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# Judiciary Committee

March 27, 2014

8:30 AM

404 HOB

Action Packet

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

### Summary:

#### Judiciary Committee

Thursday March 27, 2014 08:30 am

CS/CS/HB 111	Favorable	Yeas: 18	Nays: 0
CS/HB 139	Favorable	Yeas: 18	Nays: 0
CS/HB 203	Favorable With Committee Substitute Amendment 228221	Adopted Without Objection	Yeas: 16 Nays: 0
CS/HB 209	Favorable With Committee Substitute Amendment 567699	Adopted	Yeas: 17 Nays: 1 Yeas: 17 Nays: 1
HM 261	Favorable With Committee Substitute Amendment 934647	Adopted Without Objection	Yeas: 12 Nays: 3
CS/CS/HB 429	Favorable	Yeas: 15	Nays: 1
CS/HB 515	Favorable	Yeas: 15	Nays: 0
CS/HB 517	Favorable	Yeas: 15	Nays: 0
CS/CS/HB 641	Favorable With Committee Substitute Amendment 957283	Adopted Without Objection	Yeas: 17 Nays: 0
CS/CS/HB 643	Favorable	Yeas: 17	Nays: 0
CS/CS/HB 807	Favorable With Committee Substitute Amendment 785223	Adopted Without Objection	Yeas: 17 Nays: 0
	Amendment 923613	Adopted	Yeas: 16 Nays: 1
HB 841	Favorable	Yeas: 18	Nays: 0
CS/HB 849	Favorable With Committee Substitute Amendment 414609	Adopted Without Objection	Yeas: 18 Nays: 0
	Amendment 892359	Adopted Without Objection	
	Amendment 707223	Adopted Without Objection	
HB 1253	Favorable	Yeas: 17	Nays: 0
CS/HB 7055	Favorable With Committee Substitute Amendment 928531	Adopted Without Objection	Yeas: 17 Nays: 0
	Amendment 110563	Adopted Without Objection	

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (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		
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		
Daniel Raulerson	X		
Kenneth Roberson	X		
Elaine Schwartz	X		
Ross Spano	X		
Charlie Stone	X		
<b>Totals:</b>	<b>18</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/CS/HB 111 : Pub. Rec./Forensic Behavioral Health Evaluations**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 18</b>					
		<b>Total Nays: 0</b>			

**Appearances:**

CS/CS/HB 111

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

CS/CS/HB 111

Naf, Sarah (Lobbyist) (State Employee) - Waive In Support

Director, Office of Community

500 S Duval St

Tallahassee FL 32399

Phone: 850-922-5692

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM



# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/HB 139 : Athletic Coaches for Youth Athletic Teams**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daphne Campbell	X				
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 18</b>					
		<b>Total Nays: 0</b>			

**Appearances:**

CS/HB 139  
 Pitts, Brian - Waive In Support  
 Justice-2-Jesus  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/HB 203 : Unaccompanied Homeless Youth**

*Favorable With Committee Substitute*

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell			X		
Dwight Dudley	X				
Heather Fitzenhagen	X				
Matt Gaetz	X				
Bill Hager	X				
Dave Kerner	X				
Charles McBurney	X				
Klonne McGhee	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano			X		
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

### CS/HB 203 Amendments

#### Amendment 228221

*Adopted Without Objection*

### Appearances:

CS/HB 203

Pitts, Brian - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

CS/HB 203

Smith, Sylvia (Lobbyist) - Waive In Support

Disability Right Florida

2728 Centerview Blvd

Tallahassee FL 32301

Phone: 850-322-2258

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/HB 203 : Unaccompanied Homeless Youth (continued)**

**Appearances: (continued)**

CS/HB 203

Briggs, Edwards (Lobbyist) - Waive In Support

Suncoast Community Health Centers

235 W Brandon Blvd, Suite 640

Brandon FL 33511

Phone: 850-433-5994

CS/HB 203

McQuone, Michael (Lobbyist) - Waive In Support

Florida Conference of Catholic Bishops

201 W Park Ave

Tallahassee FL

Phone: 850-284-9130

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 203 (2014)

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	—	

*Adopted without  
objection  
3-27-14*

1 Committee/Subcommittee hearing bill: Judiciary Committee  
2 Representative Raulerson offered the following:

3  
4  
5  
6  
7  
8

**Amendment**

Remove line 55 and insert:

(b) Notwithstanding s. 394.4625(1), consent to medical,  
dental, psychological, substance



## COMMITTEE MEETING REPORT

### Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/HB 209 : Carrying Concealed Weapon or Concealed Firearm**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 1</b>			

### CS/HB 209 Amendments

#### Amendment 567699

Adopted

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/HB 209 : Carrying Concealed Weapon or Concealed Firearm (continued)**

