



Judiciary Committee

April 11, 2014

8:00 AM

404 HOB

Action Packet

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

Summary:

Judiciary Committee

Friday April 11, 2014 08:00 am

CS/CS/HB 41	Favorable With Committee Substitute	Yeas: 18	Nays: 0
Amendment 362971	Adopted Without Objection		
CS/HB 105	Favorable	Yeas: 19	Nays: 0
Amendment 280479	Withdrawn		
CS/HB 455	Favorable	Yeas: 15	Nays: 1
CS/HB 561	Favorable With Committee Substitute	Yeas: 17	Nays: 0
Amendment 782709	Adopted Without Objection		
CS/CS/HB 753	Favorable With Committee Substitute	Yeas: 12	Nays: 3
Amendment 307639	Adopted Without Objection		
CS/CS/HB 797	Favorable	Yeas: 19	Nays: 0
HB 903	Favorable	Yeas: 13	Nays: 6
CS/HB 1017	Favorable	Yeas: 18	Nays: 0
CS/HB 1021	Favorable	Yeas: 19	Nays: 0
CS/CS/HB 1105	Favorable With Committee Substitute	Yeas: 19	Nays: 0
Amendment 768411	Adopted Without Objection		
CS/HB 1135	Favorable With Committee Substitute	Yeas: 19	Nays: 0
Amendment 372745	Adopted Without Objection		
CS/CS/HB 1215	Favorable	Yeas: 19	Nays: 0
HB 1279	Favorable	Yeas: 19	Nays: 0

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

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		
Eric Eisnaugle	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		
Totals:	19	0	0

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 41 : Florida Law Enforcement Officers' Hall of Fame

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Eric Eisnaugle	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				
Total Yeas: 18		Total Nays: 0			

CS/CS/HB 41 Amendments

Amendment 362971

Adopted Without Objection

Appearances:

CS/CS/HB 41

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: Friday, April 11, 2014 2:05:15PM



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
4.11.14*

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

4 **Amendment (with title amendment)**

5 Between lines 50 and 51, insert:

6 (5) The Department of Law Enforcement shall adopt rules to
7 implement the requirements of this section.

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

13 Remove line 7 and insert:
14 providing for rulemaking authority; providing an appropriation;
15 providing an effective
16

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 105 : Florida Civil Rights Act

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Eric Eisnagle	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				
Total Yeas: 19		Total Nays: 0			

CS/HB 105 Amendments

Amendment 280479

Withdrawn

Appearances:

CS/HB 105

Costilla, Cheyanne (Lobbyist) (State Employee) - Proponent

General Counsel, Florida Commission on Human Relations

2009 Apalachee Parkway

Tallahassee FL 32301

Phone: 850-488-7082

CS/HB 105

Nungesser, Tim (Lobbyist) - Opponent

Legislative Director, National Federation of Independent Business

110 E Jefferson St

Tallahassee FL 32301

Phone: 850-445-5367

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 105 : Florida Civil Rights Act (continued)

Appearances: (continued)

CS/HB 105

DeVane, Barbara (Lobbyist) - Waive In Support
FL NOW
625 E Brevard St.
Tallahassee FL 32308
Phone: (850)222-3969

CS/HB 105

Horton, Carol (General Public) - Proponent
5954 Triphammer Rd.
Lake Worth FL 33463
Phone: 561-762-7635

CS/HB 105

Williams, Ken (General Public) - Waive In Support
7411 Meadow Dr
Tampa FL 33634
Phone: 813-886-1753

CS/HB 105

Wazlavek, Aaron (General Public) - Waive In Support
1510 Harvard Blvd
Lynn Haven FL 32444
Phone: 850-228-9829

CS/HB 105

King, Tammi (General Public) - Waive In Support
Political Coordinator, ATU Local 1596/Bus Operator
5405 Pointe Vista Circle Apt. 205
Orlando FL 32839
Phone: 407-692-3173

CS/HB 105

McCleave, Paula (General Public) - Waive In Support
PBC Teacher
9125 Demery Dr.
Palm Beach Gardens FL 33410
Phone: 561-718-0633

