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# Judiciary Committee

**March 3, 2014**

**12:30 PM**

**404 HOB**

**Action Packet**

**Will Weatherford**  
Speaker

**Dennis Baxley**  
Chair

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

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

### Summary:

#### Judiciary Committee

Monday March 03, 2014 12:30 pm

CS/HB 53	Favorable With Committee Substitute	Yeas: 16	Nays: 0
	Amendment 220715 Adopted Without Objection		
CS/HB 59	Favorable	Yeas: 13	Nays: 3
HB 97	Favorable	Yeas: 16	Nays: 0
CS/HB 99	Favorable	Yeas: 16	Nays: 0
HB 627	Favorable	Yeas: 16	Nays: 0
PCS for HB 7019	Favorable With Amendments	Yeas: 15	Nays: 0
	Amendment PCS for HB 7019 a1 Adopted Without Objection		
	Amendment PCS for HB 7019 a2 Adopted Without Objection		
	Amendment PCS for HB 7019 a3 Adopted Without Objection		
	Amendment PCS for HB 7019 a4 Adopted Without Objection		
PCS for CS/HB 7021	Favorable With Amendments	Yeas: 14	Nays: 0
	Amendment PCS for CSHB 7021 a1 Adopted Without Objection		
PCS for CS/HB 7025	Favorable	Yeas: 15	Nays: 0
PCS for HB 7027	Favorable With Amendments	Yeas: 15	Nays: 0
	Amendment PCS for HB 7027 a1 Adopted Without Objection		
	Amendment PCS for HB 7027 a2 Adopted Without Objection		
	Amendment PCS for HB 7027 a3 Adopted Without Objection		

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

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>16</b>	<b>0</b>	<b>2</b>

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

Location: Sumner Hall (404 HOB)

### CS/HB 53 : Inmate Reentry

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: 16</b>		<b>Total Nays: 0</b>			

### CS/HB 53 Amendments

#### Amendment 220715

Adopted Without Objection

### Appearances:

CS/HB 53

Daniels, Nancy (State Employee) (General Public) - Waive In Support

Florida Public Defender Association, Inc.

301 South Monroe Street

Tallahassee Florida 32301

Phone: 850-606-1010

CS/HB 53

DeBeaugrine, Jim (Lobbyist) - Waive In Support

Bridges of America

215 S Monroe

Orlando FL 32808

Phone: 850)508-8908

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM

# COMMITTEE MEETING REPORT

Judiciary Committee

3/3/2014 12:30:00PM

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

**CS/HB 53 : Inmate Reentry (continued)**

**Appearances: (continued)**

CS/HB 53

Lenhart, Laura (Lobbyist) - Waive In Support  
Florida Chamber of Commerce  
136 S Bronough St  
Tallahassee FL 32301  
Phone: 850)521-1292

CS/HB 53

Bishop, Barney (Lobbyist) - Waive In Support  
Florida Smart Justice Alliance  
204 S Monroe St Ste 201  
Tallahassee FL 32301  
Phone: 850)907-3436

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM



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  
3-3-14*

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

3  
4 **Amendment (with title amendment)**

5 Remove lines 30-57 and insert:  
6 a valid state identification card. If the replacement state  
7 identification card issued is within six months of expiration,  
8 the department may also issue a temporary permit valid for at  
9 least six months after the release date.

10 Section 2. Subsection (4) is added to section 322.17,  
11 Florida Statutes, to read:

12 322.17 Replacement licenses and permits.—

13 (4) Notwithstanding any other provision of this section or  
14 s. 322.21, the department shall, if necessary, issue or renew a  
15 replacement driver license at no charge to an inmate if the  
16 department determines that he or she has a valid driver license.  
17 If the replacement driver license issued is within six months of



Amendment No. 1

18 expiration, the department may also issue a temporary permit  
19 valid for at least six months after the release date.

20 Section 3. Subsection (3) of section 382.0255, Florida  
21 Statutes, is amended to read:

22 382.0255 Fees.—

23 (3) Fees shall be established by rule. However, until  
24 rules are adopted, the fees assessed pursuant to this section  
25 shall be the minimum fees cited. The fees established by rule  
26 must be sufficient to meet the cost of providing the service.  
27 All fees shall be paid by the person requesting the record, are  
28 due and payable at the time services are requested, and are  
29 nonrefundable, except that, when a search is conducted and no  
30 vital record is found, any fees paid for additional certified  
31 copies shall be refunded. The department may waive all or part  
32 of the fees required under this section for any government  
33 entity. The department shall waive all fees required under this  
34 section for a certified copy of a birth certificate issued for  
35 purposes of an inmate acquiring a state identification card  
36 before release pursuant to s. 944.605(7).