### Amendment 567699

*Adopted*

Dennis Baxley (Chair)	X
<b>Total Yeas: 17      Total Nays: 1</b>	

### Appearances:

CS/HB 209 Amendment 567699

Friday, Eric (Lobbyist) (General Public) - Proponent

Florida Carry, Inc

541 E. Monroe St.

Jacksonville FL

Phone: 904)353-7733

CS/HB 209 Amendment 567699

Bustle, Electra (Lobbyist) - Opponent

Florida Sheriffs Association

2617 Mahan Dr

Tallahassee FL 32308

Phone: 850)671-4401

CS/HB 209

Tyre, Major General, Don (State Employee) - Information Only

Assistant Adjutant General, Department of Military Affairs

400 S Monroe St

Tallahassee FL 32399

Phone: 850-414-9049

CS/HB 209

Friday, Eric (General Public) - Proponent

Florida Carry

541 E Monroe St

Jacksonville FL 32202

Phone: 904-553-2264

CS/HB 209

Bustle, Electra (Lobbyist) - Opponent

Florida Sheriffs Association

2617 Mahan Dr

Tallahassee FL 32308

Phone: 850)671-4401

CS/HB 209

Pitts, Brian - Proponent

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM

# COMMITTEE MEETING REPORT

Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/HB 209 : Carrying Concealed Weapon or Concealed Firearm (continued)**

**Appearances: (continued)**

CS/HB 209

Hammer, Marion (Lobbyist) - Proponent

NRA and Unified Sportsmen of Florida

P.O Box 1387

Tallahassee FL 32302

Phone: 850-222-9518

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM



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	—	

*Adopted  
3.27.14*

1 Committee/Subcommittee hearing bill: Judiciary Committee  
 2 Representative Fitzenhagen offered the following:

**Amendment**

5 Remove everything after the enacting clause and insert:

6 Section 1. Section 790.01, Florida Statutes, is amended to  
 7 read:

8 790.01 Unlicensed Carrying of concealed weapons or  
 9 concealed firearms.—

10 (1) Except as provided in subsection (3) ~~(4)~~, a person who  
 11 is not licensed under s. 790.06 and who carries a concealed  
 12 weapon or electric weapon or device on or about his or her  
 13 person commits a misdemeanor of the first degree, punishable as  
 14 provided in s. 775.082 or s. 775.083.

15 (2) Except as provided in subsection (3), A person who is  
 16 not licensed under s. 790.06 and who carries a concealed firearm  
 17 on or about his or her person commits a felony of the third





Amendment No. 1

18 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
19 775.084.

20 (3) This section does not apply to: ~~a person licensed to~~  
21 ~~carry a concealed weapon or a concealed firearm pursuant to the~~  
22 ~~provisions of s. 790.06.~~

23 (a) A person who carries a concealed weapon, or a person  
24 who may lawfully possess a firearm and who carries a concealed  
25 firearm, on or about his or her person while in the act of  
26 complying with a mandatory evacuation order issued during a  
27 state of emergency declared by the Governor pursuant to chapter  
28 252 or declared by a local authority pursuant to chapter 870.

29 ~~(b)(4) It is not a violation of this section for a person~~  
30 ~~who carries to carry~~ for purposes of lawful self-defense, in a  
31 concealed manner:

32 ~~1.(a)~~ A self-defense chemical spray.

33 ~~2.(b)~~ A nonlethal stun gun or dart-firing stun gun or  
34 other nonlethal electric weapon or device that is designed  
35 solely for defensive purposes.

36 ~~(4)(5)~~ This section does not preclude any prosecution for  
37 the use of an electric weapon or device, a dart-firing stun gun,  
38 or a self-defense chemical spray during the commission of any  
39 criminal offense under s. 790.07, s. 790.10, s. 790.23, or s.  
40 790.235, or for any other criminal offense.

41 Section 2. This act shall take effect July 1, 2014.

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**HM 261 : Constitutional Convention/Single-Subject Requirement for Federal Legislation**

*Favorable With Committee Substitute*

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell			X		
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz		X			
Ross Spano			X		
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 12</b>					
<b>Total Nays: 3</b>					

**HM 261 Amendments**

**Amendment 934647**

*Adopted Without Objection*

**Appearances:**

HM 261

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

HM 261

Webb, Spider (General Public) - Waive In Support

CEO and Founder, Single Subject Amendment

267 John Knox Rd

Tallahassee FL 32303

Phone: 850-694-2607

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM



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	—	

*Adopted without  
objection  
3-27-14*

1 Committee/Subcommittee hearing bill: Judiciary Committee  
2 Representative Beshears offered the following:

4 **Amendment (with title amendment)**

5 Remove everything after the resolving clause and insert:

6 (1) That the Legislature of the State of Florida, with all  
7 due respect, does hereby make application to the Congress of the  
8 United States pursuant to Article V of the United States  
9 Constitution to call a convention for the sole purpose of  
10 proposing an amendment to the Constitution of the United States  
11 to provide that Congress shall pass no bill, and no bill shall  
12 become law, which embraces more than one subject, that subject  
13 to be clearly expressed in the bill's title.

