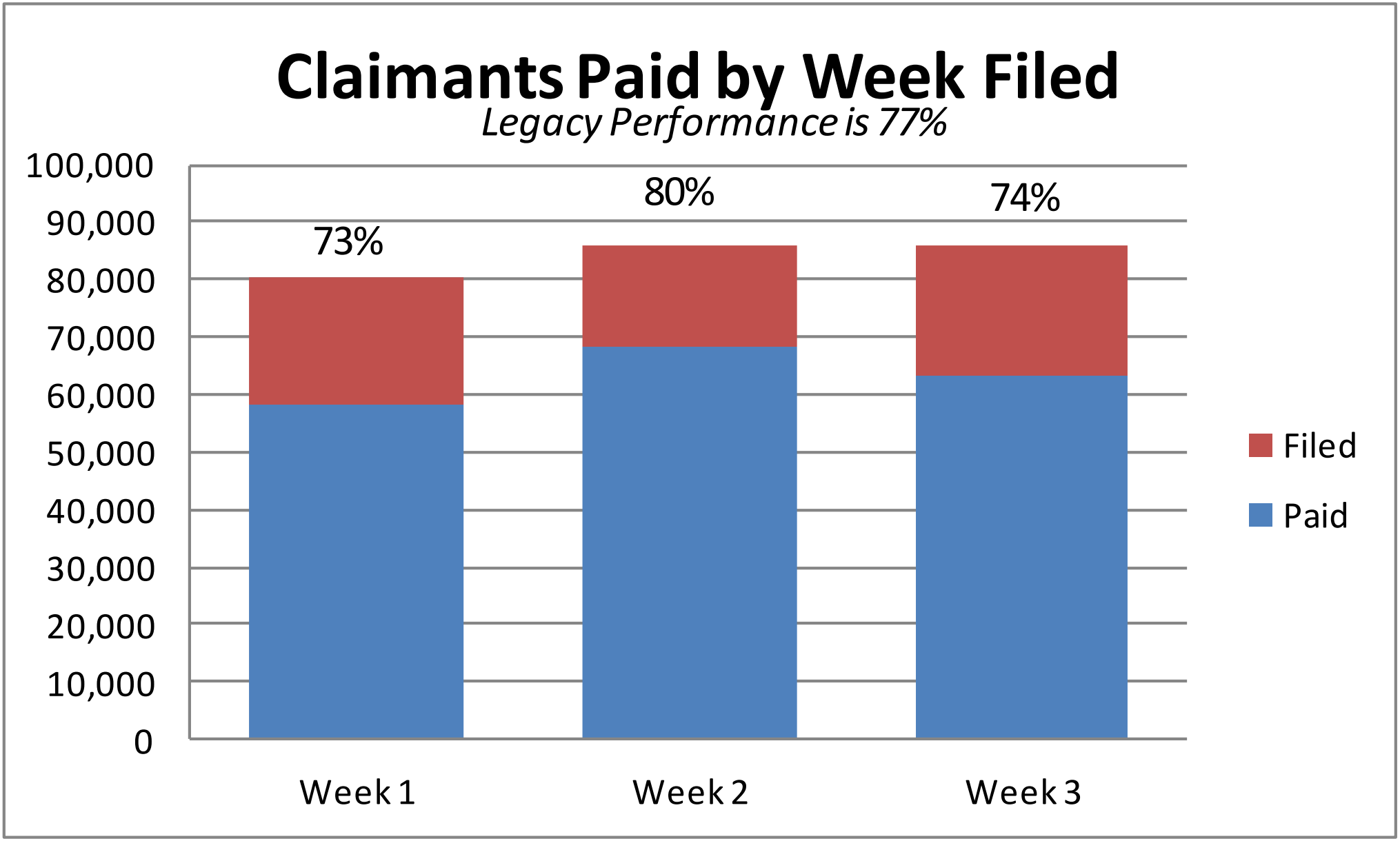
Deloitte.


Unique Callers Week Over Week
60,000
50,000
40,000
30,000
20,000
10,000
-
Sun
Mon
Tue
Wed
Thr
Fri
Sat
55,109
55,216
42,661
35,933
28,394
19,877
3,975
3,033
54,953
56,847
39,002
45,664
9,248
1,076
29,490
29,319
26,405
23,233
Go Live Week
Second Week
Last Week

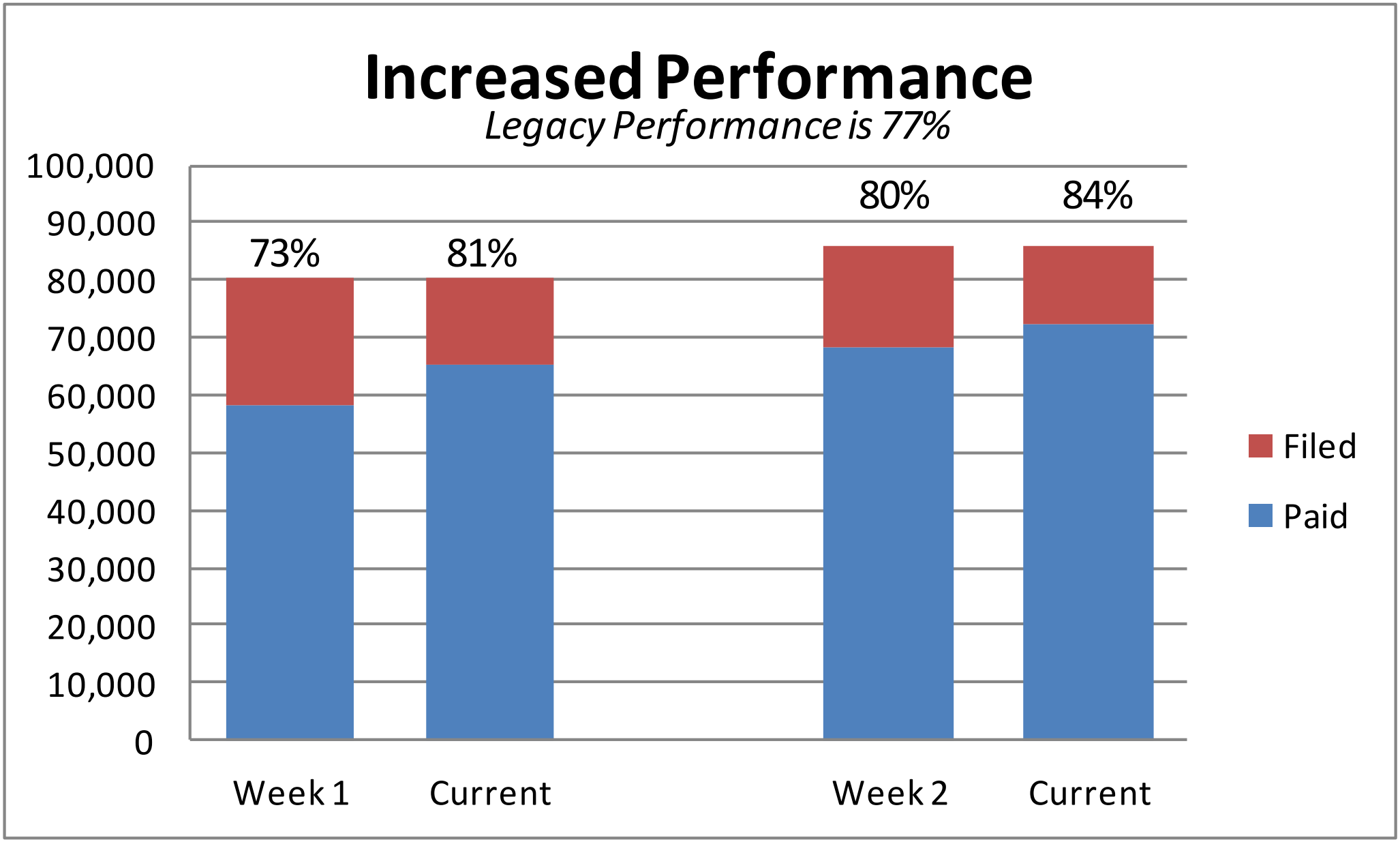
Deloitte.