37 Section 4. Subsection (7) is added to section 944.605,  
38 Florida Statutes, to read:

39 944.605 Inmate release; notification; identification  
40 card.—

41 (7) (a) The department, working in conjunction with the  
42 Department of Health and the Department of Highway Safety and  
43 Motor Vehicles, shall provide every Florida-born inmate with a



Amendment No. 1

44 certified copy of his or her birth certificate and a state  
45 identification card before the inmate's release upon expiration  
46 of his or her sentence. A replacement driver license shall be  
47 provided in lieu of a state identification card when an inmate  
48 has a valid state driver license issued by the Department of  
49 Highway Safety and Motor Vehicles which was lost, destroyed or  
50 stolen.

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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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cards issued to certain inmates; amending s. 322.17, F.S.;

57

waiving the fee for replacement driver licenses for certain

58

inmates; amending s. 382.0255,

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# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

Location: Sumner Hall (404 HOB)

CS/HB 59 : Offenses Against Unborn Children

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: 13</b>		<b>Total Nays: 3</b>			

### Appearances:

CS/HB 59

Lee, Remea (General Public) - Proponent  
16824 Livingston Ave.  
Lutz FL

CS/HB 59

Delgado, Ingrid (Lobbyist) - Waive In Support  
Associate for Social Concerns, Florida Conference of Catholic Bishops  
201 W Park Ave  
Tallahassee FL 32301

CS/HB 59

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

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

Location: Sumner Hall (404 HOB)

### HB 97 : Dentists & Dental Hygienists

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: 16</b>		<b>Total Nays: 0</b>			

#### Appearances:

HB 97

Hart, Joe Ann (Lobbyist) - Waive In Support

Florida Dental Association

118 E. Jefferson St.

Tallahassee FL 32301

Phone: (850)224-1089

HB 97

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

Location: Sumner Hall (404 HOB)

CS/HB 99 : Controlled Substances

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: 16</b>		<b>Total Nays: 0</b>			

### Appearances:

CS/HB 99

Daniels, Nancy (State Employee) - Proponent

Florida Public Defender Association, Inc.

301 South Monroe Street

Tallahassee Florida 32301

Phone: 850-606-1010

CS/HB 99

Hofheinz, Monica (Lobbyist) (State Employee) - Waive In Support

Florida Prosecuting Attorneys Association

201 SE 6th Street

Ft. Lauderdale FL 33301

Phone: 954-831-8543

CS/HB 99

Johnson, Rob (Lobbyist) (State Employee) - Waive In Support

Legislative Affairs Director, Office of the Attorney General

PL-01, The Capitol

Tallahassee FL 32399

Phone: 850-245-0145

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

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

**CS/HB 99 : Controlled Substances (continued)**

**Appearances: (continued)**

CS/HB 99

Chamizo, Jorge (Lobbyist) - Proponent

Florida Association of Criminal Defense Lawyers

PO Box 1528

Tallahassee FL 32302

Phone: (850)681-0024

CS/HB 99

Silver, Keri (Lobbyist) - Waive In Support

Florida Sheriffs Association

PO Box 1565

Tallahassee FL 32317

Phone: 850)524-2394

CS/HB 99

Pitts, Brian - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

CS/HB 99

Bishop, Barney (Lobbyist) - Waive In Support

Florida Smart Justice Alliance

204 S Monroe St Ste 201

Tallahassee FL 32301

Phone: 850)907-3436

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

Location: Sumner Hall (404 HOB)

### HB 627 : Service of Process

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: 16</b>		<b>Total Nays: 0</b>			

### Appearances:

HB 627

Silver, Keri (Lobbyist) - Waive In Support

Florida Sheriffs Association

PO Box 1565

Tallahassee FL 32317

Phone: 850)524-2394

HB 627

Kennedy, Thomas (General Public) - Waive In Support

Florida Association of Professional Process Servers

108 E Jefferson

Tallahassee FL

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

Location: Sumner Hall (404 HOB)

### PCS for HB 7019 : Involuntary Civil Commitment of Sexually Violent Predators

Favorable With Amendments

	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>			

#### PCS for HB 7019 Amendments

##### Amendment PCS for HB 7019 a1

Adopted Without Objection

##### Amendment PCS for HB 7019 a2

Adopted Without Objection

##### Amendment PCS for HB 7019 a3

Adopted Without Objection

##### Amendment PCS for HB 7019 a4

Adopted Without Objection

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

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

**PCS for HB 7019 : Involuntary Civil Commitment of Sexually Violent Predators (continued)**

### Appearances:

PCS for HB 7019

Colletta, Gail (General Public) - Opponent  
President, Florida Action Committee  
7054 Palazzo Reale  
Boynton Beach FL 33437  
Phone: 561-305-4959