14 (2) That this memorial is revoked and withdrawn,  
15 nullified, and superseded to the same effect as if it had never  
16 been passed, and be retroactive to the date of passage, if it is  
17 used for the purpose of calling a convention or used in support





Amendment No. 1

18 of conducting a convention to amend the Constitution of the  
19 United States for any purpose other than requiring that every  
20 law enacted by Congress embrace only one subject, which shall be  
21 clearly expressed in the title.

22 (3) That this application constitutes a continuing  
23 application in accordance with Article V of the United States  
24 Constitution until the legislatures of at least two-thirds of  
25 the states have made applications on the same subject.

26 BE IT FURTHER RESOLVED that copies of this memorial be  
27 dispatched to the President of the United States, to the  
28 President of the United States Senate, to the Speaker of the  
29 United States House of Representatives, and to each member of  
30 the Florida delegation to the United States Congress.

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35

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

36 Remove everything before the resolving clause and insert:

37 A memorial to the Congress of the United States, applying to  
38 Congress to call a convention for the purpose of proposing an  
39 amendment to the Constitution of the United States to provide  
40 that every law enacted by Congress shall embrace only one  
41 subject, which shall be clearly expressed in its title.

42





Amendment No. 1

43 WHEREAS, each measure before a legislative body should pass  
44 on its own merits without depending on legislative support for  
45 other unrelated measures to achieve the required number of votes  
46 for passage, and

47 WHEREAS, a single-subject constitutional provision  
48 addresses this concern by prohibiting a legislative body from  
49 enacting a law that embraces more than one subject, and

50 WHEREAS, 41 of the 50 states, including Florida, have a  
51 single-subject provision in their respective state  
52 constitutions, and the legislatures and citizens of these states  
53 have benefited from a single-subject requirement, and

54 WHEREAS, the Constitution of the United States is the  
55 supreme law of the United States of America, touching the lives  
56 of every citizen in the several states, but is missing this  
57 important provision, and

58 WHEREAS, our great country is deep in debt and Congress is  
59 currently searching for a solution, and

60 WHEREAS, a federal single-subject amendment would provide  
61 the means to limit pork barrel spending, control the phenomenon  
62 of legislating through riders, limit omnibus legislation  
63 produced by logrolling, prevent public surprise, and increase  
64 the institutional accountability of Congress and its members,  
65 and

66 WHEREAS, it is Florida's hope and desire that Congress will  
67 be able to conduct its business in a more productive, efficient,



Amendment No. 1

68 transparent, and less acrimonious way with a single-subject  
69 requirement, and

70 WHEREAS, Article V of the United States Constitution makes  
71 provision for amending the Constitution on the application of  
72 the legislatures of two-thirds of the several states, calling a  
73 convention for proposing amendments that shall be valid to all  
74 intents and purposes if ratified by the legislatures of three-  
75 fourths of the several states or by conventions in three-fourths  
76 thereof, as the one or the other mode of ratification may be  
77 proposed by Congress, NOW, THEREFORE,

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 429 : Hearsay

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell			X		
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano			X		
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 15</b>		<b>Total Nays: 1</b>			

### Appearances:

CS/CS/HB 429

Trammell, Robert (Lobbyist) (State Employee) - Opponent

Florida Public Defender Association, Inc.

103 North Gadsden Street

Tallahassee Florida 32301

Phone: 850-488-6850

CS/CS/HB 429

Jacobs, Buddy (Lobbyist) - Proponent

General Counsel FL Prosecuting Attorneys Association

961687 Gateway Blvd.

Fernerdina Beach FL 32034

Phone: 904-261-3693

CS/CS/HB 429

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/HB 515 : Public Assistance Fraud**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley				X	
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz			X		
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 15</b>		<b>Total Nays: 0</b>			



# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

Location: Sumner Hall (404 HOB)

CS/HB 517 : Fraudulent Controlled Substance Prescriptions

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley				X	
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz			X		
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 15</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/CS/HB 641 : Computer Crimes**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### CS/CS/HB 641 Amendments

#### Amendment 957283

Adopted Without Objection

#### Appearances:

CS/CS/HB 641

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM



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	—	

*Adopted without  
objection  
3-27-14*

1 Committee/Subcommittee hearing bill: Judiciary Committee  
2 Representative La Rosa offered the following:

**Amendment (with title amendment)**

Remove lines 91-317 and insert:

transmit data; or in some other fashion usurp or interfere with  
the normal operation of the computer, computer system, or  
computer network.

(4) "Computer network" means a system that provides a  
medium for communication between one or more computer systems or  
electronic devices, including communication with an input or  
output device such as a display terminal, printer, or other  
electronic equipment that is connected to the computer systems  
or electronic devices by physical or wireless telecommunication  
facilities ~~any system that provides communications between one~~  
~~or more computer systems and its input or output devices,~~  
~~including, but not limited to, display terminals and printers~~





Amendment No. 1

18 ~~that are connected by telecommunication facilities.~~

19 (5) "Computer program or computer software" means a set of  
20 instructions or statements and related data which, when executed  
21 in actual or modified form, cause a computer, computer system,  
22 or computer network to perform specified functions.

