



Criminal Justice Subcommittee

Tuesday March 15th, 2011

8:00 AM

404 HOB

Action Packet

**Dean Cannon
Speaker**

**Dennis Baxley
Chair**

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/15/2011 8:00:00AM

Location: 404 HOB

Summary:

Criminal Justice Subcommittee

Tuesday March 15, 2011 08:00 am

HB 91	Favorable	Yeas: 12	Nays: 1
HB 347	Favorable	Yeas: 13	Nays: 0
HB 477	Favorable	Yeas: 13	Nays: 0
HB 513	Favorable With Committee Substitute	Yeas: 13	Nays: 0
HB 517	Favorable With Committee Substitute	Yeas: 10	Nays: 3
HB 1029	Favorable	Yeas: 13	Nays: 0

Committee meeting was reported out: Tuesday, March 15, 2011 11:49:44AM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/15/2011 8:00:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Dennis Baxley (Chair)	X		
Dwight Bullard	X		
Daphne Campbell	X		
Richard Glorioso	X		
James Grant	X		
Gayle Harrell	X		
John Julien	X		
Charles McBurney	X		
W. Keith Perry	X		
Ray Pilon	X		
Ari Porth	X		
Perry Thurston, Jr.	X		
John Tobia	X		
Carlos Trujillo	X		
Charles Van Zant	X		
Totals:	15	0	0

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COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/15/2011 8:00:00AM

Location: 404 HOB

HB 91 : Drug-related Overdoses

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard			X		
Daphne Campbell	X				
Richard Glorioso	X				
James Grant	X				
Gayle Harrell	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Ari Porth	X				
Perry Thurston, Jr.	X				
John Tobia		X			
Carlos Trujillo	X				
Charles Van Zant			X		
Dennis Baxley (Chair)	X				
Total Yeas: 12		Total Nays: 1			

Appearances:

Murrell, David (Lobbyist) - Proponent
Director of Legislative Services, Florida Police Benevolent Association
300 E. Brevard St.
Tallahassee FL 32301
Phone: (850)222-3329

Cece, Jeffrey (General Public) - Proponent
700 W. Virginia St. #242
Tallahassee FL 32304
Phone: (239)293-2026

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COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/15/2011 8:00:00AM

Location: 404 HOB

HB 347 : Vehicle Crashes Involving Death

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Dwight Bullard			X		
Daphne Campbell	X				
Richard Glorioso	X				
James Grant	X				
Gayle Harrell	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Ari Porth	X				
Perry Thurston, Jr.	X				
John Tobia	X				
Carlos Trujillo	X				
Charles Van Zant			X		
Dennis Baxley (Chair)	X				
Total Yeas: 13		Total Nays: 0			

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COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

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Location: 404 HOB

HB 477 : Human Trafficking

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard			X		
Daphne Campbell	X				
Richard Glorioso	X				
James Grant	X				
Gayle Harrell	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Ari Porth	X				
Perry Thurston, Jr.	X				
John Tobia	X				
Carlos Trujillo	X				
Charles Van Zant			X		
Dennis Baxley (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Poore, Terri (Lobbyist) - Waive In Support
Director of Public Affairs, Florida Council Against Sexual Violence
1820 East Park Avenue Suite 100
Tallahassee FL 32301
Phone: (850)297-2000

McCarron, Mike (Lobbyist) - Waive In Support
Executive Director, Florida Catholic Conference
201 W Park Ave
Tallahassee FL 32301-7715
Phone: (850)205-6820

Lambert, Paul (Lobbyist) - Information Only
Florida State Massage Therapy Association, Inc
502 North Adams Street
Tallahassee FL 32301
Phone: (850)224-9393

Committee meeting was reported out: Tuesday, March 15, 2011 11:49:44AM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