PCS for HB 7019

Weiss, David (General Public) - Opponent  
Florida Action Committee  
2501 Cormel Lane  
Eustis FL 32726  
Phone: 352-483-8117

PCS for HB 7019

Book, Ron (Lobbyist) - Proponent  
Lauren's Kids  
104 W. Jefferson  
Tallahassee FL 32301  
Phone: 850-224-3427

PCS for HB 7019

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

PCS for HB 7019

Bishop, Barney (Lobbyist) - Waive In Support  
Florida Smart Justice Alliance  
204 S Monroe St Ste 201  
Tallahassee FL 32301  
Phone: 850)907-3436

PCS for HB 7019

Kanner, Kristin (State Employee) (At Request Of Chair) - Information Only  
Department of Children and Families  
1317 Winewood Blvd Bldg 6  
Tallahassee FL 32399  
Phone: (850) 228-1317

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM



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  
3.3.14*

1 Committee/Subcommittee hearing PCB: Judiciary Committee  
2 Representative Hutson offered the following:

4 **Amendment**

5 Remove lines 346-361 and insert:

6 (2) Within 72 hours after transfer pursuant to paragraph  
7 (1)(a) or receipt into the department's custody pursuant to  
8 paragraph (1)(b) or s. 394.9125(4), the multidisciplinary team  
9 shall assess whether the person meets the definition of a  
10 sexually violent predator. If the multidisciplinary team  
11 determines that the person does not meet the definition of a  
12 sexually violent predator, that person shall be immediately  
13 released. If at least two members of the multidisciplinary team,  
14 after all clinical evaluations have been conducted, determine  
15 determines that the person meets the definition of a sexually  
16 violent predator, the team shall provide the state attorney, as  
17 designated by s. 394.913, with its written assessment and

PCS for HB 7019 a1

Published On: 2/28/2014 5:17:56 PM





Amendment No. 1

18 recommendation within the 72-hour period or, if the 72-hour  
19 period ends after 5 p.m. on a working day or on a weekend or  
20 holiday, within the next working day thereafter.

21

22



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  
3/3/14*

1 Committee/Subcommittee hearing PCB: Judiciary Committee  
2 Representative Hutson offered the following:

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4 **Amendment (with title amendment)**

5 Remove line 480 and insert:

6 those referred, detained, or committed to the department. The

7 data shall be included in the Department of Corrections' annual

8 report in

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

14 Remove line 69 and insert:

15 information and include the information in their annual report;

16 amending s. 943.053, F.S.; requiring the



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  
3-3-14*

1 Committee/Subcommittee hearing PCB: Judiciary Committee  
2 Representative Hutson offered the following:

4 **Amendment (with title amendment)**

5 Remove lines 231-292 and insert:

6 (c) The multidisciplinary team shall assess and evaluate  
7 each person referred to the team. The multidisciplinary team  
8 shall prioritize the assessment and evaluation of persons  
9 referred under subsection (1) based upon the person's scheduled  
10 release date. The assessment and evaluation must shall include a  
11 review of the person's institutional history and treatment  
12 record, if any, the person's criminal background, and any other  
13 factor that is relevant to the determination of whether the such  
14 person is a sexually violent predator.

15 (d) The multidisciplinary team may consult with law  
16 enforcement agencies and victim advocate groups during the  
17 assessment and evaluation process. A clinical evaluation of the

PCS for HB 7019 a3

Published On: 2/28/2014 5:19:52 PM



Amendment No. 3

18 person may be conducted. A second clinical evaluation must be  
19 conducted if a member of the multidisciplinary team questions  
20 the conclusion of the first clinical evaluation. All members of  
21 the multidisciplinary team shall review, at a minimum, the  
22 information provided in subsection (2) and any clinical  
23 evaluation before making a recommendation pursuant to paragraph  
24 (f).

25 (e)(e) Before recommending that a person meets the  
26 definition of a sexually violent predator, the person must be  
27 offered a personal interview. If the person agrees to  
28 participate in a personal interview, at least one member of the  
29 team who is a licensed psychiatrist or psychologist must conduct  
30 a personal interview of the person. If the person refuses to  
31 fully participate in a personal interview, the multidisciplinary  
32 team must ~~may~~ proceed with its recommendation without the a  
33 ~~personal interview of the person.~~

34 (f) The multidisciplinary team shall complete all clinical  
35 evaluations and provide the state attorney a written assessment  
36 and recommendation as to whether the person meets the definition  
37 of a sexually violent predator at least 1 month before the  
38 person's scheduled release date from the Department of  
39 Corrections, the Department of Juvenile Justice, or the  
40 Department of Children and Families. The multidisciplinary team  
41 shall complete all clinical evaluations and provide the state  
42 attorney a written assessment and recommendation as to whether  
43 the person meets the definition of a sexually violent predator

PCS for HB 7019 a3

Published On: 2/28/2014 5:19:52 PM



Amendment No. 3

44 at least 24 hours before the person's scheduled release date  
45 from a county or municipal jail.