23 (6) "Computer services" include, but are not limited to,  
24 computer time; data processing or storage functions; or other  
25 uses of a computer, computer system, or computer network.

26 (7) "Computer system" means a device or collection of  
27 devices, including support devices, one or more of which contain  
28 computer programs, electronic instructions, or input data and  
29 output data, and which perform functions, including, but not  
30 limited to, logic, arithmetic, data storage, retrieval,  
31 communication, or control. The term does not include calculators  
32 that are not programmable and that are not capable of being used  
33 in conjunction with external files.

34 (8) "Data" means a representation of information,  
35 knowledge, facts, concepts, computer software, computer  
36 programs, or instructions. Data may be in any form, in storage  
37 media or stored in the memory of the computer, or in transit or  
38 presented on a display device.

39 (9) "Electronic device" means a device or a portion of a  
40 device that is designed for and capable of communicating across  
41 a computer network with other computers or devices for the  
42 purpose of transmitting, receiving, or storing data, including,  
43 but not limited to, a cellular telephone, tablet, or other





Amendment No. 1

44 portable device designed for and capable of communicating with  
45 or across a computer network and that is actually used for such  
46 purpose.

47 (10)~~(9)~~ "Financial instrument" means any check, draft,  
48 money order, certificate of deposit, letter of credit, bill of  
49 exchange, credit card, or marketable security.

50 (11)~~(10)~~ "Intellectual property" means data, including  
51 programs.

52 (12)~~(11)~~ "Property" means anything of value as defined in  
53 s. 812.012 and includes, but is not limited to, financial  
54 instruments, information, including electronically produced data  
55 and computer software and programs in ~~either~~ machine-readable or  
56 human-readable form, and any other tangible or intangible item  
57 of value.

58 Section 4. Section 815.04, Florida Statutes, is amended to  
59 read:

60 815.04 Offenses against intellectual property; public  
61 records exemption.-

62 (1) A person who ~~Whoever~~ willfully, knowingly, and without  
63 authorization introduces a computer contaminant or modifies or  
64 renders unavailable data, programs, or supporting documentation  
65 residing or existing internal or external to a computer,  
66 computer system, ~~or~~ computer network, or electronic device  
67 commits an offense against intellectual property.

68 (2) A person who ~~Whoever~~ willfully, knowingly, and without  
69 authorization destroys data, programs, or supporting



Amendment No. 1

70 documentation residing or existing internal or external to a  
71 computer, computer system, ~~or~~ computer network, or electronic  
72 device commits an offense against intellectual property.

73 (3)~~(a)~~ Data, programs, or supporting documentation which  
74 is a trade secret as defined in s. 812.081 which resides or  
75 exists internal or external to a computer, computer system, or  
76 computer network which is held by an agency as defined in  
77 chapter 119 is confidential and exempt from the provisions of s.  
78 119.07(1) and s. 24(a), Art. I of the State Constitution.

79 (4)(b) A person who ~~Whoever~~ willfully, knowingly, and  
80 without authorization discloses or takes data, programs, or  
81 supporting documentation that ~~which~~ is a trade secret as defined  
82 in s. 812.081 or is confidential as provided by law residing or  
83 existing internal or external to a computer, computer system, ~~or~~  
84 computer network, or electronic device commits an offense  
85 against intellectual property.

86 (5)(4)(a) Except as otherwise provided in this subsection,  
87 an offense against intellectual property is a felony of the  
88 third degree, punishable as provided in s. 775.082, s. 775.083,  
89 or s. 775.084.

90 (b) If the offense is committed for the purpose of  
91 devising or executing any scheme or artifice to defraud or to  
92 obtain any property, then the person commits ~~offender is guilty~~  
93 ~~of~~ a felony of the second degree, punishable as provided in s.  
94 775.082, s. 775.083, or s. 775.084.

95 Section 5. Section 815.06, Florida Statutes, is amended to





Amendment No. 1

96 read:

97 815.06 Offenses against ~~computer~~ users of computers,  
98 computer systems, computer networks and electronic devices.—

99 (1) As used in this section, the term "user" means a person  
100 with the authority to operate or maintain a computer, computer  
101 system, computer network, or electronic device.