Unique Calls Answered
140,000
120,000
100,000
80,000
60,000
40,000
20,000
-
32%
49%
52%
Go Live Week
Second Week
Last Week
Answered
Unique

Deloitte.


Claimants Paid by Week Filed
Legacy Performance is 77%
100,000
90,000
80,000
70,000
60,000
50,000
40,000
30,000
20,000
10,000
0
73%
80%
74%
Week 1
Week 2
Week 3
Filed
Paid

Deloitte.


Increased Performance
Legacy Performance is 77%
100,000
90,000
80,000
70,000
60,000
50,000
40,000
30,000
20,000
10,000
0
73%
81%
80%
84%
Week 1
Current
Week 2
Current
Filed
Paid

Deloitte.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/4/13
Meeting Date

Topic: CONNECT

Bill Number: _____ *(if applicable)*

Name: JESSE PANUCCIO

Amendment Barcode: _____ *(if applicable)*

Job Title: EXEC. DIRECTOR, DEO

Address: CALDWELL BUILDING
Street

TALLAHASSEE
City *State* *Zip*

Phone: (850) 245-7116

E-mail: JESSE.PANUCCIO@DEO.MYFLORIDA.COM

Speaking: ☐ For ☐ Against ☒ Information

Representing: DEO

Appearing at request of Chair: ☒ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: _____

Topic: CONNECT

Bill Number: _____ (if applicable)

Name: Jessica Blume

Amendment Barcode: _____ (if applicable)

Job Title: Vice Chairman, Deloitte

Address: 201 E Kennedy
Street

Tampa, FL
City, State, Zip

Phone: 404-229-8547

E-mail: jblume@deloitte.com

Speaking: ☐ For ☐ Against ☑ Information

Representing: Deloitte

Appearing at request of Chair: ☑ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☑ No

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S-001 (10/20/11)

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Commerce and Tourism

BILL: CS/SB 242

INTRODUCER: Commerce and Tourism Committee and Senator Detert

SUBJECT: Security of a Protected Consumer's Information

DATE: November 5, 2013 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Malcolm	Hrdlicka	CM	**Fav/CS**
2.			JU	
3.			GO	
4.				
5.				
6.				

I. Summary:

CS/SB 242, the Keeping I.D. Safe (KIDS) Act, establishes a procedure by which a guardian of a person younger than 16 years of age or a guardian or advocate of a person represented by that guardian or advocate can request a consumer reporting agency place a security freeze on the protected consumer's consumer report or record. The security freeze prohibits consumer reporting agencies from releasing the consumer report or record or any information contained within the report or record, such as a credit score, without the authorized consent of the consumer's representative except in certain circumstances. The security freeze is designed to protect a consumer by preventing an unauthorized person from opening lines of credit in the consumer's name and engaging in identity theft.

The bill requires the representative requesting a security freeze submit a request to the consumer reporting agency, provide proof of authority and identification, and pay a fee up to $10 to the agency. The fee is waived if the representative submits a copy of a valid police report about the unlawful use of the protected consumer's identifying information. A consumer reporting agency's willful failure to comply with the security freeze will result in an administrative fine of $500. A person who obtains a consumer report or record under false pretenses or knowingly without a permissible purpose is liable for damages to the consumer and the credit reporting agency for at least $1,000 each.

The bill also requires consumer reporting agencies to provide written notice of the availability of a security freeze for people younger than 16 years of age or represented by a legally appointed guardian or advocate.

This bill creates s. 501.0051, F.S.

II. Present Situation:

Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) governs the collection, assembly, and use of consumer report information and establishes the framework for the credit reporting system in the United States.[1] The FCRA was enacted to (1) prevent the misuse of sensitive consumer information by limiting access to those with a legitimate need for the information; (2) improve the accuracy and integrity of consumer reports; and (3) promote the efficiency of the nation's banking and consumer credit systems.[2]

Most significantly, the FCRA regulates the use and dissemination of consumer reports. Consumer reports are used by financial institutions, insurance companies, employers, and other entities in determining a consumer's eligibility for certain products and services.[3] Information included in consumer reports may include a consumer's credit and payment history, demographic and identifying information, and public record information (e.g., arrests, judgments, and bankruptcies).[4]

In 2003, the Fair and Accurate Credit Transactions Act of 2003 (FACT Act) amended the FCRA.[5] The FACT Act added a number of provisions to help consumers and businesses combat identity theft and reduce the damage when identity theft occurs. Among these provisions, the FACT Act established a national fraud alert system, required federal agencies to adopt rules for the disposition of consumer report information and how companies should respond to the "red flag" indicators of identity theft, and required that information placed on a consumer report due to identity theft be blocked from the report. [6]

The FCRA (as amended by the Fact Act) also states that a consumer or the consumer's representative may assert a good-faith suspicion to a consumer reporting agency that he or she has been the victim of identity theft.[7] This requires the agency to place an initial fraud alert on the consumer report for 90 days at no charge to the consumer.[8] Consumers can also file for an extended fraud alert that lasts up to 7 years.[9]

Security freezes

In response to concerns regarding identity theft, 49 states, including Florida, have adopted laws that allow a consumer to freeze access to his or her consumer report and prevent anyone from