46 1. The department must recommend that the state attorney  
47 file a petition for civil commitment if at least two members of  
48 the multidisciplinary team determine that the person meets the  
49 definition of a sexually violent predator.

50 2. When the department determines that a person who has  
51 received a clinical evaluation does or does not meet the  
52 definition of a sexually violent predator, the written  
53 assessment and recommendation shall be sent to the state  
54 attorney. If the state attorney questions, in writing, the  
55 determination that the person does or does not meet the  
56 definition of a sexually violent predator, the multidisciplinary  
57 team must reexamine the case before a final written assessment  
58 and recommendation is provided to the state attorney.

59 (g)-(d) The Attorney General's Office shall serve as legal  
60 counsel to the multidisciplinary team.

61 ~~(e)1. Within 180 days after receiving notice, there shall~~  
62 ~~be a written assessment as to whether the person meets the~~  
63 ~~definition of a sexually violent predator and a written~~  
64 ~~recommendation, which shall be provided to the state attorney.~~  
65 ~~The written recommendation shall be provided by the Department~~  
66 ~~of Children and Family Services and shall include the written~~  
67 ~~report of the multidisciplinary team.~~

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PCS for HB 7019 a3

Published On: 2/28/2014 5:19:52 PM



Amendment No. 3

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

Remove lines 19-33 and insert:

municipal jail facility; requiring the multidisciplinary team to  
prioritize assessments by a person's release date; authorizing  
the multidisciplinary team to consult with law enforcement  
agencies and victim advocate groups as part of the assessment  
and evaluation process; authorizing a clinical evaluation;  
requiring a second clinical evaluation under certain  
circumstances; requiring the multidisciplinary team to send to  
the state attorney a written assessment and determination as to  
whether a person meets the definition of a sexually violent  
predator by specified deadlines; requiring the Department of  
Children and Families to recommend that the state attorney file  
a civil commitment petition under certain circumstances;  
requiring the department to send a recommendation to the state  
attorney for further review under certain circumstances if a  
person does not meet the definition of a sexually violent  
predator; requiring the multidisciplinary team to reexamine the  
case under certain circumstances;



Amendment No. 4

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  
3-3-14*

1 Committee/Subcommittee hearing PCB: Judiciary Committee  
 2 Representative Hutson offered the following:

**Amendment**

Remove lines 325-332 and insert:

6 (b) If a person who committed a sexually violent offense  
 7 and who is serving an incarcerative sentence under the custody  
 8 of the Department of Corrections, the Department of Juvenile  
 9 Justice, or a local detention facility, or who is committed to  
 10 the custody of the department due to an adjudication of not  
 11 guilty by reason of insanity is released, the state attorney, as  
 12 designated in s. 394.913, may file a petition with the circuit  
 13 court within 120 hours after the person's release alleging that:

14 1. Sections 394.9125, 394.913, or this section require  
 15 that the  
 16

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

Location: Sumner Hall (404 HOB)

### PCS for CS/HB 7021 : Sexually Violent Predators

Favorable With Amendments

	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: 14</b>		<b>Total Nays: 0</b>			

### PCS for CS/HB 7021 Amendments

#### Amendment PCS for CSHB 7021 a1

Adopted Without Objection

#### Appearances:

PCS for CS/HB 7021

Colletta, Gail (General Public) - Waive In Opposition

President, Florida Action Committee

7054 Palazzo Reale

Boynton Beach FL 33437

Phone: 561-305-4959

PCS for CS/HB 7021

Pitts, Brian - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM



# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

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

**PCS for CS/HB 7021 : Sexually Violent Predators (continued)**

**Appearances: (continued)**

PCS for CS/HB 7021

Bishop, Barney (Lobbyist) - Waive In Support

Florida Smart Justice Alliance

204 S Monroe St Ste 201

Tallahassee FL 32301

Phone: 850)907-3436

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM



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  
3/3/14*

1 Committee/Subcommittee hearing PCB: Judiciary Committee  
 2 Representative Harrell offered the following:

**Amendment (with title amendment)**

Remove lines 88-162 and insert:

6 (d) The multidisciplinary team shall assess and evaluate  
 7 each person referred to the team. The multidisciplinary team  
 8 shall prioritize the assessment and evaluation of persons  
 9 referred under subsection (1) based upon the person's release  
 10 date. The assessment and evaluation must ~~shall~~ include a review  
 11 of the person's institutional history and treatment record, if  
 12 any, the person's criminal background, and any other factor that  
 13 is relevant to the determination of whether the ~~such~~ person is a  
 14 sexually violent predator.

