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**COMMITTEE ON HOMELAND SECURITY  
& PUBLIC SAFETY**

**COMMITTEE MEETING**

**WEDNESDAY, MARCH 5, 2008**

**9:00 a.m. – 9:45 a.m.**

**ROOM**

**Reed Hall/102 House Office Building**

**ACTION PACKET**

**COMMITTEE MEETING REPORT**  
**Committee on Homeland Security & Public Safety**

**3/5/2008 9:00:00AM**

**Location:** Reed Hall (102 HOB)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Sandra Adams (Chair)	X		
Jennifer Carroll	X		
Luis Garcia	X		
Gayle Harrell	X		
Doug Holder	X		
Matt Hudson	X		
Evan Jenne	X		
Paige Kreegel	X		
Ari Porth	X		
Michael Scionti	X		
William Snyder	X		
<b>Totals:</b>	<b>11</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Wednesday, March 05, 2008 11:17:26AM

**COMMITTEE MEETING REPORT**  
**Committee on Homeland Security & Public Safety**

**3/5/2008 9:00:00AM**

**Location:** Reed Hall (102 HOB)

**HB 225 : Telephone Caller Identification**

Favorable With Amendments (1)

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Jennifer Carroll	X				
Luis Garcia			X		
Gayle Harrell	X				
Doug Holder	X				
Matt Hudson	X				
Evan Jenne	X				
Paige Kreegel	X				
Ari Porth	X				
Michael Scionti	X				
William Snyder	X				
Sandra Adams (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, March 05, 2008 11:17:26AM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 225

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
 ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
 ADOPTED W/O OBJECTION Y (Y/N)  
 FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
 WITHDRAWN \_\_\_\_\_ (Y/N)  
 OTHER \_\_\_\_\_

**ADOPTED**

\_\_\_\_\_

1 Council/Committee hearing bill: Committee on Homeland Security  
 2 & Public Safety  
 3 Representative(s) Kiar offered the following:  
 4

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

6 Section 1. This act may be cited as the "Caller ID  
 7 Anti-spoofing Act."  
 8

9 Section 2. Section 817.487, Florida Statutes, is created  
 10 to read:

817.487 Telephone caller identification systems.--

(1) As used in this section:

13 (a) "Call" means any type of telephone call made using a  
 14 public switched telephone network, wireless cellular telephone  
 15 service, or voice-over-Internet protocol (VoIP) service that has  
 16 the capability of accessing users on the public switched  
 17 telephone network or a successor network.

18 (b) "Caller" means a person who places a call, whether by  
 19 telephone, over a telephone line, or on a computer.

20 (c) "Enter" means to input data by whatever means into a  
 21 computer or telephone system.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

22        (d) "False information" means data that misrepresents the  
23 identity of the caller to the recipient of a call or to the  
24 network itself; however, when a person making an authorized call  
25 on behalf of another person inserts the name, telephone number,  
26 or name and telephone number of the person on whose behalf the  
27 call is being made, such information shall not be deemed false  
28 information.

29        (e) "Telephone caller identification system" means a  
30 listing of a caller's name, telephone number, or name and  
31 telephone number that is shown to a recipient of a call when it  
32 is received.

33        (2) A person may not enter or cause to be entered false  
34 information into a telephone caller identification system with  
35 the intent to deceive, defraud, or mislead the recipient of a  
36 call.

37        (3) A person may not place a call knowing that false  
38 information was entered into the telephone caller identification  
39 system with the intent to deceive, defraud, or mislead the  
40 recipient of the call.

41        (4) This section shall not apply to:

42        (a) The blocking of caller identification information.

43        (b) Any law enforcement agency of the federal, state,  
44 county, or municipal government.

45        (c) Any intelligence or security agency of the Federal  
46 Government.

47        (5)(a) Any person who violates subsection (2) or  
48 subsection (3) commits a misdemeanor of the first degree,  
49 punishable as provided in s. 775.082 or s. 775.083.

50        (b) Any violation of subsection (2) or subsection (3)  
51 constitutes an unlawful trade practice under part II of chapter  
52 501 and, in addition to any remedies or penalties set forth in

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

53 this section, is subject to any remedies or penalties available  
54 for a violation of that part.