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[1] 15 U.S.C. s. 1681 et seq.
[2] Federal Trade Commission, *40 Years of Experience with the Fair Credit Reporting Act: An FTC Staff Report with Summary of Interpretations*, 1 (July 2011), *available at* http://www.ftc.gov/os/2011/07/110720fcrareport.pdf (last visited Oct. 28, 2013).
[3] *Id.*
[4] *Id.*
[5] P.L. 108-159, H.R. 2622, 108th Cong. (Dec. 4, 2003).
[6] *Id.* at s. 112-152. Fraud alerts do not prevent a potential creditor from obtaining the consumer report and may not prevent new credit accounts. *See* 15 U.S.C. s. 1681c-1, m(e).
[7] 15 U.S.C. s 1681c-1.
[8] *Id.* at (a)(1).
[9] *Id.* at (b).

trying to open a new account or new credit.[10] A security freeze restricts a consumer reporting agency from releasing a consumer report or any information from the report without authorization from the consumer. A freeze also requires authorization to change information—such as the consumer's name, date of birth, Social Security number, and address—in a consumer report. A security freeze remains on a consumer report until the consumer removes it. Generally, a person can temporarily remove the freeze to open a new credit account or apply for a loan. To do this, a consumer provides the consumer reporting agency with a unique personal identifying number to verify the consumer's identity. States have created exemptions for specified organizations that still can access consumer report information even if a freeze is in place. Typically, these organizations include law enforcement agencies, child support enforcement entities, insurance companies, and subsidiaries and affiliates of companies that have existing accounts with the consumer.[11]

Florida Statutes Relating to Security Freezes

Section 501.005(2), F.S., allows a consumer to place a "security freeze" on his or her consumer report by sending a written request by certified mail to a consumer reporting agency. Generally, the security freeze prohibits the consumer reporting agency from releasing the consumer's consumer report or any information contained within the report without the consumer's authorization.[12] A consumer reporting agency may charge a fee up to $10 when a consumer elects to place, temporarily lift, or remove a security freeze.[13] However, the law prohibits a consumer reporting agency from charging a fee to a consumer 65 years or older or to a victim of identity theft for the placement or removal of a security freeze.[14] Any disclosure by a consumer reporting agency to a resident of this state must include a written summary of all rights the consumer has, including the right to place a security freeze on his or her consumer report.[15]

In addition to any other penalties or remedies provided under law, a person who is aggrieved by a violation of the provisions of s. 501.005, F.S., may bring a civil action as follows:

- Any person who willfully fails to comply with any requirement imposed under s. 501.005, F.S., is liable to the consumer for actual damages of not less than $100 and not more than $1,000, plus the costs and attorney's fees.[16]
- Any person who is negligent in failing to comply with any requirement imposed under s. 501.005, F.S., is liable to the consumer for any actual damages of not less than $100 and not more than $1,000.[17]

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[10] Consumers Union, *Consumers Union's Guide to Security Freeze Protection*, *available at* http://defendyourdollars.org/document/guide-to-security-freeze-protection (last visited Oct. 25, 2013).
[11] *See, e.g.*, MISS. CODE ANN. s. 75-24-209 (2013); MONT. CODE ANN. s. 30-14-1734 (2013).
[12] Section 501.005(12), F.S., allows for the release of information otherwise protected by a security freeze to the existing creditors of the consumer, persons who have been granted access to the information according to law, state agencies acting within their lawful investigatory or regulatory authority, law enforcement agencies, persons maintaining credit monitoring services or who provide consumer reports to consumers on their request, persons designated by court order, for credit prescreening or insurance underwriting purposes, and to certain other specified entities.
[13] *Id.* at (13)(a).
[14] *Id.* at (13)(b).
[15] *Id*. at (17).
[16] *Id*. at (16)(a).
[17] *Id*. at (16)(d).

Additionally, any individual who obtains a consumer report under false pretenses or knowingly without a permissible purpose is liable to the consumer for actual damages sustained by the consumer of not less than $100 and not more than $1,000, whichever is greater.[18] Any person who obtains a consumer report from a consumer reporting agency under false pretenses or knowingly without a permissible purpose is also liable to the agency for actual damages sustained by the agency or $1,000, whichever is greater.[19] Punitive damages may be assessed for willful violations of s. 501.005, F.S.[20] Lastly, if a court finds an unsuccessful pleading or motion was filed in bad faith or for purposes of harassment, the court shall award to the prevailing party attorney's fees incurred for the work performed in responding to the pleading or motion.[21]

Child Identity Theft

Although, reliable estimates on the extant of identity theft against minors have not been thoroughly determined, recent studies have begun to shed light on the problem. A 2012 study by AllClear ID found, based on a review of the credit files of 27,000 American children, that more than 10 percent of children are victims of identity theft.[22] Similarly, a 2011 study estimated that 140,000 instances of identity fraud are perpetrated on minors in the United States each year.[23] A recent, Florida-specific analysis of identity theft against minors estimated that approximately 52,000 children in Florida will be victims of identity theft.[24]

While parents typically apply for a Social Security number for their child shortly after birth, credit reporting agencies do not create credit files until an individual uses his or her Social Security number to apply for credit for the first time - usually in the late teenage years.[25] When a credit file is first created, the credit bureaus and lenders do not check the validity of the name and date of birth on a new credit application, only that the Social Security number was issued by the Social Security Administration.[26] Consequently, a child's unused Social Security number is valuable to a thief because it typically lacks a previous credit history and can be paired with any name and birth date. If the thief is able to provide a valid Social Security number (one that has been issued and is not reported as belonging to a deceased person) and the minimal identification documentation required by that lender, then he or she is approved for the transaction and the fraudulent account is added to the credit file.[27] Because parents typically do not monitor their child's credit, a child's identity can be used to obtain goods and services over many years without the parents' knowledge. The identity theft may not be detected until the child becomes an adult, seeks employment, or applies for student or car loans.

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[18] *Id.* at (16)(b).
[19] *Id.*
[20] *Id.* at (16)(c).
[21] *Id.* at (16)(e).
[22] AllClear ID Alert Network, Child Identity Theft: Report 2012, *available at* https://www.allclearid.com/themes/allclearid/docs/ChildIDTheftReport2012.pdf (last visited Oct. 28, 2013).
[23] ID Analytics, *More than 140,000 Children Could be Victims of Identity Fraud Each Year* (News Release July 12, 2011), *available at* http://www.idanalytics.com/news-and-events/news-releases/2011/7-12-2011.php (last visited Oct. 25, 2013).
[24] Department of Agriculture and Consumer Services, *Child Identity Fraud in Florida: An Analysis of the Extent of the Crime and Potential Effectiveness of Proposed Policies*, 2 (Oct. 8, 2013) (on file with the Senate Committee on Commerce and Tourism)
[25] AllClear ID Alert Network, Child Identity Theft: Report 2012 at 22.
[26] *Id.* at 9.
[27] *Id.*

Current statutory security freezes only apply to existing consumer reports. Because minors generally do not have credit history they do not have consumer reports and thus cannot get a security freeze.[28] A credit history can be established for a minor through a parent adding the minor as a joint account holder. According to Experian, the agency does not knowingly disclose a minor's credit history; however, minors may request a copy of their consumer report after the age of 14.[29] Parents or legal guardians may request a consumer report for their minor by providing documentation that they are the parent or guardian. When a minor reaches the age of 18, the consumer report becomes available for access by authorized persons.