15 (e) ~~(e)~~ Before recommending that a person meets the  
 16 definition of a sexually violent predator, the person must be  
 17 offered a personal interview. If the person agrees to



Amendment No. 1

18 participate in a personal interview, at least one member of the  
19 team who is a licensed psychiatrist or psychologist must conduct  
20 a personal interview of the person. If the person refuses to  
21 fully participate in a personal interview, the multidisciplinary  
22 team must ~~may~~ proceed with its recommendation without the a  
23 ~~personal interview of the person.~~

24 (f) The multidisciplinary team shall complete all clinical  
25 evaluations and provide the state attorney a written assessment  
26 and recommendation as to whether the person meets the definition  
27 of a sexually violent predator at least 1 month before the  
28 person's scheduled release date from the Department of  
29 Corrections, the Department of Juvenile Justice, or the  
30 Department of Children and Families. The multidisciplinary team  
31 shall complete all clinical evaluations and provide the state  
32 attorney a written assessment and recommendation as to whether  
33 the person meets the definition of a sexually violent predator  
34 at least 24 hours before the person's scheduled release date  
35 from a county or municipal jail.

36 1. The department must recommend that the state attorney  
37 file a petition for civil commitment if at least two members of  
38 the multidisciplinary team determine that the person meets the  
39 definition of a sexually violent predator.

40 2. When the department determines that a person who has  
41 received a clinical evaluation does or does not meet the  
42 definition of a sexually violent predator, the written  
43 assessment and recommendation shall be sent to the state

PCS for CSHB 7021 a1

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44 attorney. If the state attorney questions, in writing, the  
45 determination that the person does or does not meet the  
46 definition of a sexually violent predator, the multidisciplinary  
47 team must reexamine the case before a final written assessment  
48 and recommendation is provided to the state attorney.

49 (g)-(d) The Attorney General's Office shall serve as legal  
50 counsel to the multidisciplinary team.

51 ~~(e)1. Within 180 days after receiving notice, there shall~~  
52 ~~be a written assessment as to whether the person meets the~~  
53 ~~definition of a sexually violent predator and a written~~  
54 ~~recommendation, which shall be provided to the state attorney.~~  
55 ~~The written recommendation shall be provided by the Department~~  
56 ~~of Children and Family Services and shall include the written~~  
57 ~~report of the multidisciplinary team.~~

58 ~~2. Notwithstanding subparagraph 1., in the case of a~~  
59 ~~person for whom the written assessment and recommendation has~~  
60 ~~not been completed at least 365 days before his or her release~~  
61 ~~from total confinement, the department shall prioritize the~~  
62 ~~assessment of that person based upon the person's release date.~~

63 Section 3. Section 1005.10, Florida Statutes, is created  
64 to read:

65 1005.10 Sexual predator and sexual offender notification;  
66 nonpublic colleges, universities, and schools.-Each nonpublic  
67 college, university, and school shall inform students and  
68 employees at orientation and on its website of the existence of  
69 the Department of Law Enforcement sexual predator and sexual

PCS for CSHB 7021 a1

Published On: 2/28/2014 5:21:19 PM



Amendment No. 1

70 offender registry website and the toll-free telephone number  
71 that gives access to sexual predator and sexual offender public  
72 information pursuant to s. 943.043.

73 Section 4. Section 1006.695, Florida Statutes, is created  
74 to read:

75 1006.695 Sexual predator and sexual offender notification;  
76 Florida College System institutions, state universities, and  
77 career centers.—Each Florida College System institution, as  
78 defined in s. 1000.21, state university, as defined in 1000.21,  
79 and career center, as defined in s. 1001.44, shall inform  
80 students and employees at orientation and on its website of the

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

Remove lines 13-31 and insert:

requiring the multidisciplinary team to prioritize  
assessments based on release dates; requiring the  
multidisciplinary team to proceed without a personal  
interview under certain circumstances; requiring the  
multidisciplinary team to send to the state attorney a  
written assessment and determination as to whether a person  
meets the definition of a sexually violent predator by  
specified deadlines; requiring the department to recommend  
that the state attorney file a civil commitment petition