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Location: 404 HOB

HB 513 : Missing Adults

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard			X		
Daphne Campbell	X				
Richard Glorioso	X				
James Grant	X				
Gayle Harrell	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Ari Porth	X				
Perry Thurston, Jr.	X				
John Tobia	X				
Carlos Trujillo	X				
Charles Van Zant			X		
Dennis Baxley (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Duncanson, Carole (Lobbyist) - Waive In Support
Alzheimers Community Care
225 S. Adams St. # 250
Tallahassee FL 32301
Phone: (850)566-9056

Frederick, Carol (State Employee) - Information Only
Special Agent Supervisor, Florida Department of Law Enforcement
P.O Box 1489
Tallahassee FL 32308
Phone: (850)528-5431

Committee meeting was reported out: Tuesday, March 15, 2011 11:49:44AM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

FAN
3/15/11

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Abruzzo offered the following:

4
5 **Amendment (with title amendment)**

6 Remove lines 115-117 and insert:

7 over the case may make a request to the clearinghouse for the
8 activation of a state Silver Alert involving a missing adult if
9 circumstances regarding the disappearance have met the criteria
10 for activation of

11
12
13 -----
14 **T I T L E A M E N D M E N T**

15 Remove lines 11-13 and insert:

16 having jurisdiction over the case may request that the
17 clearinghouse activate a state Silver Alert; providing an
18 effective date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/15/2011 8:00:00AM

Location: 404 HOB

HB 517 : Firearms

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard			X		
Daphne Campbell		X			
Richard Glorioso	X				
James Grant	X				
Gayle Harrell	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Ari Porth		X			
Perry Thurston, Jr.		X			
John Tobia	X				
Carlos Trujillo	X				
Charles Van Zant			X		
Dennis Baxley (Chair)	X				
Total Yeas: 10		Total Nays: 3			

Appearances:

Eslinger, Don (General Public) - Opponent
Sheriff, Florida Sheriff's Association
100 Bush Blvd.
Sanford FL 32773
Phone: (407)466-9116

Coats, Jim (General Public) - Opponent
Sheriff, Florida Sheriff's Association
P.O. Box 2500
Largo FL 33779
Phone: (727)420-7280

Feeney, Thomas (General Public) - Opponent
Major, Hillsborough County Sheriffs Office
2008 E. 8th Avenue
Tampa FL 33605
Phone: (813)363-0375

Miller, Randy (Lobbyist) - Opponent
Executive Vice President, Florida Retail Federation
227 S Adams St
Tallahassee FL 32302-2024
Phone: (850)222-4082

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Criminal Justice Subcommittee

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Location: 404 HOB

Hammer, Marion (Lobbyist) - Information Only
NRA and Unified Sportsmen of Florida
P.O Box 1387
Tallahassee FL 32302
Phone: (850)222-9518

Roeling, William (General Public) - Opponent
Corporal, Hillsborough County Sheriffs Office

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 517 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

FAV
3/15/10.

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Dorworth offered the following:

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5 **Amendment (with title amendment)**

6 Remove lines 64-202 and insert:

7 (12) (a) A ~~No~~ license issued under ~~pursuant to~~ this section
8 does not shall authorize any person to openly carry or carry a
9 concealed weapon or firearm into:

10 1. Any place of nuisance as defined in s. 823.05;

11 2. Any police, sheriff, or highway patrol station;

12 3. Any detention facility, prison, or jail;

13 4. Any courthouse;

14 5. Any courtroom, except that nothing in this section
15 would preclude a judge from carrying a concealed weapon or
16 determining who will carry a concealed weapon in his or her
17 courtroom;

18 6. Any polling place;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 517 (2011)

Amendment No. 1

19 7. Any meeting of the governing body of a county, public
20 school district, municipality, or special district;

21 8. Any meeting of the Legislature or a committee thereof;

22 9. Any school, college, or professional athletic event not
23 related to firearms;

24 10. Any elementary or secondary school facility or
25 administration building;

26 11. Any career center;

27 12. Any college or university facility unless the licensee
28 is a registered student, employee, or faculty member of such
29 college or university and the weapon is a stun gun or nonlethal
30 electric weapon or device designed solely for defensive purposes
31 and the weapon does not fire a dart or projectile;