In addition to the penalties and remedies under s. 501.005, F.S., relating to consumer reports and security freezes for adults, s. 817.568, F.S., addresses criminal penalties for the unauthorized use of personal identification information. In regards to minors, s. 817.568, F.S., makes it a second-degree felony for:

- Any person to willfully and fraudulently use personal identification information concerning an individual who is less than 18 years of age without first obtaining the consent of that individual or legal guardian.
- Any person who is a parent or legal guardian, or who otherwise exercises custodial authority over an individual who is less than 18 years of age, to willfully and fraudulently use personal identification information of that individual.

III. Effect of Proposed Changes:

Section 1 identifies the bill as the "Keeping I.D. Safe (KIDS) Act."

Section 2 creates s. 501.0051, F.S., to establish a process to allow the institution of a security freeze for a person younger than 16 years of age or a person represented by a guardian or other advocate.

Definitions for the terms "consumer reporting agency" and "consumer report" are identical to the definitions in s. 501.005, F.S. The term "protected consumer" means a person younger than 16 years of age or a person represented by a guardian or other advocate pursuant to ch. 39,[30] ch. 393,[31] ch. 744,[32] or ch. 914,[33] F.S. A "record" is defined as a compilation of information that identifies a protected consumer and that is created if a consumer does not have a consumer report. The definition of security freeze is similar to the current definition found in s. 501.005, F.S., and also includes a notice placed on the protected consumer's record that prohibits the consumer reporting agency from releasing the record except as provided in s. 501.0051, F.S.

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[28] A spokesman for TransUnion and Equifax has explained that a security freeze "applies to a credit file, not a social security number." Carrins, Ann, *Why It's Not Easy to Freeze Your Child's Credit File*, The New York Times, (Sept. 21, 2011), *available at* http://bucks.blogs.nytimes.com/2011/09/21/why-its-not-easy-to-freeze-your-childs-credit-file/ (last visited Oct. 28, 2013).

[29] *See* Experian website at http://www.experian.com/ask-experian/20110914-credit-reports-not-established-based-on-age.html (last visited Oct. 28, 2013).

[30] Chapter 39, F.S., pertains to proceedings relating to children.

[31] Chapter 393, F.S., relates to developmental disabilities.

[32] Chapter 744, F.S., relates to guardianships.

[33] Chapter 914, F.S., relates to witnesses and criminal proceedings, including guardian ad litems.

Security Freeze

The bill authorizes the representative of a protected consumer to place a security freeze on a protected consumer's consumer report or record by submitting a request to the consumer reporting agency, providing sufficient proof of authority and identification, and paying the agency a maximum fee of $10. The representative must submit a request to a consumer reporting agency in the manner prescribed by the agency. The fee is waived if the representative submits a copy of a valid investigative report, incident report, or complaint with law enforcement about the unlawful use of the protected consumer's identifying information.

If a consumer report does not exist for a protected consumer, the consumer reporting agency is required to create a consumer record. The consumer reporting agency is required to place a security freeze on a consumer report or record within 30 days[34] of confirming the request and must send a written confirmation of the security freeze within 10 business days after creating the security freeze. Once the security freeze is in effect, a consumer reporting agency cannot change the name, address, date of birth, or Social Security number without sending written confirmation to the consumer within 30 days after the change is posted to the consumer report or record. The consumer reporting agency is also required to provide instructions and a unique personal identifier for removing the security freeze and obtaining copies of the consumer report or record. The consumer reporting agency is authorized to charge a fee not to exceed $10 if the representative loses the personal identifier and a new one must be issued.

The bill also delineates the procedures and documents required of the representative or protected consumer for the removal of the security freeze. A representative must provide sufficient proof of authority and identification, the unique personal identifier, and payment of the $10 fee. A protected consumer can also request removal of the security freeze by providing proof of identification, payment of the $10 fee, as well as documentation that the authority for the representative to act on behalf of the protected consumer is no longer valid. The consumer reporting agency must remove the security freeze within 30 days.

Once a security freeze has been created, the consumer reporting agency cannot state or imply to any person that the security freeze reflects a negative credit score, a negative credit history, or a negative credit rating. Certain persons and entities, for specified reasons, are allowed to access a consumer report or record subject to a security freeze. These exemptions are similar to the exemptions found in s. 501.005, F.S. However, the bill also allows access and use of a consumer report or record for personal insurance policy information and noncredit information used for insurance purposes.

The bill requires a consumer reporting agency that violates a security freeze by releasing information without proper authorization must notify the representative of the protected consumer within 5 business days after the discovery or notification of the release. If the security freeze was created due to a material misrepresentation, the consumer reporting agency must provide written notification to the representative and protected consumer before removing the security freeze.

[34] The bill does not indicate whether these are calendar days or business days. However, because any time period in the bill less than 30 days is specifically identified as "business" days, it is assumed that the 30-day time periods in the bill are calendar days. This reasoning is consistent with the time periods provided in s. 501.005, F.S.

Penalties and Remedies
A consumer reporting agency that willfully fails to comply with the bill's requirements would be subject to an administrative fine of $500 issued by the Department of Agriculture and Consumer Services. The bill provides a private right of action for certain violations. A person who obtains a consumer report or record under false pretenses or knowingly without a permissible purpose is liable to the representative and protected consumer for the greater of $1,000 or the actual damages sustained. A person who obtains a consumer report or record under false pretenses or knowingly without a permissible purpose is liable to the consumer reporting agency for actual damages sustained by the agency or $1,000, whichever is greater.

Written Disclosures
The bill requires consumer reporting agencies to provide a written disclosure of the availability of placing a security freeze on a protected consumer's consumer report or record. The disclosure provides notice that if a person is a custodial parent or legal guardian of a minor younger than 16 years of age or a guardian or advocate of an incapacitated, disabled, or protected person under ch. 39, ch. 393, ch. 744, or ch. 914, F.S., he or she has the right to place a security freeze on the consumer report of the person in his or her care. If there is no consumer report, the parent, guardian, or advocate may request the creation of a consumer record and the placement of a security freeze on that record. The disclosure warns that using a security freeze may delay or prohibit access to credit, insurance, employment, or other services, and it explains that a security freeze does not apply to entities with which the protected consumer has an existing account. The disclosure provides the procedure for removing the security freeze and releasing the consumer record or report. It also provides notice of the right to bring a civil action.