Amendment No. 1

96 | under certain circumstances; requiring the  
97 | multidisciplinary team to reexamine the case under certain  
98 | circumstances; creating s. 1005.10, F.S.; requiring  
99 | nonpublic colleges, universities, and schools to inform  
100 | students and employees of the Florida Department of Law  
101 | Enforcement sexual predator and sexual offender registry  
102 | website and toll-free telephone number; creating s.  
103 | 1006.695, F.S.; requiring Florida College System  
104 | institutions, state universities, and career centers  
105 |

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

Location: Sumner Hall (404 HOB)

PCS for CS/HB 7025 : Sex Offenses

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>			

### Appearances:

PCS for CS/HB 7025

Colletta, Gail (General Public) - Opponent

President, Florida Action Committee

7054 Palazzo Reale

Boynton Beach FL 33437

Phone: 561-305-4959

PCS for CS/HB 7025

Silver, Keri (Lobbyist) - Waive In Support

Florida Sheriffs Association

PO Box 1565

Tallahassee FL 32317

Phone: 850)524-2394

PCS for CS/HB 7025

Bishop, Barney (Lobbyist) - Waive In Support

Florida Smart Justice Alliance

204 S Monroe St Ste 201

Tallahassee FL 32301

Phone: 850)907-3436

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM

# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

Location: Sumner Hall (404 HOB)

PCS for HB 7027 : Sexual Offenses

Favorable With Amendments

	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>			

### PCS for HB 7027 Amendments

#### Amendment PCS for HB 7027 a1

Adopted Without Objection

#### Amendment PCS for HB 7027 a2

Adopted Without Objection

#### Amendment PCS for HB 7027 a3

Adopted Without Objection

### Appearances:

PCS for HB 7027

Colletta, Gail (General Public) - Opponent

President, Florida Action Committee

7054 Palazzo Reale

Boynton Beach FL 33437

Phone: 561-305-4959

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM



# COMMITTEE MEETING REPORT

## Judiciary Committee

3/3/2014 12:30:00PM

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

**PCS for HB 7027 : Sexual Offenses (continued)**

**Appearances: (continued)**

PCS for HB 7027

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

PCS for HB 7027

Book, Ron (Lobbyist) - Information Only

Lauren's Kids

104 W. Jefferson

Tallahassee FL 32301

Phone: 850-224-3427

PCS for HB 7027

Bishop, Barney (Lobbyist) - Proponent

Florida Smart Justice Alliance

204 S Monroe St Ste 201

Tallahassee FL 32301

Phone: 850)907-3436

Committee meeting was reported out: Monday, March 03, 2014 3:34:09PM



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  
3.3.14*

1 Committee/Subcommittee hearing PCB: Judiciary Committee  
 2 Representative Gaetz offered the following:

**Amendment**

Remove lines 143-150 and insert:

6 (18) If the offense is a violation of s. 800.04(4) or (5)  
 7 and the victim was under 16 years of age at the time the offense  
 8 was committed, a prosecution of the offense may be commenced at  
 9 any time, unless, at the time of the offense, the offender is  
 10 less than 18 years of age and is no more than 4 years older than  
 11 the victim. This subsection applies to an offense that is not  
 12 otherwise barred from prosecution on or before October 1, 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  
3/3/14*

1 Committee/Subcommittee hearing PCB: Judiciary Committee  
2 Representative Gaetz offered the following:

4 **Amendment (with title amendment)**

5 Between lines 1018 and 1019, insert:

6 Section 10. Paragraph (a) of subsection (1), paragraph (a)  
7 of subsection (11), and paragraph (b) of subsection (14) of  
8 section 943.0435, Florida Statutes, is amended to read:

9 943.0435 Sexual offenders required to register with the  
10 department; penalty.-

11 (1) As used in this section, the term:

12 (a)1. "Sexual offender" means a person who meets the  
13 criteria in sub-subparagraph a., sub-subparagraph b., sub-  
14 subparagraph c., or sub-subparagraph d., as follows:

15 a.(I) Has been convicted of committing, or attempting,  
16 soliciting, or conspiring to commit, any of the criminal  
17 offenses proscribed in the following statutes in this state or



## Amendment No. 2

18 similar offenses in another jurisdiction: s. 787.01, s. 787.02,  
19 or s. 787.025(2)(c), where the victim is a minor and the  
20 defendant is not the victim's parent or guardian; s.  
21 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.  
22 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.  
23 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,  
24 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;  
25 or s. 985.701(1); or any similar offense committed in this state  
26 which has been redesignated from a former statute number to one  
27 of those listed in this sub-sub-subparagraph; and

28 (II) Has been released on or after October 1, 1997, from  
29 the sanction imposed for any conviction of an offense described  
30 in sub-sub-subparagraph (I). For purposes of sub-sub-  
31 subparagraph (I), a sanction imposed in this state or in any  
32 other jurisdiction includes, but is not limited to, a fine,  
33 probation, community control, parole, conditional release,  
34 control release, or incarceration in a state prison, federal  
35 prison, private correctional facility, or local detention  
36 facility;