102 (2) A person commits an offense against users of  
103 computers, computer systems, computer networks or electronic  
104 devices if he or she ~~Whoever~~ willfully, knowingly, and without  
105 authorization:

106 (a) Accesses or causes to be accessed any computer,  
107 computer system, ~~or~~ computer network, or electronic device with  
108 knowledge that such access is unauthorized;

109 (b) Disrupts or denies or causes the denial of the ability  
110 to transmit data ~~computer system services~~ to or from an  
111 authorized user of ~~a such~~ computer, computer system, computer  
112 network or electronic device ~~services~~, which, in whole or in  
113 part, is owned by, under contract to, or operated for, on behalf  
114 of, or in conjunction with another;

115 (c) Destroys, takes, injures, or damages equipment or  
116 supplies used or intended to be used in a computer, computer  
117 system, ~~or~~ computer network, or electronic device;

118 (d) Destroys, injures, or damages any computer, computer  
119 system, ~~or~~ computer network, or electronic device; ~~or~~

120 (e) Introduces any computer contaminant into any computer,  
121 computer system, ~~or~~ computer network, or electronic device; or



Amendment No. 1

122 (f) Engages in audio or video surveillance of an  
123 individual by accessing any inherent feature or component of a  
124 computer, computer system, computer network, or electronic  
125 device, including accessing the data or information of a  
126 computer, computer system, computer network, or electronic  
127 device that is stored by a third party  
128 ~~commits an offense against computer users.~~

129 (3)-(2)(a) Except as provided in paragraphs (b) and (c), a  
130 person who ~~whoever~~ violates subsection (2) (1) commits a felony  
131 of the third degree, punishable as provided in s. 775.082, s.  
132 775.083, or s. 775.084.

133 (b) A person commits a felony of the second degree,  
134 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
135 if he or she ~~Whoever~~ violates subsection (2) (1) and:

136 1. Damages a computer, computer equipment or supplies,  
137 ~~computer supplies,~~ a computer system, or a computer network, and  
138 ~~the monetary damage or loss incurred as a result of the~~  
139 ~~violation is at least \$5,000 or greater;~~

140 2. Commits the offense for the purpose of devising or  
141 executing any scheme or artifice to defraud or obtain property;  
142 ~~or~~

143 3. Interrupts or impairs a governmental operation or  
144 public communication, transportation, or supply of water, gas,  
145 or other public service; or

146 4. Intentionally interrupts the transmittal of data to or  
147 from, or gains unauthorized access to, a computer, computer





Amendment No. 1

148 system, computer network, or electronic device belonging to any  
149 mode of public or private transit, as defined in s. 341.031,

150  
151 ~~commits a felony of the second degree, punishable as provided in~~  
152 ~~s. 775.082, s. 775.083, or s. 775.084.~~

153 (c) A person who ~~Whoever~~ violates subsection (2) ~~(1)~~ and  
154 ~~the violation endangers human life~~ commits a felony of the first  
155 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
156 775.084, if the violation:

157 1. Endangers human life; or

158 2. Disrupts a computer, computer system, computer network,  
159 or electronic device that affects medical equipment used in the  
160 direct administration of medical care or treatment to a person.

161 ~~(4)(3)~~ A person who ~~Whoever~~ willfully, knowingly, and  
162 without authorization modifies equipment or supplies used or  
163 intended to be used in a computer, computer system, ~~or~~ computer  
164 network, or electronic device commits a misdemeanor of the first  
165 degree, punishable as provided in s. 775.082 or s. 775.083.

166 ~~(5)(4)~~(a) In addition to any other civil remedy available,  
167 the owner or lessee of the computer, computer system, computer  
168 network, computer program, computer equipment or supplies,  
169 electronic device, ~~computer supplies,~~ or computer data may bring  
170 a civil action against a any person convicted under this section  
171 for compensatory damages.

172 (b) In an any action brought under this subsection, the  
173 court may award reasonable attorney ~~attorney's~~ fees to the



Amendment No. 1

174 prevailing party.

175 ~~(6)~~<sup>(5)</sup> A Any computer, computer system, computer network,  
176 computer software, or computer data, or electronic device owned  
177 by a defendant that which is used during the commission of a any  
178 violation of this section or a any computer or electronic device  
179 owned by the defendant that which is used as a repository for  
180 the storage of software or data obtained in violation of this  
181 section is subject to forfeiture as provided under ss. 932.701-  
182 932.704.

183 ~~(7)~~<sup>(6)</sup> This section does not apply to a any person who:

184 (a) Accesses his or her employer's computer system,  
185 computer network, computer program, or computer data, or  
186 electronic device when acting within the scope of his or her  
187 lawful employment; or

188 (b) Has acted pursuant to a search warrant or to an  
189 exception to a search warrant authorized by law, or when acting  
190 within the scope of his or her lawful employment, or authorized  
191 security operations of a government or business.

192 ~~(8)~~<sup>(7)</sup> For purposes of bringing a civil or criminal action  
193 under this section, a person who causes, by any means, the  
194 access to a computer, computer system, or computer network, or  
195 electronic device in one jurisdiction from another jurisdiction  
196 is deemed to have personally accessed the computer, computer  
197 system, or computer network, or electronic device in both  
198 jurisdictions.

199 (9) This chapter does not impose liability on a provider





Amendment No. 1

200 of an interactive computer service as defined in 47 U.S.C.  
201 230(f), information service as defined in 47 U.S.C. 153, or  
202 communications service as defined in s. 202.11 that provides the  
203 transmission, storage, or caching of electronic communications  
204 or messages of others; other related telecommunications or  
205 commercial mobile radio service; or content provided by another  
206 person.