Section 3 provides that the bill will take effect September 1, 2014.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Credit reporting agencies may incur additional costs to establish security freezes for minors and other individuals covered under the bill. However, the credit reporting agencies will be able to charge up to a $10 fee in most cases to create a security freeze. Receipt of the fee will help minimize costs to the credit reporting agencies.

With the increasing incidence of child identity theft, the creation of security freezes for consumer reports and records of minors under age 16 and other persons represented by a guardian or advocate may provide additional safeguards against identity theft.[35]

C. Government Sector Impact:

The Department of Agriculture and Consumer Services believes the bill will have no fiscal impact on the department.[36]

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill and s. 501.005 differ in a number of ways. The bill does not contain the same remedies and penalties found in s. 501.005, F.S., related to adult security freezes. Section 501.005(16)(c), F.S., authorizes the assessment of punitive damages for willful violations of that section. Section 501.005(16)(d), F.S., provides that any person who is negligent in failing to comply with the provisions of that section is liable to the consumer for any actual damages sustained by the consumer because of the failure of not less than $100 and not more than $1,000. Section 501.005(16)(e), F.S., also allows the court to award reasonable attorney's fees to the prevailing party in an action that was filed in bad faith or for purposes of harassment. The bill does not contain any similar provisions.

The bill provides that a consumer reporting agency has up to 30 days to remove a security freeze following a request for removal by the protected consumer or representative, rather than 3 business days as required for security freezes under s. 501.005, F.S. Additionally, unlike s. 501.005(6), F.S., which allows for temporary holds of a security freeze upon the consumer's request, the bill does not contain a similar provision for temporary holds. The extended time period for removing a security freeze and the lack of temporary hold provision in the bill could result in a significant delay for a teenager applying for a car loan, seeking employment, or applying for an apartment lease, even if the parents are co-signing for the loan or lease.

Like s. 501.005, F.S., the bill exempts certain transactions from the security freeze, thereby allowing access to information contained in a consumer report. However, unlike s. 501.005, F.S., the bill also allows the use of the protected consumer report or record by a consumer reporting

[35] Department of Agriculture and Consumer Services, *Senate Bill 242 Agency Analysis* (Oct. 23, 2013) (on file with the Senate Committee on Commerce and Tourism).
[36] *Id.*

agency's database or file that is used exclusively for personal insurance policy information and noncredit information used for insurance purposes.

The bill also requires the consumer reporting agency to place a security freeze on a consumer report or record within 30 days after confirming the authenticity of the request. However, s. 501.005(3), F.S., requires a consumer reporting agency to place a security freeze within 5 business days after receiving a request for a security freeze.

Finally, section 501.005(2)(a), F.S., requires a request for a security freeze be submitted in writing by certified mail to the consumer reporting agency. However, the bill provides that the representative would submit a request to a consumer reporting agency in the manner prescribed by the agency. It is unclear whether each consumer reporting agency would require certified mail or some other method, such as email.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Commerce and Tourism Committee on November 4, 2013:
The committee substitute:

- Identifies the act as the "Keeping I.D. Safe (KIDS) Act;"
- Removes language that would have allowed a consumer report to be created after a security freeze was initiated;
- Clarifies that when a protected consumer requests to remove a security freeze, he or she must pay a fee not to exceed $10 to the consumer reporting agency; and
- Clarifies the notice that must be provided to representatives regarding their right to pursue civil remedies for violations of the Act.

B. Amendments:

None.

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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
11/05/2013	.	
	.	
	.	
	.	

The Committee on Commerce and Tourism (Detert) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. This act may be cited as the "Keeping I.D. Safe (KIDS) Act."

Section 2. Section 501.0051, Florida Statutes, is created to read:

501.0051 Protected consumer report security freeze.—

(1) As used in this section, the term:

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11 (a) "Consumer report" has the same meaning as provided in
12 15 U.S.C. s. 1681a(d).
13 (b) "Consumer reporting agency" has the same meaning as
14 provided in 15 U.S.C. s. 1681a(f).
15 (c) "Protected consumer" means a person younger than 16
16 years of age at the time a security freeze request is made or a
17 person represented by a guardian or other advocate pursuant to
18 chapter 39, chapter 393, chapter 744, or chapter 914.
19 (d) "Record" means a compilation of information that:
20 1. Identifies a protected consumer; and
21 2. Is created by a consumer reporting agency exclusively
22 for the purpose of complying with this section.
23 (e) "Representative" means the custodial parent or legal
24 guardian of a protected consumer, including a guardian appointed
25 pursuant to s. 914.17.
26 (f) "Security freeze" means:
27 1. A notice placed on a protected consumer's consumer
28 report which prohibits a consumer reporting agency from
29 releasing the consumer report, the credit score, or any
30 information contained within the consumer report to a third
31 party without the express authorization of the representative;
32 or
33 2. If a consumer reporting agency does not have a consumer
34 report pertaining to the protected consumer, a notice placed on
35 the protected consumer's record which prohibits the consumer
36 reporting agency from releasing the protected consumer's record
37 except as provided in this section.
38 (g) "Sufficient proof of authority" means documentation
39 showing that a representative has authority to act on behalf of

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40 a protected consumer. The term includes, but is not limited to,
41 a court order, a copy of a valid power of attorney, or a written
42 notarized statement signed by a representative which expressly
43 describes the authority of the representative to act on behalf
44 of the protected consumer.
45 (h) "Sufficient proof of identification" means
46 documentation identifying a protected consumer or a
47 representative of a protected consumer. The term includes, but
48 is not limited to, a copy of a social security card, a certified
49 or official copy of a birth certificate, a copy of a valid
50 driver license, or a copy of a government-issued photo
51 identification.
52 (2) A representative may place a security freeze on a
53 protected consumer's consumer report by:
54 (a) Submitting a request to a consumer reporting agency in
55 the manner prescribed by that agency;
56 (b) Providing the agency with sufficient proof of authority
57 and sufficient proof of identification of the representative;
58 and
59 (c) Paying the agency a fee as authorized under this
60 section.
61 (3) If a consumer reporting agency does not have a consumer
62 report pertaining to a protected consumer when the consumer
63 reporting agency receives a request for a security freeze under
64 subsection (2), the consumer reporting agency shall create a
65 record for the protected consumer and place a security freeze on
66 the record. A record may not be created or used to consider the
67 protected consumer's credit worthiness, credit standing, credit
68 capacity, character, general reputation, personal

