

1                   A bill to be entitled  
2           An act relating to Department of Highway Safety  
3           and Motor Vehicles; repealing s. 322.142(5) and  
4           (6), F.S., relating to color photographic or  
5           digital imaged licenses; eliminating provisions  
6           permitting the Department of Highway Safety and  
7           Motor Vehicles to sell certain information  
8           related to driver's licenses and other  
9           information; providing for the establishment of  
10          a task force to study privacy and public  
11          records issues, providing membership, providing  
12          for meetings, providing for a report; providing  
13          for repeal; providing for the establishment of  
14          a task force to study privacy and public  
15          records issues; providing membership; providing  
16          for meetings; providing for a report; providing  
17          for repeal; providing an effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

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21           Section 1. Subsections (5) and (6) of section 322.142,  
22 Florida Statutes, 1998 Supplement, are repealed.

23           Section 2. (1) There is hereby created the Task Force  
24 on Privacy and Technology in the Executive Office of the  
25 Governor. The task force shall be composed of 16 members as  
26 follows:

27           (a) The Governor shall appoint 6 members to include:  
28 one representative of the print media; one representative who  
29 is in the private practice of law and has legal expertise in  
30 constitutional law as it relates to privacy and public  
31 records; one representative from private industry who has

1 experience in technology and electronic commerce; one  
2 representative from private industry who has expertise in  
3 marketing government information; one representative from the  
4 telecommunications industry; and one representative of the  
5 public with an interest in privacy electronic commerce.

6 (b) The Speaker of the House shall appoint 5 members  
7 to include: one representative from a law school in this state  
8 with expertise in constitutional, public records law, or  
9 computer law; one representative of the broadcast media; one  
10 representative from the financial services industry; one  
11 representative from private industry who has expertise in  
12 technology and electronic commerce; and one representative  
13 from an Internet service provider.

14 (c) The President of the Senate shall appoint 5  
15 members to include: one representative from the direct  
16 marketing industry; one representative from the credit or  
17 charge card industry; one representative from the Florida  
18 Retail Federation; one representative from the Statewide  
19 Prosecutor's Office who has experience in the area of  
20 electronic fraud; and one representative from the credit  
21 bureau industry.

22 (d) The Governor shall appoint the chair of the task  
23 force.

24 (2) The task force is to study and make  
25 recommendations to the Governor and the Legislature on:

26 (a) Privacy issues under the United States and Florida  
27 Constitution and Laws, the Public Records Act, and the advent  
28 of the use of advanced technology.

29 (b) Technology fraud, including the illegal use of  
30 citizens' identity, credit, and other uses.

31

1           (c) Balancing the traditional openness of public  
2 records in Florida with the need to protect individuals'  
3 privacy and identities.

4           (d) The sale of public records to private individuals  
5 and companies.

6           (3) The task force shall exist for one year and shall  
7 meet as often as necessary to carry out its duties and  
8 responsibilities. The task force shall be supported by the  
9 Executive Office of the Governor within its existing  
10 resources.

11           (4) The task force may obtain information and  
12 assistance from any state agency, community college or state  
13 university.

14           (5) The task force shall report its findings and  
15 recommendations to the Governor, the President of the Senate  
16 and the Speaker of the House by February 1, 2000.

17           (6) This section is repealed effective July 1, 2000.

18           Section 3. (1) There is hereby created the Task Force  
19 on Privacy and Technology in the Executive Office of the  
20 Governor. The task force shall be composed of 19 members as  
21 follows:

22           (a) The Governor shall appoint seven members and shall  
23 attempt in the seven appointments to select the following: one  
24 representative of the print media; one representative who is  
25 in the private practice of law and has legal expertise in  
26 constitutional law as it relates to privacy and public  
27 records; one representative from private industry who has  
28 experience in technology and electronic commerce; one  
29 representative from the private industry who has expertise in  
30 marketing government information; one representative from the  
31 telecommunications industry; one representative from the law

1 enforcement community with expertise in identity fraud; and  
2 one additional member.

3 (b) The Speaker of the House of Representatives shall  
4 appoint six members and shall attempt in the six appointments  
5 to select the following: one representative from a law school  
6 in this state with expertise in constitutional law, public  
7 records law, or computer law; one representative of the  
8 broadcast media; one representative from the Society of  
9 Consumer Affairs Professionals in Business; one representative  
10 from private industry who has expertise in technology and  
11 electronic commerce; one representative from an Internet  
12 service provider; and one additional member.

13 (c) The President of the Senate shall appoint six  
14 members and shall attempt in the six appointments to select  
15 the following: one representative from the direct marketing  
16 industry with expertise in loss prevention; one representative  
17 from the credit or charge card industry; one representative  
18 from the Florida Retail Federation; one representative from  
19 the Statewide Prosecutor's Office who has experience in the  
20 area of electronic fraud; one representative from the credit  
21 bureau industry; and one additional member.

22 (d) The Governor shall appoint the chair of the task  
23 force.

24 (2) The task force is to study and make  
25 recommendations to the Governor and the Legislature on:

26 (a) Privacy issues under the Constitutions and laws of  
27 the United States and Florida, the Public Records Act, and the  
28 advent of the use of advanced technology.

29 (b) Technology fraud, including the illegal use of  
30 citizens' identity, credit, and other uses.

31

1           (c) Balancing the traditional openness of public  
2 records in Florida with the need to protect individuals'  
3 privacy and identities.

4           (d) The sale of public records to private individuals  
5 and companies.

6           (3) The task force shall exist for 1 year and shall  
7 meet as often as necessary to carry out its duties and  
8 responsibilities. The task force shall be supported by the  
9 Executive Office of the Governor within its existing  
10 resources.

11           (4) The task force may obtain information and  
12 assistance from any state agency, community college, or state  
13 university.

14           (5) The task force shall report its findings and  
15 recommendations to the Governor, the President of the Senate,  
16 and the Speaker of the House of Representatives by February 1,  
17 2000.

18           (6) This section is repealed effective July 1, 2000.

19           Section 4. This act shall take effect upon becoming a  
20 law.