207 Section 6. Section 815.061, Florida Statutes, is created  
208 to read:

209 815.061 Offenses against public utilities.-

210 (1) As used in this section, the term "public utility"  
211 includes:

212 (a) A public utility or electric utility as defined in s.  
213 366.02.

214 (b) A utility as defined in s. 367.021.

215 (c) A natural gas transmission company as defined in s.  
216 368.103.

217 (d) A person, corporation, partnership, association,  
218 public agency, municipality, cooperative, gas district, or other  
219 legal entity and their lessees, trustees, or receivers, now or  
220 hereafter owning, operating, managing, or controlling gas  
221 transmission or distribution facilities or any other facility  
222 supplying or storing natural or manufactured gas or liquefied  
223 gas with air admixture or any similar gaseous substances by  
224 pipeline to or for the public within this state.

225 (e) A separate legal entity created under s. 163.01 and



Amendment No. 1

226 composed of any of the entities described in this subsection for  
227 the purpose of providing utility services in this state,  
228 including wholesale power and electric transmission services.

229 (2) A person may not willfully, knowingly, and without  
230 authorization:

231 (a) Gain access to a computer, computer system, computer  
232 network, or electronic device owned, operated, or used by a  
233 public utility while knowing that such access is unauthorized.

234 (b) Physically tamper with, insert a computer contaminant  
235 into, or

236

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

241

Remove lines 8-30 and insert:

242

authorization introduces a computer contaminant or modifies or

243

renders data unavailable or destroys data, programs, or

244

supporting documentation residing or existing internal or

245

external to an electronic device commits an offense against

246

intellectual property; providing that a person who willfully,

247

knowingly, and without authorization discloses or takes data,

248

programs, or supporting documentation that is a trade secret or

249

is confidential as provided by law residing or existing internal

250

or external to an electronic device commits an offense against

251

intellectual property; providing criminal penalties; amending s.





Amendment No. 1

252 815.06, F.S.; defining the term "user"; providing that a person  
253 who willfully, knowingly, and without authorization accesses an  
254 electronic device, disrupts the ability to transmit data to or  
255 from a user of computer network services, damages an electronic  
256 device or equipment or supplies used by an electronic device,  
257 introduces a computer contaminant into an electronic device, or  
258 engages in the audio or video surveillance of an individual  
259 without the individual's knowledge by accessing a computer,  
260 computer system, computer network, or electronic device commits  
261 an offense against the users of computers, computer services,  
262 computer networks and electronic  
263

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/CS/HB 643 : Pub. Rec./Trade Secrets/Computers**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### Appearances:

CS/CS/HB 643

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

## COMMITTEE MEETING REPORT

### Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/CS/HB 807 : Residential Properties**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell				X	
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 17</b>					
		<b>Total Nays: 0</b>			

#### CS/CS/HB 807 Amendments

##### Amendment 785223

Adopted Without Objection

##### Amendment 923613

Adopted

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/CS/HB 807 : Residential Properties (continued)**

### Amendment 923613

Adopted

Kenneth Roberson	X	
Elaine Schwartz		X
Ross Spano	X	
Charlie Stone	X	
Dennis Baxley (Chair)	X	
<b>Total Yeas: 16</b>		<b>Total Nays: 1</b>

### Appearances:

CS/CS/HB 807

Goin, Yeline (Lobbyist) - Waive In Support  
Community Associates Leadership Lobby  
204 S Monroe Street, Suite 203  
Tallahassee FL 32301  
Phone: 850-284-2460

CS/CS/HB 807

Thames, Justin (Lobbyist) - Opponent  
Florida Institute of Certified Public Accountants  
325 W College Ave  
Tallahassee FL 32301  
Phone: 850)224-2727

CS/CS/HB 807

Moore, Travis (Lobbyist) - Proponent  
Community Associations Institute  
P O Box 781  
Largo FL  
Phone: 727-421-6902

CS/CS/HB 807

Vickers, Alice (Lobbyist) - Opponent  
Florida Alliance for Consumer Protection  
623 Beard St  
Tallahassee FL 32303  
Phone: 850-556-3121

CS/CS/HB 807

Cannbel, J C (Lobbyist) - Waive In Support  
Community Action Network  
108 E Jefferson St  
Tallahassee FL 32301  
Phone: 954-624-2114

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM



# COMMITTEE MEETING REPORT

Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/CS/HB 807 : Residential Properties (continued)**

**Appearances: (continued)**

CS/CS/HB 807

Dunbar, Pete (Lobbyist) - Waive In Support

Real Property Section of the Florida Bar

215 S Monroe Street, Suite 815

Tallahassee FL 32301

Phone: 850-999-4100

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 807 (2014)