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69 characteristics, or eligibility for other financial services.
70 (4) A consumer reporting agency shall place a security
71 freeze on a consumer report or record within 30 days after
72 confirming the authenticity of a security freeze request made in
73 accordance with this section.
74 (5) The consumer reporting agency shall send a written
75 confirmation of the security freeze to the representative within
76 10 business days after instituting the security freeze on the
77 consumer report or record and shall provide the representative
78 with instructions for removing the security freeze and a unique
79 personal identifier to be used by the representative when
80 providing authorization for removal of the security freeze.
81 (6) A consumer reporting agency may not state or imply to
82 any person that a security freeze reflects a negative credit
83 score, a negative credit history, or a negative credit rating.
84 (7) During any period that a security freeze is in effect,
85 a consumer reporting agency shall provide a copy of a protected
86 consumer's consumer report or record to the protected consumer
87 or his or her representative upon request. A consumer reporting
88 agency may charge the representative or protected consumer a fee
89 for the copy, not to exceed the amount normally charged by such
90 agency to provide a copy of a consumer report.
91 (a) A representative submitting a request for a copy of a
92 protected consumer's consumer report or record must provide all
93 of the following:
94 1. Sufficient proof of identification of the representative
95 and sufficient proof of authority as determined by the consumer
96 reporting agency.
97 2. The unique personal identifier provided by the consumer

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98 reporting agency pursuant to subsection (5).
99 3. A fee as authorized under this section.
100 (b) A protected consumer submitting a request for a copy of
101 his or her consumer report or record must provide sufficient
102 proof of identification of the protected consumer as determined
103 by the consumer reporting agency and pay a fee as authorized
104 under this section.
105 (8) A consumer reporting agency shall remove a security
106 freeze from a protected consumer's consumer report or record
107 only under either of the following circumstances:
108 (a) Upon the request of a representative or a protected
109 consumer. A consumer reporting agency shall remove a security
110 freeze within 30 days after receiving such a request for removal
111 from a protected consumer or his or her representative.
112 1. A representative submitting a request for removal must
113 provide all of the following:
114 a. Sufficient proof of identification of the representative
115 and sufficient proof of authority as determined by the consumer
116 reporting agency.
117 b. The unique personal identifier provided by the consumer
118 reporting agency pursuant to subsection (5).
119 c. A fee as authorized under this section.
120 2. A protected consumer submitting a request for removal
121 must provide all of the following:
122 a. Sufficient proof of identification of the protected
123 consumer as determined by the consumer reporting agency.
124 b. Documentation that the sufficient proof of authority of
125 the protected consumer's representative to act on behalf of the
126 protected consumer is no longer valid.

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127 c. A fee as authorized under this section.
128 (b) If the security freeze was instituted due to a material
129 misrepresentation of fact. If a consumer reporting agency
130 intends to remove a security freeze under this paragraph, the
131 consumer reporting agency must notify the representative and
132 protected consumer in writing before removing the security
133 freeze.
134 (9) This section does not apply to the use of a protected
135 consumer's consumer report or record by the following persons or
136 for the following reasons:
137 (a) A state agency acting within its lawful investigative
138 or regulatory authority.
139 (b) A state or local law enforcement agency investigating a
140 crime or conducting a criminal background check.
141 (c) A person administering a credit file monitoring
142 subscription service to which the protected consumer or the
143 representative, on behalf of the protected consumer, has
144 subscribed.
145 (d) A person providing the protected consumer's consumer
146 report or record to the protected consumer or the representative
147 upon the request of the protected consumer or representative.
148 (e) Pursuant to a court order lawfully entered.
149 (f) An insurance company for use in setting or adjusting a
150 rate, adjusting a claim, or underwriting for insurance purposes.
151 (g) A consumer reporting agency's database or file that
152 consists entirely of information concerning, and used
153 exclusively for, one or more of the following:
154 1. Criminal record information.
155 2. Personal loss history information.

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156 3. Fraud prevention or detection.
157 4. Tenant screening.
158 5. Employment screening.
159 6. Personal insurance policy information.
160 7. Noncredit information used for insurance purposes.
161 (h) A check services company issuing authorizations for the
162 purpose of approving or processing negotiable instruments,
163 electronic funds transfers, or similar methods of payment.
164 (i) A deposit account information service company issuing
165 reports regarding account closures due to fraud, substantial
166 overdrafts, automatic teller machine abuse, or similar negative
167 information regarding a protected consumer to an inquiring
168 financial institution, as defined in s. 655.005 or in federal
169 law, for use only in reviewing a representative's request for a
170 deposit account for the protected consumer at the inquiring
171 financial institution.
172 (j) A consumer reporting agency that acts only as a
173 reseller of credit information by assembling and merging
174 information contained in the database of another consumer
175 reporting agency or multiple consumer reporting agencies and
176 that does not maintain a permanent database of credit
177 information from which new consumer reports are produced.
178 However, such consumer reporting agency shall honor any security
179 freeze placed or removed by another consumer reporting agency.
180 (k) A fraud prevention services company issuing reports to
181 prevent or investigate fraud.
182 (l) A person or entity, or its affiliates, or a collection
183 agency acting on behalf of the person or entity and with which
184 the protected consumer has an existing account, requesting

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185 information in the protected consumer's consumer report or
186 record for the purposes of reviewing or collecting the account.
187 Reviewing the account includes activities related to account
188 maintenance, monitoring, credit line increases, and account
189 upgrades and enhancements.
190 (10)(a) A consumer reporting agency may charge a reasonable
191 fee, not to exceed $10, to place or remove a security freeze.
192 (b) A consumer reporting agency may charge a reasonable
193 fee, not to exceed $10, if the representative fails to retain
194 the original unique personal identifier provided by the consumer
195 reporting agency and the agency must reissue the unique personal
196 identifier or provide a new unique personal identifier to the
197 representative.
198 (c) A consumer reporting agency may not charge a fee under
199 this section to the representative of a protected consumer who
200 is a victim of identity theft if the representative submits, at
201 the time the security freeze is requested, a copy of a valid
202 investigative report, an incident report, or a complaint with a
203 law enforcement agency about the unlawful use of the protected
204 consumer's identifying information by another person.
205 (11) If a security freeze is in effect, a consumer
206 reporting agency must send written confirmation to a protected
207 consumer's representative of a change to any of the following
208 official information in the protected consumer's consumer report
209 or record within 30 days after the change is posted:
210 (a) The protected consumer's name.
211 (b) The protected consumer's address.
212 (c) The protected consumer's date of birth.
213 (d) The protected consumer's social security number.