55 (6) (a) The felony or misdemeanor degree of any criminal  
56 offense shall be reclassified by the court to the next higher  
57 degree as provided in this subsection if the offender violated  
58 subsection (2) or subsection (3) during the commission of the  
59 criminal offense or if a violation by the offender of subsection  
60 (2) or subsection (3) facilitated or furthered the criminal  
61 offense. The reclassification shall be as follows:

62 1. In the case of a misdemeanor of the second degree, the  
63 offense is reclassified as a misdemeanor of the first degree.

64 2. In the case of a misdemeanor of the first degree, the  
65 offense is reclassified as a felony of the third degree.

66 3. In the case of a felony of the third degree, the  
67 offense is reclassified as a felony of the second degree.

68 4. In the case of a felony of the second degree, the  
69 offense is reclassified as a felony of the first degree.

70 5. In the case of a felony of the first degree or a felony  
71 of the first degree punishable by a term of imprisonment not  
72 exceeding life, the offense is reclassified as a life felony.

73 (b) For purposes of sentencing under chapter 921 the  
74 following offense severity ranking levels apply:

75 1. An offense that is a misdemeanor of the first degree  
76 and that is reclassified under this subsection as a felony of  
77 the third degree is ranked in level 2 of the offense severity  
78 ranking chart.

79 2. A felony offense that is reclassified under this  
80 subsection is ranked one level above the ranking specified in s.  
81 921.0022 or s. 921.0023 for the offense committed.

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83 Section 3. This act shall take effect October 1, 2008.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

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**T I T L E   A M E N D M E N T**

Remove the entire title and insert:

A bill to be entitled

An act relating to telephone caller identification;  
providing a short title; creating s. 817.487, F.S.;  
prohibiting entering or causing to be entered false  
information into a telephone caller identification system  
with the intent to deceive, defraud, or mislead;  
prohibiting placing a call knowing that false information  
was entered into the telephone caller identification  
system; providing definitions; providing exceptions;  
providing penalties; providing that a violation is an  
unlawful trade practice under specified provisions;  
providing for enhancement of penalties when a violation is  
committed during the commission of a criminal offense or  
when a violation facilitates a criminal offense; providing  
an effective date.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1a

Bill No. 225

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>✓</u>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

**ADOPTED**



1 Council/Committee hearing bill: Committee on Homeland Security  
 2 & Public Safety  
 3 Representative Kiar offered the following:

**Amendment to Amendment (1) by Representative Kiar**

Between lines 46 and 47 insert:

7 (d) A telecommunications, broadband or voice-over-internet  
 8 service provider that is acting solely as an intermediary for  
 9 the transmission of telephone service between the caller and the  
 10 recipient.

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**COMMITTEE MEETING REPORT**  
**Committee on Homeland Security & Public Safety**

**3/5/2008 9:00:00AM**

**Location:** Reed Hall (102 HOB)

**HB 321 : Murder of Law Enforcement Officers**

*Favorable With Amendments (1)*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Jennifer Carroll	X				
Luis Garcia			X		
Gayle Harrell	X				
Doug Holder	X				
Matt Hudson	X				
Evan Jenne	X				
Paige Kreegel	X				
Ari Porth	X				
Michael Scionti	X				
William Snyder	X				
Sandra Adams (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, March 05, 2008 11:17:26AM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 321

COUNCIL/COMMITTEE ACTION

ADOPTED  (Y/N)  
ADOPTED AS AMENDED  (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT  (Y/N)  
WITHDRAWN  (Y/N)  
OTHER

**ADOPTED**

1 Council/Committee hearing bill: Homeland Security & Public Safety  
2 Representative Snyder offered the following:

3

4 **Amendment**

5 Remove everything after the enacting clause and insert:

6 Section 1. Section 782.065, Florida Statutes, is created  
7 to read:

8 782.065 Murder; law enforcement officer.--Notwithstanding  
9 s. 775.082, s. 775.0823, s. 782.04, s. 782.051, and chapter 921,  
10 a defendant shall be sentenced to life imprisonment without  
11 eligibility for release upon findings by the factfinder beyond a  
12 reasonable doubt that:

13 (1) The defendant committed murder in the first degree in  
14 violation of s. 782.04(1) and a death sentence was not imposed;  
15 murder in the second or third degree in violation of s.  
16 782.04(2), (3), or (4); attempted murder in the first or second  
17 degree in violation of s. 782.04(1)(a)1. or (2); or attempted  
18 felony murder in violation of s. 782.051; and

19 (2) The victim of any offense described in subsection (1)  
20 is a law enforcement officer, part-time law enforcement officer,

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

21 or auxiliary law enforcement officer, as those terms are defined  
22 in s. 943.10, engaged in the lawful performance of a legal duty.

