

## Senate Bill No. 26-C

An act relating to domestic security; creating s. 775.30, F.S.; defining the term “terrorism” for purposes of the Florida Criminal Code; creating s. 943.0321, F.S.; creating the Florida Domestic Security and Counter-Terrorism Intelligence Center within the Department of Law Enforcement; creating the Florida Domestic Security and Counter-Terrorism Database within the intelligence center; providing functions of the intelligence center with respect to gathering and analyzing active criminal intelligence information and criminal investigative information; requiring the intelligence center to maintain and operate the database; providing requirements for the database; requiring that the Department of Law Enforcement establish methods for providing information from the database to law enforcement agencies and prosecutors; providing that information that is exempt from public disclosure and is released to another agency or prosecutor by the intelligence center retains such exemption; providing that information that is exempt from public disclosure and is obtained by the intelligence center retains such exemption; providing an effective date.

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

Section 1. Section 775.30, Florida Statutes, is created to read:

775.30 Terrorism; defined.—As used in the Florida Criminal Code, the term “terrorism” means an activity that:

(1)(a) Involves a violent act or an act dangerous to human life which is a violation of the criminal laws of this state or of the United States; or

(b) Involves a violation of s. 815.06; and

(2) Is intended to:

(a) Intimidate, injure, or coerce a civilian population;

(b) Influence the policy of a government by intimidation or coercion; or

(c) Affect the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy.

Section 2. Section 943.0321, Florida Statutes, is created to read:

943.0321 The Florida Domestic Security and Counter-Terrorism Intelligence Center and the Florida Domestic Security and Counter-Terrorism Database.—

(1)(a) There is created within the Department of Law Enforcement the Florida Domestic Security and Counter-Terrorism Intelligence Center.

(b) The Florida Domestic Security and Counter-Terrorism Database is created within the Florida Domestic Security and Counter-Terrorism Intelligence Center.

(2) The intelligence center shall:

(a) Gather, document, and analyze active criminal intelligence and criminal investigative information related to terrorism, as defined in s. 775.30, including information related to individuals or groups that plot, plan, or coordinate acts of terrorism, as defined in s. 775.30, and that operate within this state or otherwise commit acts affecting this state;

(b) Maintain and operate the domestic security and counter-terrorism database; and

(c) Provide support and assistance to federal, state, and local law enforcement agencies and prosecutors that investigate or prosecute terrorism, as defined in s. 775.30.

(3)(a) The database shall include active criminal intelligence information and active criminal investigative information submitted by federal, state, or local law enforcement agencies and prosecutors and information that is available from other law-enforcement databases.

(b) The database shall be capable of performing data review and processing that may reveal patterns, trends, and correlations indicative of potential or actual terrorism activity within or affecting this state.

(c) The department shall establish methods and parameters by which information and data is transferred to the department for inclusion in the database. Information developed in or through the use of the database shall be made available to federal, state, and local law enforcement agencies and prosecutors in a manner defined by the department and as allowed by state or federal law or rule.

(4)(a) Information that is exempt from public disclosure under chapter 119 when in the possession of the intelligence center retains its exemption from public disclosure after such information is revealed to a federal, state, or local law enforcement agency or prosecutor, except as otherwise provided by law.

(b) Information obtained by the intelligence center from a federal, state, or local law enforcement agency or prosecutor which is exempt from public disclosure under state or federal law when in the possession of a federal, state, or local law enforcement agency or prosecutor retains its exemption from public disclosure after such information is revealed to the intelligence center, except as otherwise provided by law.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor December 10, 2001.

Filed in Office Secretary of State December 10, 2001.