32 13. Any portion of an establishment licensed to dispense
33 alcoholic beverages for consumption on the premises, which
34 portion of the establishment is primarily devoted to such
35 purpose; ~~any elementary or secondary school facility; any career~~
36 ~~center; any college or university facility unless the licensee~~
37 ~~is a registered student, employee, or faculty member of such~~
38 ~~college or university and the weapon is a stun gun or nonlethal~~
39 ~~electric weapon or device designed solely for defensive purposes~~
40 ~~and the weapon does not fire a dart or projectile~~;

41 14. The inside of the passenger terminal and sterile area
42 of any airport, provided that no person shall be prohibited from
43 carrying any legal firearm into the terminal, which firearm is
44 encased for shipment for purposes of checking such firearm as
45 baggage to be lawfully transported on any aircraft; or

Amendment No. 1

46 15. Any place where the carrying of firearms is prohibited
47 by federal law.

48 (b) A person licensed under this section shall not be
49 prohibited from carrying or storing a firearm in a vehicle for
50 lawful purposes.

51 (c) This subsection does not modify the terms or
52 conditions of s. 790.251(7).

53 (d) Any person who knowingly and willfully violates any
54 provision of this subsection commits a misdemeanor of the second
55 degree, punishable as provided in s. 775.082 or s. 775.083.

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T I T L E A M E N D M E N T

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Remove lines 8-23 and insert:

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providing that a person may not openly carry or carry a

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concealed weapon or firearm into specified locations; providing

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that concealed carry licensees shall not be prohibited from

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carrying or storing a firearm in a vehicle for lawful purposes;

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providing that a provision limiting the scope of a license to

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carry a concealed weapon or firearm does not modify certain

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exceptions to prohibited acts with respect to a person's right

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to keep and bear arms in motor vehicles for certain purposes;

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repealing s. 790.28, F.S., relating to

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 517 (2011)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

WITHDRAWN
3/15/11

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Dorworth offered the following:

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Amendment (with title amendment)

Remove lines 49-57 and insert:

notwithstanding ~~the provisions of~~ s. 790.01 or may openly carry
a handgun as set forth in paragraph (a) of this subsection,
notwithstanding s. 790.053. The licensee must carry the license,
together with valid identification, at all times in which the
licensee is in actual possession of a concealed weapon or
firearm and must display both the license and proper
identification upon demand by a law enforcement officer. A
violation ~~Violations of the provisions~~ of this subsection shall
constitute a noncriminal violation with a penalty of \$25,
payable to the clerk of the court.

(a) A person may only openly carry a handgun, as defined in
s. 790.0655, and such handgun must be secured in a holster.

Amendment No. 2

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T I T L E A M E N D M E N T

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Remove line 4 and insert:

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concealed carry license may openly carry a handgun if secured in

25

a holster notwithstanding

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 517 (2011)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

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

FAV
3/15

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Dorworth offered the following:

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Amendment (with title amendment)

Remove lines 265-272 and insert:

(c) This subsection does not apply to the purchase, trade, or transfer of rifles or shotguns by a resident of this state when the resident makes such purchase, trade, or transfer from a licensed importer, licensed manufacturer, or licensed dealer in another state.

T I T L E A M E N D M E N T

Remove lines 28-29 and insert:
state; providing an

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/15/2011 8:00:00AM

Location: 404 HOB

HB 1029 : Interstate Compact for Juveniles

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard			X		
Daphne Campbell	X				
Richard Glorioso	X				
James Grant	X				
Gayle Harrell	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Ari Porth	X				
Perry Thurston, Jr.	X				
John Tobia	X				
Carlos Trujillo	X				
Charles Van Zant			X		
Dennis Baxley (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Sanchez, Ana Maria (Lobbyist) (State Employee) - Waive In Support
Legislative Affairs Director, Department of Juvenile Justice
2737 Centerview Dr.
Tallahassee FL 32399
Phone: (850)410-1097

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