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	—	

*Adopted without  
objection  
3.27.14*

1 Committee/Subcommittee hearing bill: Judiciary Committee  
 2 Representative Moraitis offered the following:

3  
4  
5  
6  
7

**Amendment**

Remove line 120 and insert:  
cooperative, or timeshare plan and any individually or



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	—	

*Adopted  
3.27.14*

1 Committee/Subcommittee hearing bill: Judiciary Committee  
 2 Representative Wood offered the following:

3  
4  
5  
6  
7  
8  
9

**Amendment (with title amendment)**

Between lines 654 and 655, insert:

6 Section 10. Section 718.50151, Florida Statutes, is  
7 repealed.

10  
11  
12

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

14  
15  
16  
17

Remove line 45 and insert:

the board from voting via e-mail; repealing s. 718.50151, F.S.,  
relating to Community Association Living Study Council and  
membership functions; amending s. 718.707,



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 807 (2014)

Amendment No. 2

18



# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**HB 841 : Crime Stoppers Trust Fund**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daphne Campbell	X				
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
	<b>Total Yeas: 18</b>	<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/HB 849 : Service Animals**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 18</b>		<b>Total Nays: 0</b>			

### CS/HB 849 Amendments

#### Amendment 414609

Adopted Without Objection

#### Amendment 892359

Adopted Without Objection

#### Amendment 707223

Adopted Without Objection

### Appearances:

CS/HB 849

Cannbel, J C (Lobbyist) - Waive In Support

Community Action Network

108 E Jefferson St

Tallahassee FL 32301

Phone: 954-624-2114

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM

## COMMITTEE MEETING REPORT

### Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/HB 849 : Service Animals (continued)**

**Appearances: (continued)**

CS/HB 849

Hooper, Margaret (Lobbyist) - Waive In Support  
Public Policy Coordinator, Florida Developmental Disabilities Council  
4279 Four Oaks Blvd  
Tallahassee FL 32301  
Phone: 850-921-7263

CS/HB 849

Goin, Yeline (Lobbyist) - Opponent  
Community Associates Leadership Lobby  
204 S Monroe Street, Suite 203  
Tallahassee FL 32301  
Phone: 850-284-2460

CS/HB 849

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

CS/HB 849

Smith, Sylvia (Lobbyist) - Proponent  
Disability Rights Florida  
2728 Centerview Dr Ste 102  
Tallahassee FL 32301  
Phone: 850)488-9071



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 849 (2014)

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	—	

*Adopted without  
objection  
3-27-14*

1 Committee/Subcommittee hearing bill: Judiciary Committee

2 Representative Smith offered the following:

3

4 **Amendment**

5 Remove line 31 and insert:

6 have a disability-related need for such support and that

7





COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 849 (2014)

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	—	

*Adopted without  
objection  
3-27-14*

1 Committee/Subcommittee hearing bill: Judiciary Committee

2 Representative Smith offered the following:

3  
4  
5  
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**Amendment**

Remove line 91 and insert:

other special tasks. A service animal is not a pet. For purposes of subsections (2), (3), and (4), a service animal is limited to a dog or miniature horse. The crime-



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	—	

*Adopted without  
objection  
3-27-14*

1 Committee/Subcommittee hearing bill: Judiciary Committee  
2 Representative Smith offered the following:

3

4 **Amendment (with title amendment)**

5 Remove lines 160-222 and insert:

6 discretion of the court, to be completed in not more than six  
7 months.

8 (5) It is the policy of this state that an individual with  
9 a disability be employed in the service of the state or  
10 political subdivisions of the state, in the public schools, and  
11 in all other employment supported in whole or in part by public  
12 funds, and an employer may not refuse employment to such a  
13 person on the basis of the disability alone, unless it is shown  
14 that the particular disability prevents the satisfactory  
15 performance of the work involved.

16 (6) An individual with a disability is entitled to rent,  
17 lease, or purchase, as other members of the general public, any



Amendment No. 3

18 housing accommodations offered for rent, lease, or other  
19 compensation in this state, subject to the conditions and  
20 limitations established by law and applicable alike to all  
21 persons.

22 (a) This section does not require any person renting,  
23 leasing, or otherwise providing real property for compensation  
24 to modify her or his property in any way or provide a higher  
25 degree of care for an individual with a disability than for a  
26 person who is not disabled.

27 (b) An individual with a disability who has a service  
28 animal or an emotional support animal or who obtains a service  
29 animal or an emotional support animal is entitled to full and  
30 equal access to all housing accommodations provided for in this  
31 section, and such a person may not be required to pay extra  
32 compensation for such ~~the service~~ animal. However, such a person  
33 is liable for any damage done to the premises or to another  
34 person on the premises by the ~~such an~~ animal. A housing  
35 accommodation may request proof of compliance with vaccination  
36 requirements.

37 (c) Except when the disability and the need for the  
38 service or emotional support animal is readily apparent, such as  
39 when it is observed guiding, pulling, or providing physical  
40 assistance to an individual who is blind, has low vision, uses a  
41 wheelchair, or needs the animal for stability, a housing  
42 accommodation may request medical documentation that an  
43 individual with a disability has a qualifying disability and how





Amendment No. 3

44 the service or emotional support animal benefits the individual  
45 with a disability.

