



Judiciary Committee

February 5, 2013

9:00AM

404 HOB

Action Packet

COMMITTEE MEETING REPORT

Judiciary Committee

2/5/2013 9:00:00AM

Location: 404 HOB

Summary:

Judiciary Committee

Tuesday February 05, 2013 09:00 am

CS/HB 5	Favorable With Committee Substitute	Yeas: 17	Nays: 0
	Amendment 137987 Adopted Without Objection		
HB 15	Favorable	Yeas: 17	Nays: 0
HB 77	Favorable With Committee Substitute	Yeas: 12	Nays: 5
	Amendment 538083 Adopted Without Objection		
	Amendment 826625 Adopted Without Objection		

Committee meeting was reported out: Tuesday, February 05, 2013 11:28:26AM

COMMITTEE MEETING REPORT

Judiciary Committee

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Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Dennis Baxley (Chair)	X		
Daphne Campbell	X		
Dwight Dudley	X		
Heather Fitzenhagen	X		
Clay Ford			X
Matt Gaetz	X		
Bill Hager	X		
Dave Kerner	X		
Charles McBurney	X		
Kionne McGhee	X		
Larry Metz	X		
Jared Moskowitz	X		
Kathleen Passidomo	X		
Ray Pilon	X		
Kenneth Roberson	X		
Elaine Schwartz	X		
Ross Spano	X		
Charlie Stone	X		
Totals:	17	0	1

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COMMITTEE MEETING REPORT

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Location: 404 HOB

CS/HB 5 : Open Parties

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Heather Fitzenhagen	X				
Clay Ford			X		
Matt Gaetz	X				
Bill Hager	X				
Dave Kerner	X				
Charles McBurney	X				
Kionne McGhee	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
Total Yeas: 17		Total Nays: 0			

CS/HB 5 Amendments

Amendment 137987

Adopted Without Objection

Appearances:

Lurhsen, Jeffrey (General Public) - Proponent
Sarasota Coalition on Substance Abuse
7430 N Tamiami Trail
Sarasota FL 34243
Phone: 941-376-4878

Bauer, Public Policy Liaison, Matt (General Public) - Waive In Support
Manatee County Substance Abuse Coalition
7430 N Tamiami Trail
Sarasota FL 34243
Phone: 941-350-9224

Littlejohn, Chuck (Lobbyist) - Waive In Support
Large landowner interests
310 West College Avenue
Tallahassee Florida 32301
Phone: 850-228-7203

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Location: 404 HOB

CS/HB 5 : Open Parties (continued)

Appearances: (continued)

Pitts, Brian (General Public) - Proponent

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Tuesday, February 05, 2013 11:28:26AM



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	_____	

*Favorable
2.5.13*

Committee/Subcommittee hearing bill: Judiciary Committee

Representative Pilon offered the following:

Amendment (with title amendment)

Remove lines 36-47 and insert:

not allow grant permission for an open ~~house~~ party to take place at the property residence ~~if any alcoholic beverage or drug is possessed or consumed at the residence by any minor~~ where the person knows that an alcoholic beverage or drug will be or is in the possession of or will be or is being consumed by a minor at the open party residence and where the person fails to take reasonable steps to prevent the possession or consumption of the alcoholic beverage or drug.

(3) ~~The provisions of~~ This section does shall not apply to the use of alcoholic beverages at legally protected religious observances or activities.

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Amendment No. 1

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

Remove lines 6-8 and insert:
residence; prohibiting a person from ~~allowing~~ granting
permission for an open party to take place; providing criminal
penalties; ~~revising an exemption;~~ conforming provisions;

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Location: 404 HOB

HB 15 : Protest Activities

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Heather Fitzenhagen	X				
Clay Ford			X		
Matt Gaetz	X				
Bill Hager	X				
Dave Kerner	X				
Charles McBurney	X				
Kionne McGhee	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
Total Yeas: 17					
		Total Nays: 0			

Appearances:

Prendergast, Executive Director, Mike (Lobbyist) (State Employee) - Waive In Support
 Florida Veteran's Department
 2105 Capitol
 Tallahassee FL 32399
 Phone: 850-487-1533

Pitts, Brian (General Public) - Opponent
 Justice-2-Jesus
 1119 Newton Ave. S.
 St. Petersburg FL 33705
 Phone: 727-897-9291

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COMMITTEE MEETING REPORT

Judiciary Committee

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Location: 404 HOB

HB 77 : Landlords and Tenants

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell		X			
Dwight Dudley	X				
Heather Fitzenhagen	X				
Clay Ford			X		
Matt Gaetz	X				
Bill Hager	X				
Dave Kerner		X			
Charles McBurney	X				
Kionne McGhee		X			
Larry Metz	X				
Jared Moskowitz		X			
Kathleen Passidomo	X				
Ray Pilon	X				
Kenneth Roberson	X				
Elaine Schwartz		X			
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
Total Yeas: 12		Total Nays: 5			

HB 77 Amendments

Amendment 538083

Adopted Without Objection

Amendment 826625

Adopted Without Objection

Appearances:

Mallette, Kelly (Lobbyist) - Information Only

Florida Apartment Association

1133 W Morse Blvd Ste 201

Winter Park FL 32789

Phone: (305)935-1866

Rosenberg, Arthur (Lobbyist) - Opponent

Florida Legal Services

3000 Biscayne Blvd

Miami FL 33137

Phone: 850-509-2085

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Location: 404 HOB

HB 77 : Landlords and Tenants (continued)

Appearances: (continued)

Vickers, Alice (Lobbyist) - Opponent
Florida Consumer Action Network
623 Beard Street
Tallahassee FL 32303
Phone: 850-556-3121

Pitts, Brian (General Public) - Waive In Support
Justice-2-Jesus
1119 Newton Ave. S.
St. Petersburg FL 33705
Phone: 727-897-9291

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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	_____	

*Favorable
2.5.13*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
2 Representative Roberson, K. offered the following:

Amendment (with title amendment)

5 Between lines 277 and 278, insert:

6 Section 7. Section 83.54, Florida Statutes, is amended to
7 read:

8 83.54 Enforcement of rights and duties; civil action;
9 criminal offenses.—Any right or duty declared in this part is
10 enforceable by civil action. The possibility of a civil action
11 shall not preclude prosecution for a criminal offense related
12 to the lease or leased property.

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

16 Remove line 21 and insert:
17 screens; amending s. 83.54, F.S.; providing that the creation of
18 a civil remedy does not preclude prosecution of a criminal
19 offense; amending s. 83.56, F.S.; revising procedures



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	_____	

*favorable
2.5.13*

1 Committee/Subcommittee hearing bill: Judiciary Committee

2 Representative Spano offered the following:

3

4 **Amendment**

5 Remove lines 252-256 and insert:

6 health codes, maintain the roofs, windows, ~~screens~~, doors,
7 floors, steps, porches, exterior walls, foundations, and all
8 other structural components in good repair and capable of
9 resisting normal forces and loads and the plumbing in reasonable
10 working condition. The landlord, at commencement of the tenancy,
11 must ensure that screens are installed in a reasonable
12 condition. The landlord must repair damage to screens once
13 annually thereafter, when necessary, until termination of the
14 rental agreement. However