37 b. Establishes or maintains a residence in this state and  
38 who has not been designated as a sexual predator by a court of  
39 this state but who has been designated as a sexual predator, as  
40 a sexually violent predator, or by another sexual offender  
41 designation in another state or jurisdiction and was, as a  
42 result of such designation, subjected to registration or  
43 community or public notification, or both, or would be if the



## Amendment No. 2

44 person were a resident of that state or jurisdiction, without  
45 regard to whether the person otherwise meets the criteria for  
46 registration as a sexual offender;

47 c. Establishes or maintains a residence in this state who  
48 is in the custody or control of, or under the supervision of,  
49 any other state or jurisdiction as a result of a conviction for  
50 committing, or attempting, soliciting, or conspiring to commit,  
51 any of the criminal offenses proscribed in the following  
52 statutes or similar offense in another jurisdiction: s. 787.01,  
53 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and  
54 the defendant is not the victim's parent or guardian; s.  
55 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.  
56 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.  
57 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,  
58 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;  
59 or s. 985.701(1); or any similar offense committed in this state  
60 which has been redesignated from a former statute number to one  
61 of those listed in this sub-subparagraph; or

62 d. On or after July 1, 2007, has been adjudicated  
63 delinquent for committing, or attempting, soliciting, or  
64 conspiring to commit, any of the criminal offenses proscribed in  
65 the following statutes in this state or similar offenses in  
66 another jurisdiction when the juvenile was 14 years of age or  
67 older at the time of the offense:

68 (I) Section 794.011, excluding s. 794.011(10);



Amendment No. 2

69 (II) Section 800.04(4)(a)2. ~~800.04(4)(b)~~ where the victim  
70 is under 12 years of age or where the court finds sexual  
71 activity by the use of force or coercion;

72 (III) Section 800.04(5)(c)1. where the court finds  
73 molestation involving unclothed genitals; or

74 (IV) Section 800.04(5)(d) where the court finds the use of  
75 force or coercion and unclothed genitals.

76 2. For all qualifying offenses listed in sub-subparagraph  
77 (1)(a)1.d., the court shall make a written finding of the age of  
78 the offender at the time of the offense.

79

80 For each violation of a qualifying offense listed in this  
81 subsection, the court shall make a written finding of the age of  
82 the victim at the time of the offense. For a violation of s.  
83 800.04(4), the court shall additionally make a written finding  
84 indicating that the offense did or did not involve sexual  
85 activity and indicating that the offense did or did not involve  
86 force or coercion. For a violation of s. 800.04(5), the court  
87 shall additionally make a written finding that the offense did  
88 or did not involve unclothed genitals or genital area and that  
89 the offense did or did not involve the use of force or coercion.

90 (11) Except as provided in s. 943.04354, a sexual offender  
91 must maintain registration with the department for the duration  
92 of his or her life, unless the sexual offender has received a  
93 full pardon or has had a conviction set aside in a  
94 postconviction proceeding for any offense that meets the

PCS for HB 7027 a2

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Amendment No. 2

95 criteria for classifying the person as a sexual offender for  
96 purposes of registration. However, a sexual offender:

97 (a)1. Who has been lawfully released from confinement,  
98 supervision, or sanction, whichever is later, for at least 25  
99 years and has not been arrested for any felony or misdemeanor  
100 offense since release, provided that the sexual offender's  
101 requirement to register was not based upon an adult conviction:

102 a. For a violation of s. 787.01 or s. 787.02;

103 b. For a violation of s. 794.011, excluding s.  
104 794.011(10);

105 c. For a violation of 800.04(4)(a)2. ~~s. 800.04(4)(b)~~ where  
106 the court finds the offense involved a victim under 12 years of  
107 age or sexual activity by the use of force or coercion;

108 d. For a violation of s. 800.04(5)(b);

109 e. For a violation of s. 800.04(5)c.2. where the court  
110 finds the offense involved unclothed genitals or genital area;

111 f. For any attempt or conspiracy to commit any such  
112 offense; or

113 g. For a violation of similar law of another jurisdiction,  
114

115 may petition the criminal division of the circuit court of the  
116 circuit in which the sexual offender resides for the purpose of  
117 removing the requirement for registration as a sexual offender.