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214
215 Written confirmation is not required for technical corrections
216 of a protected consumer's official information, including name
217 and street abbreviations, complete spellings, or transposition
218 of numbers or letters. In the case of an address change, the
219 written confirmation must be sent to the representative and to
220 the protected consumer's new address and former address.
221 (12) If a consumer reporting agency violates a security
222 freeze placed in accordance with this section by releasing
223 information subject to a security freeze without proper
224 authorization, the consumer reporting agency shall, within 5
225 business days after discovering or being notified of the release
226 of information, notify the representative of the protected
227 consumer in writing. The notice shall state the specific
228 information released and provide the name, address, and other
229 contact information of the recipient of the information.
230 (13) A consumer reporting agency that willfully fails to
231 comply with any requirement imposed under this section is
232 subject to an administrative fine in the amount of $500, imposed
233 by the Department of Agriculture and Consumer Services pursuant
234 to the administrative procedures established in chapter 120.
235 (14) In addition to any other penalties or remedies
236 provided under law, the following persons who are aggrieved by a
237 violation of this section may bring a civil action as follows:
238 (a) A person who obtains a protected consumer's consumer
239 report or record from a consumer reporting agency under false
240 pretenses or who knowingly obtains a protected consumer's
241 consumer report or record without a permissible purpose is
242 liable to the representative and protected consumer for actual

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243 damages sustained by the protected consumer or $1,000, whichever
244 is greater.
245 (b) A person who obtains a protected consumer's consumer
246 report or record from a consumer reporting agency under false
247 pretenses or who knowingly obtains a protected consumer's
248 consumer report or record without a permissible purpose is
249 liable to the consumer reporting agency for actual damages
250 sustained by the consumer reporting agency or $1,000, whichever
251 is greater.
252 (15) A written disclosure by a consumer reporting agency,
253 pursuant to 15 U.S.C. s. 1681g, to a representative and
254 protected consumer residing in this state must include a written
255 summary of all rights that the representative and protected
256 consumer have under this section and, in the case of a consumer
257 reporting agency that compiles and maintains records on a
258 nationwide basis, a toll-free telephone number that the
259 representative can use to communicate with the consumer
260 reporting agency. The information provided in paragraph (b) must
261 be in at least 12-point boldfaced type. The written summary of
262 rights required under this section is sufficient if it is
263 substantially in the following form:
264 (a) If you are the custodial parent or legal guardian of a
265 minor younger than 16 years of age or a guardian or advocate of
266 an incapacitated, disabled, or protected person under chapter
267 39, chapter 393, chapter 744, or chapter 914, Florida Statutes,
268 you have the right to place a security freeze on the consumer
269 report of the person you are legally authorized to care for. If
270 no consumer report exists, you have the right to request that a
271 record be created and a security freeze be placed on the record.

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272 A record with a security freeze is intended to prevent the
273 opening of credit accounts until the security freeze is removed.
274 (b) YOU SHOULD BE AWARE THAT USING A SECURITY FREEZE TO
275 CONTROL ACCESS TO THE PERSONAL AND FINANCIAL INFORMATION IN A
276 CONSUMER REPORT OR RECORD MAY DELAY, INTERFERE WITH, OR PROHIBIT
277 THE TIMELY APPROVAL OF ANY SUBSEQUENT REQUEST OR APPLICATION
278 REGARDING A NEW LOAN, CREDIT, MORTGAGE, INSURANCE, GOVERNMENT
279 SERVICES OR PAYMENTS, RENTAL HOUSING, EMPLOYMENT, INVESTMENT,
280 LICENSE, CELLULAR PHONE, UTILITIES, DIGITAL SIGNATURE, INTERNET
281 CREDIT CARD TRANSACTION, OR OTHER SERVICES, INCLUDING AN
282 EXTENSION OF CREDIT AT POINT OF SALE.
283 (c) To remove the security freeze on the protected
284 consumer’s record or report, you must contact the consumer
285 reporting agency and provide all of the following:
286 1. Proof of identification as required by the consumer
287 reporting agency.
288 2. Proof of authority over the protected consumer as
289 required by the consumer reporting agency.
290 3. The unique personal identifier provided by the consumer
291 reporting agency.
292 4. Payment of a fee.
293 (d) A consumer reporting agency must, within 30 days after
294 receiving the above information, authorize the removal of the
295 security freeze.
296 (e) A security freeze does not apply to a person or entity,
297 or its affiliates, or a collection agency acting on behalf of
298 the person or entity and with which the protected consumer has
299 an existing account, which requests information in the protected
300 consumer’s consumer report or record for the purposes of

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301 reviewing or collecting the account. Reviewing the account
302 includes activities related to account maintenance, monitoring,
303 credit line increases, and account upgrades and enhancements.
304 (f) You have the right to bring a civil action as
305 authorized by section 501.0051, Florida Statutes, which governs
306 the security of protected consumer information.
307 Section 3. This act shall take effect September 1, 2014.
308
309 ========== T I T L E A M E N D M E N T ==========
310 And the title is amended as follows:
311 Delete everything before the enacting clause
312 and insert:
313 A bill to be entitled
314 An act relating to the security of a protected
315 consumer's information; providing a short title;
316 creating s. 501.0051, F.S.; providing definitions;
317 authorizing the representative of a protected consumer
318 to place a security freeze on a protected consumer's
319 consumer report or record; specifying the procedure to
320 request a security freeze; requiring a consumer
321 reporting agency to establish a record if the
322 protected consumer does not have an existing consumer
323 report; prohibiting the use of a consumer record for
324 certain purposes; requiring a consumer reporting
325 agency to place, and to provide written confirmation
326 of, a security freeze within a specified period;
327 prohibiting a consumer reporting agency from stating
328 or implying that a security freeze reflects a negative
329 credit history or rating; requiring a consumer

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330 reporting agency to provide a copy of a consumer
331 report or record to a protected consumer or his or her
332 representative upon request; authorizing a consumer
333 reporting agency to charge a fee for a copy of a
334 protected consumer’s consumer report or record;
335 specifying the procedure to request a copy of a
336 protected consumer’s consumer report or record;
337 requiring a consumer reporting agency to remove a
338 security freeze under specified conditions; specifying
339 the procedure to remove a security freeze; providing
340 applicability; authorizing a consumer reporting agency
341 to charge a fee for placing or removing a security
342 freeze and for reissuing a unique personal identifier;
343 prohibiting a fee under certain circumstances;
344 requiring written notification upon the change of
345 specified information in a protected consumer’s
346 consumer report or record; providing exceptions;
347 requiring a consumer reporting agency to notify a
348 representative and provide specified information if
349 the consumer reporting agency violates a security
350 freeze; providing penalties and civil remedies;
351 providing written disclosure requirements for consumer
352 reporting agencies relating to a protected consumer’s
353 security freeze; providing an effective date.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/4/13
Meeting Date

Topic: KIDS ACT

Bill Number: SB 242 *(if applicable)*

Name: ALAN ABRAMOWITZ

Amendment Barcode: *(if applicable)*

Job Title: Executive Director

Address: 1345 Spring Ave
Street

Tallahassee FL 32303
City *State* *Zip*

Phone: 241-3232

E-mail: Alan.Abramowitz@gal.fl.gov

Speaking: [X] For [ ] Against [ ] Information

Representing: GUARDIAN AD LITEM

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [X] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/4/13
Meeting Date