CS/HB 105

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

CS/HB 105

Glenn, Beverly (General Public) - Waive In Support
910 Woodside Circle
Kissimmee FL 34741

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COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 105 : Florida Civil Rights Act (continued)

Appearances: (continued)

CS/HB 105

Andrade, Melanie (General Public) - Waive In Support
680 W Virginia St, Apt. 36
Tallahassee FL 32304
Phone: 863-949-3786

CS/HB 105

Guerin, Michelle (General Public) - Waive In Support
962 Indiana Avenue
Fort Myers FL 33919
Phone: 239-839-6118

CS/HB 105

Saint Louis, Christine (General Public) - Waive In Support
2319 Meadow Oak Cir
Kissimmee FL 34746
Phone: 407-756-0334

CS/HB 105

Wilson, Michelle (Lobbyist) - Waive In Support
Florida Commission on Human Relations
2009 Apalachee Pky Ste 200
Tallahassee FL 32301-4857
Phone: (850)488-7082

CS/HB 105

Kunkel, Stephanie (Lobbyist) - Waive In Support
Florida Federation of Business and Professional Women
1143 Albritton Dr
Tallahassee FL 32301
Phone: 850-320-4208

CS/HB 105

Linton, Glynda (General Public) - Waive In Support
4670 NW 5 Street
Plantation FL 33317
Phone: 954-648-5571

CS/HB 105

Perry, Gail Marie (General Public) - Waive In Support
Chair, Communications Workers of America Council of Florida
P O Box 1766
Pompano Beach FL 33061
Phone: 954-850-4055

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COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 105 : Florida Civil Rights Act (continued)

Appearances: (continued)

CS/HB 105

Templin, Rich (Lobbyist) - Waive In Support
Florida AFL-CIO
135 S. Monroe
Tallahassee FL 32301
Phone: 850-224-6926

CS/HB 105

Willis, Elizabeth "Bib" - Waive In Support
3160 Blairstone Court
Tallahassee FL 32301
Phone: 850-877-0082

CS/HB 105

Fort, Pamela (Lobbyist) - Waive In Support
ACLU of Florida
104 S. Monroe Street
Tallahassee Florida 32301
Phone: 850-425-1344

CS/HB 105

Jess, Paul (Lobbyist) - Waive In Support
Florida Justice Association
218 S Monroe St
Tallahassee FL 32301
Phone: (850)224-9403

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM



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	___	

*Withdrawn
4-11-14*

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

Amendment (with title amendment)

Between lines 173 and 174, insert:

Section 7. Subsection (8) of section 760.11, Florida Statutes, is amended to read:

760.11 Administrative and civil remedies; construction.—

(8) In the event that the commission fails to conciliate or determine whether there is reasonable cause on any complaint under this section within 180 days of the filing of the complaint, an aggrieved person may proceed under subsection (4), as if the commission determined that there was reasonable cause. Should the aggrieved person elect to file a civil action under paragraph (4)(a), such action must be filed within one year after the expiration of the 180 day reasonable cause determination period under subsection (3).



Amendment No. 1

18 Section 8. An aggrieved person affected by the amendments
19 to s. 760.11(8), Florida Statutes, in this act has until June
20 30, 2015, to file a civil action pursuant to s. 760.11, Florida
21 Statutes. If a claim is filed before June 30, 2015, the claim
22 shall be determined without regard to such amendments.