118 2. The court may grant or deny relief if the offender  
119 demonstrates to the court that he or she has not been arrested  
120 for any crime since release; the requested relief complies with

PCS for HB 7027 a2

Published On: 2/28/2014 5:23:35 PM



Amendment No. 2

121 the provisions of the federal Adam Walsh Child Protection and  
122 Safety Act of 2006 and any other federal standards applicable to  
123 the removal of registration requirements for a sexual offender  
124 or required to be met as a condition for the receipt of federal  
125 funds by the state; and the court is otherwise satisfied that  
126 the offender is not a current or potential threat to public  
127 safety. The state attorney in the circuit in which the petition  
128 is filed must be given notice of the petition at least 3 weeks  
129 before the hearing on the matter. The state attorney may present  
130 evidence in opposition to the requested relief or may otherwise  
131 demonstrate the reasons why the petition should be denied. If  
132 the court denies the petition, the court may set a future date  
133 at which the sexual offender may again petition the court for  
134 relief, subject to the standards for relief provided in this  
135 subsection.

136 3. The department shall remove an offender from  
137 classification as a sexual offender for purposes of registration  
138 if the offender provides to the department a certified copy of  
139 the court's written findings or order that indicates that the  
140 offender is no longer required to comply with the requirements  
141 for registration as a sexual offender.

142 (14)

143 (b) However, a sexual offender who is required to register  
144 as a result of a conviction for:

145 1. Section 787.01 or s. 787.02 where the victim is a minor  
146 and the offender is not the victim's parent or guardian;

PCS for HB 7027 a2

Published On: 2/28/2014 5:23:35 PM





Amendment No. 2

- 147 2. Section 794.011, excluding s. 794.011(10);
- 148 3. Section 800.04(4)(a)2. ~~800.04(4)(b)~~ where the court
- 149 finds the offense involved a victim under 12 years of age or
- 150 sexual activity by the use of force or coercion;
- 151 4. Section 800.04(5)(b);
- 152 5. Section 800.04(5)(c)1. where the court finds
- 153 molestation involving unclothed genitals or genital area;
- 154 6. Section 800.04(5)c.2. where the court finds molestation
- 155 involving unclothed genitals or genital area;
- 156 7. Section 800.04(5)(d) where the court finds the use of
- 157 force or coercion and unclothed genitals or genital area;
- 158 8. Any attempt or conspiracy to commit such offense; or
- 159 9. A violation of a similar law of another jurisdiction,
- 160
- 161 must reregister each year during the month of the sexual
- 162 offender's birthday and every third month thereafter.
- 163 Section 11. Paragraph (b) of subsection (13) of section
- 164 944.607, Florida Statutes, is amended to read:
- 165 944.607 Notification to Department of Law Enforcement of
- 166 information on sexual offenders.—
- 167 (13)
- 168 (b) However, a sexual offender who is required to register
- 169 as a result of a conviction for:
- 170 1. Section 787.01 or s. 787.02 where the victim is a minor
- 171 and the offender is not the victim's parent or guardian;
- 172 2. Section 794.011, excluding s. 794.011(10);



Amendment No. 2

173 3. Section 800.04(4)(a)2. ~~800.04(4)(b)~~ where the victim is  
174 under 12 years of age or where the court finds sexual activity  
175 by the use of force or coercion;

176 4. Section 800.04(5)(b);

177 5. Section 800.04(5)(c)1. where the court finds  
178 molestation involving unclothed genitals or genital area;

179 6. Section 800.04(5)c.2. where the court finds molestation  
180 involving unclothed genitals or genital area;

181 7. Section 800.04(5)(d) where the court finds the use of  
182 force or coercion and unclothed genitals or genital area;

183 8. Any attempt or conspiracy to commit such offense; or

184 9. A violation of a similar law of another jurisdiction,

185

186 must reregister each year during the month of the sexual  
187 offender's birthday and every third month thereafter.

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

193

Remove line 36 and insert:

194

certain circumstances; amending s. 943.0435 and 944.607, F.S.;

195

conforming provisions to changes made by the act; amending s.

196

944.275, F.S.;

197



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  
3/3/14*

1 Committee/Subcommittee hearing PCB: Judiciary Committee  
2 Representative Gaetz offered the following:

**Amendment**

Remove lines 64-76 and insert:

witness under the age of 16, a ~~ex~~ person who has an intellectual disability, or a sexual offense victim or witness; special protections; use of registered service or therapy animals.-

(1) For purposes of this section, the term:

(a) "Sexual offense victim or witness" means a person who was under the age of 16 when he or she was the victim of or a witness to a sexual offense.

(b) "Sexual offense" means any offense specified in s. 775.21(4)(a)1. or s. 943.0435(1)(a)1.a.(I).

(2) ~~(1)~~ Upon motion of any party, upon motion of a parent, guardian, attorney, or guardian ad litem for a victim or witness under the age of 16, a ~~ex~~ person who has an intellectual