Topic: Security of Consumer Info

Bill Number: 242 *(if applicable)*

Name: Tim Stanfield

Amendment Barcode: _____ *(if applicable)*

Job Title: Associate

Address: 215 S. Monroe
Street

Tall. 32301
City *State* *Zip*

Phone: 577 0398

E-mail: tstanfield@cfthlaw.com

Speaking: [X] For [ ] Against [ ] Information

Representing: Florida Police Chiefs Association

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [X] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/4/2013
Meeting Date

Topic: KIDS Act

Bill Number: SB 242 *(if applicable)*

Name: Jo Morris

Amendment Barcode: _____ *(if applicable)*

Job Title: Legislative Affairs Director

Address: 200 E. Gaines St. Ste. 118
Street

Tallahassee, FL 32399
City *State* *Zip*

Phone: 850-410-9500

E-mail: Jo.Morris.@flofr.com

Speaking: [x] For [ ] Against [ ] Information

Representing: Office of Financial Regulation

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [x] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/4/13
Meeting Date

Topic: B.11

Bill Number: 242 (if applicable)

Name: Anthony DiMarco

Amendment Barcode: _____ (if applicable)

Job Title: EVP of Govt Affairs

Address: 1001 Thomasville Rd
Street

Tallahassee, FL 32303
City, State, Zip

Phone: 224-2267

E-mail: adimarco@floridabankers.com

Speaking: [x] For [ ] Against [ ] Information

Representing: Florida Bankers Assoc

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [x] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/4/2013
Meeting Date

Topic: Security of a Protected Consumer's Information / KIDS Act

Bill Number: SB 242 *(if applicable)*

Name: Erin Hellkamp

Amendment Barcode: *(if applicable)*

Job Title: Associate Lobbyist

Address: 225 S. Adams Street, Suite 250
Street

Tallahassee — *City*
FL — *State*
32301 — *Zip*

Phone: 850-222-7718

E-mail: guy@guyspearman.com

Speaking: [✓] For [ ] Against [ ] Information

Representing: Florida Sheriff's Association

Appearing at request of Chair: [ ] Yes [✓] No

Lobbyist registered with Legislature: [✓] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

2

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/4/2013
Meeting Date

Topic: Security of a Protected Consumer's Information

Bill Number: SB 242 (if applicable)

Name: Ashtavia Maddox

Amendment Barcode: _____ (if applicable)

Job Title: _____

Address: _____
Street

_____
City State Zip

Phone: _____

E-mail: _____

Speaking: [X] For [ ] Against [ ] Information

Representing: Myself

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

1

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/4/2013
Meeting Date

Topic: Security of a Protected Consumer's Information

Bill Number: SB 242 (if applicable)

Name: Adam Putnam

Amendment Barcode: (if applicable)

Job Title: Commissioner of Agriculture

Address: 400 South Monroe Street
Street

Tallahassee, FL 32399
City, State, Zip

Phone: (850) 617-7700

E-mail: Adam.Putnam@freshfromflorida.com

Speaking: [X] For [ ] Against [ ] Information

Representing: Department of Agriculture and Consumer Services

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Nov. 4, 2013
Meeting Date

Topic: Security of a Protected Consumer's

Bill Number: SB 242 *(if applicable)*

Name: Rebecca DeLaRosa

Amendment Barcode: *(if applicable)*

Job Title:

Address: 404 E 6th Ave
Street

Tallahassee, FL 32303
City *State* *Zip*

Phone: 850.284.7235

E-mail: delarosar12@gmail.com

Speaking: [X] For [ ] Against [ ] Information

Representing: Junior League of Tallahassee, State Public Affairs Comm.

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [X] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Gaming, *Chair*
Appropriations
Appropriations Subcommittee on Education
Appropriations Subcommittee on Health and Human Services
Banking and Insurance
Commerce and Tourism
Judiciary
Rules
Transportation

JOINT COMMITTEE:
Joint Legislative Budget Commission

SENATOR GARRETT RICHTER
President Pro Tempore
23rd District

October 28, 2013

The Honorable Nancy Detert, Chair
Committee on Commerce and Tourism
416 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

Dear Madam Chair:

I respectfully ask to be excused from the Commerce and Tourism Committee meeting scheduled for Monday, November 4, 2013.

Thank you for your consideration.

Sincerely,

Garrett S. Richter

cc: Jennifer Hrdlicka, Staff Director
Patty Blackburn

REPLY TO:
❒ 3299 E. Tamiami Trail, Suite 203, Naples, Florida 34112-4961 (239) 417-6205
❒ 404 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5023
❒ 25 Homestead Road North, Suite 42 B, Lehigh Acres, Florida 33936 (239) 338-2777

Senate's Website: *www.flsenate.gov*

DON GAETZ
President of the Senate

GARRETT RICHTER
President Pro Tempore

CourtSmart Tag Report

Room: EL 110 **Case:** **Type:**
Caption: Senate Commerce & Tourism Committee **Judge:**

Started: 11/4/2013 4:02:31 PM
Ends: 11/4/2013 5:36:44 PM **Length: 01:34:14**

4:02:49 PM	Call to order.
4:02:59 PM	Roll Call
4:03:16 PM	Quorum present.
4:03:24 PM	SB 242.
4:03:35 PM	Senator Detert
4:06:06 PM	Senator Bean.
4:07:01 PM	Amendment 750706
4:08:21 PM	Adopted
4:08:25 PM	Commissioner Putnam
4:10:28 PM	Ashtavia Maddox
4:13:57 PM	Ashtavia Maddox
4:14:05 PM	Ashtavia Maddox
4:14:16 PM	Vote
4:14:34 PM	CS SB 242 favorable
4:14:50 PM	Tab 1 Initial Skills Review
4:15:02 PM	Tom Clendenning, Director, Division of Workforce Services, DEO
4:19:41 PM	Senator Abruzzo
4:22:55 PM	Senator Margolis
4:26:49 PM	Senator Thompson
4:32:50 PM	Senator Bean
4:35:53 PM	Senator Stargil
4:36:48 PM	Senator Abruzzo
4:41:48 PM	Colleen Englert, Ready to Work
4:42:05 PM	Tab 2
4:42:29 PM	Jesse Panuccio, Executive Director, DEO - Status of CONNECT
4:51:05 PM	Jessica Blume, Vice Chairman, U.S. Public Sector Leader, Deloitte LLP
5:12:47 PM	Senator Hays
5:15:56 PM	Mr. Panuccio
5:20:28 PM	Senator Simpson
5:22:26 PM	Senator Stargill
5:23:02 PM	Mr. Clendenning
5:24:25 PM	Senator Richter
5:25:42 PM	Senator Hays
5:26:26 PM	Senator Margolis
5:30:45 PM	Senator Thompson
5:34:35 PM	Mr. Panuccio
5:36:35 PM	Adjourn