23 Section 2. This act shall take effect October 1, 2008.

**COMMITTEE MEETING REPORT**  
**Committee on Homeland Security & Public Safety**

**3/5/2008 9:00:00AM**

**Location:** Reed Hall (102 HOB)

**HB 537 : Offense of Voyeurism**

Favorable With Amendments (1)

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Jennifer Carroll	X				
Luis Garcia	X				
Gayle Harrell	X				
Doug Holder	X				
Matt Hudson	X				
Evan Jenne	X				
Paige Kreegel				X	
Ari Porth	X				
Michael Scionti	X				
William Snyder	X				
Sandra Adams (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, March 05, 2008 11:17:26AM



Council/Committee/Subcommittee on \_\_\_\_\_

ADOPTED

Date \_\_\_\_\_

Action A/WO

**HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY**

(may be used in Council/Committee/Subcommittee, but not on House Floor)

Amendment No. 1

Bill No. 537

(For filing with the Clerk, Council, Committee and Member Amendments must be prepared by House Bill Drafting Services (Rule 12.1))

Representative(s)/The Council/Committee/Subcommittee on Homeland Security  
+ Public Safety

offered the following amendment:

Rep.  
SNYDER

Amendment

on page 2, line(s) between 43 + 44

A person 24 years of age or older who commits an offense under this section against a ~~child~~ ~~under~~ younger than 16 years of age, regardless of whether the person knows or has reason to know the age of the child, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083 or s. 775.084

(renumber subsequent subsections)

**COMMITTEE MEETING REPORT**  
**Committee on Homeland Security & Public Safety**

**3/5/2008 9:00:00AM**

**Location:** Reed Hall (102 HOB)

**HB 789 : Surveyors and Mappers**

*Temporarily Deferred*

**Committee meeting was reported out: Wednesday, March 05, 2008 11:17:26AM**

**COMMITTEE MEETING REPORT**  
**Committee on Homeland Security & Public Safety**

**3/5/2008 9:00:00AM**

**Location:** Reed Hall (102 HOB)

**HB 799 : Theft of Copper or Other Nonferrous Metals**

*Favorable With Amendments (1)*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Jennifer Carroll	X				
Luis Garcia	X				
Gayle Harrell	X				
Doug Holder	X				
Matt Hudson	X				
Evan Jenne	X				
Paige Kreegel				X	
Ari Porth	X				
Michael Scionti	X				
William Snyder	X				
Sandra Adams (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, March 05, 2008 11:17:26AM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 799

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

**ADOPTED**

1 Council/Committee hearing bill: Committee on Homeland Security  
 2 & Public Safety  
 3 Representative(s) Adams offered the following:

**Amendment**

Remove line 43 and insert:

7 (d) "Utility" includes any person, firm, corporation,  
 8 association, or political subdivision, whether private,  
 9 municipal, county, or cooperative, which is engaged in the sale,  
 10 generation, provision, or delivery of gas or electricity  
 11 service.

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**COMMITTEE MEETING REPORT**  
**Committee on Homeland Security & Public Safety**  
**3/5/2008 9:00:00AM**

**Location:** Reed Hall (102 HOB)

**Summary:**

**Committee on Homeland Security & Public Safety**

*Wednesday March 05, 2008 09:00 am*

HB 225 Favorable With Amendments (1) Yeas: 10 Nays: 0

HB 321 Favorable With Amendments (1) Yeas: 10 Nays: 0

HB 537 Favorable With Amendments (1) Yeas: 10 Nays: 0

HB 789 Temporarily Deferred

HB 799 Favorable With Amendments (1) Yeas: 10 Nays: 0

Committee meeting was reported out: Wednesday, March 05, 2008 11:17:26AM