46 (7) An employer covered under subsection (5) who  
47 discriminates against an individual with a disability in  
48 employment, unless it is shown that the particular disability  
49 prevents the satisfactory performance of the work involved, or  
50 any person, firm, or corporation, or the agent of any person,  
51 firm, or corporation, providing housing accommodations as  
52 provided in subsection (6) who discriminates against an  
53 individual with a disability, commits a misdemeanor of the  
54 second degree, punishable as provided in s. 775.082 or s.  
55 775.083.

56 (8) Any trainer of a service animal, while engaged in the  
57 training of such an animal, has the same rights and privileges  
58 with respect to access to public facilities and the same  
59 liability for damage as is provided for those persons described  
60 in subsection (3) accompanied by service animals.

61 (9) A person who knowingly and willfully misrepresents  
62 herself or himself, through conduct or verbal or written notice,  
63 as using a service animal and being qualified to use a service  
64 animal or as a trainer of a service animal commits a misdemeanor  
65 of the second degree, punishable as provided in s. 775.082 or s.  
66 775.083 and must perform 30 hours of community service for an  
67 organization that serves individuals with disabilities, or for  
68 another entity or organization at the discretion of the court,  
69 to be completed in not more than six months.





Amendment No. 3

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

Remove line 14 and insert:  
conditions under which a housing accommodation may request

## COMMITTEE MEETING REPORT

### Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**HB 1253 : Use of Wireless Communications Devices while Operating a Motor Vehicle**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 17</b>					
		<b>Total Nays: 0</b>			

**Appearances:**

HB 1253

Cervone, Bill (State Employee) - Waive In Support  
 State Attorney, Florida Prosecuting Attorneys Association  
 120 West University Avenue  
 Gainesville FL 32601  
 Phone: (352) 374-3686

HB 1253

MacFarland, Karen (Lobbyist) - Waive In Support  
 Government Affairs Consultant, AAA - Auto Club South  
 309 Oaks Will Ct  
 Tallahassee FL 32312  
 Phone: 850-766-1026

HB 1253

Pitts, Brian - Information Only  
 Justice-2-Jesus  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/HB 7055 : Juvenile Justice**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell				X	
Dwight Dudley	X				
Heather Fitzenhagen	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				
Daniel Raulerson	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
Ross Spano	X				
Charlie Stone	X				
Dennis Baxley (Chair)	X				
<b>Total Yeas: 17</b>					
<b>Total Nays: 0</b>					

**CS/HB 7055 Amendments**

**Amendment 928531**

Adopted Without Objection

**Amendment 110563**

Adopted Without Objection

**Appearances:**

CS/HB 7055 Amendment 110563  
 Trammell, Robert (Lobbyist) (General Public) - Waive In Support  
 Florida Public Defender Association, Inc.  
 103 North Gadsden Street  
 Tallahassee Florida  
 Phone: 850-488-6850

CS/HB 7055  
 Welty, Jason (Lobbyist) - Proponent  
 Department of Juvenile Justice  
 2737 Centerview Dr Ste 310  
 Tallahassee FL 32399-3100  
 Phone: (850)921-3097

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM



# COMMITTEE MEETING REPORT

## Judiciary Committee

3/27/2014 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**CS/HB 7055 : Juvenile Justice (continued)**

**Appearances: (continued)**

CS/HB 7055

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

CS/HB 7055

Cervone, Bill (State Employee) - Waive In Support

State Attorney, Florida Prosecuting Attorneys Association

120 West University Avenue

Gainesville FL 32601

Phone: (352) 374-3686

CS/HB 7055

Trammell, Robert (Lobbyist) - Proponent

Florida Public Defender Association

103 N Gadsden St

Tallahassee FL 32301

Phone: 850-488-6850

Committee meeting was reported out: Thursday, March 27, 2014 1:44:03PM



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7055 (2014)

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	—	

*Adopted without  
objection  
3-27-14*

1 Committee/Subcommittee hearing bill: Judiciary Committee  
 2 Representative Pilon offered the following:

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**Amendment**

Remove line 241 and insert:

to residential programs, unless the court deems such placement  
appropriate.



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	—	

*Adopted without  
objection  
3-27-14*

1 Committee/Subcommittee hearing bill: Judiciary Committee  
2 Representative Pilon offered the following:

**Amendment**

Remove lines 1803-1813 and insert:

(a) Respite care for the child is not available.

(b) It is necessary to place the child in secure detention  
in order to protect the victim from injury.

The child may not be held in secure detention under this  
subsection for more than 48 hours unless ordered by the court.  
After 48 hours, the court shall hold a hearing if the state  
attorney or victim requests that secure detention be continued.  
The child may continue to be held in detention care if the court  
makes a specific, written finding that detention care is  
necessary to protect the