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

Remove line 23 and insert:
pregnancy; amending s. 760.11, F.S.; limiting the time for
filing a civil action in certain circumstances; providing a
period for making a claim in court to file a civil action that
would otherwise be barred by the amendments made by this act;
reenacting s. 760.11(1), F.S., relating to

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 455 : Restitution for Juvenile Offenses

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Eric Eisnaugle	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				
Total Yeas: 15		Total Nays: 1			

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 561 : Attorneys for Dependent Children with Disabilities

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Eric Eisnaugle	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				
Total Yeas: 17		Total Nays: 0			

CS/HB 561 Amendments

Amendment 782709

Adopted Without Objection

Appearances:

CS/HB 561

Ervin, Debra (State Employee) - Waive In Support
Administrative Services Director, Guardian ad Litem Program
600 S Calhoun St
Tallahassee FL 32399
Phone: 850-922-6554

Attorneys for Dependent Children w/Disabilities
Spudeas, Christina (Lobbyist) (General Public) - Waive In Support
Florida's Children First
1801 University Dr Ste 3B
Coral Springs FL 33071
Phone: (954) 796-0860

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 561 : Attorneys for Dependent Children with Disabilities (continued)

Appearances: (continued)

CS/HB 561

Diaz Lyon, Aimee (Lobbyist) - Waive In Support

The Florida Bar

215 S Monroe St, #505

Tallahassee FL 32301

Phone: 850-205-9000

CS/HB 561

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM



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
4.11.14*

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

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Section 39.01305, Florida Statutes, is created
7 to read:

8 39.01305 Appointment of an attorney for a dependent child
9 with certain special needs.—

10 (1)(a) The Legislature finds that:

11 1. All children in proceedings under chapter 39, Florida
12 Statutes, have important interests at stake, such as health,
13 safety, and well-being and the need to obtain permanency.

14 2. A dependent child who has certain special needs has a
15 particular need for an attorney to represent the dependent child
16 in proceedings under chapter 39, Florida Statutes, as well as in
17 fair hearings and appellate proceedings, so that the attorney



Amendment No. 1

18 may address the child's medical and related needs and the
19 services and supports necessary for the child to live
20 successfully in the community.

21 (b) The Legislature recognizes the existence of
22 organizations that provide attorney representation to children
23 in certain jurisdictions throughout the state. Further, the
24 statewide guardian ad litem program provides best interest
25 representation for dependent children in every jurisdiction in
26 accordance with state and federal law. The Legislature,
27 therefore, does not intend that funding provided for
28 representation under this act supplant proven and existing
29 organizations representing children. Instead, the Legislature
30 intends that funding provided for representation under this act
31 be an additional resource for the representation of more
32 children in these jurisdictions, to the extent necessary to meet
33 the requirements of chapter 39, Florida Statutes, with the
34 cooperation of existing local organizations or through the
35 expansion of those organizations. The Legislature encourages the
36 expansion of pro bono representation for children. This act is
37 not intended to limit the ability of a pro bono attorney to
38 appear on behalf of a child.

39 (2) An attorney shall be appointed for a dependent child
40 who:

41 (a) Resides in a skilled nursing facility or is being
42 considered for placement in a skilled nursing home;



Amendment No. 1

43 (b) Is prescribed a psychotropic medication but declines
44 to assent to the psychotropic medication;

45 (c) Has a diagnosis of developmental disability as defined
46 in s. 393.063;

47 (d) Is being placed in a residential treatment center or
48 being considered for placement in a residential treatment
49 center; or

50 (e) Is a victim of human trafficking as defined in s.
51 787.06(2)(d).

52 (3)(a) Before a court may appoint an attorney who may be
53 compensated pursuant to this section, the court must request a
54 recommendation from the statewide guardian ad litem office for
55 an attorney who is willing to represent a child without
56 additional compensation. If such an attorney is available within
57 15 days after the court's request, the court must appoint that
58 attorney. However, the court may appoint a compensated attorney
59 within the 15-day period if the statewide guardian ad litem
60 office informs the court that it will not be able to recommend
61 an attorney in that time period.

62 (b) After an attorney is appointed, the appointment
63 continues in effect until the attorney is allowed to withdraw or
64 is discharged by the court or until the case is dismissed. An
65 attorney who is appointed under this section to represent the
66 child shall provide the complete range of legal services, from
67 the removal from home or from the initial appointment through
68 all available appellate proceedings. With the permission of the



Amendment No. 1

69 court, the attorney for the dependent child may arrange for
70 supplemental or separate counsel to represent the child in
71 appellate proceedings. A court order appointing an attorney
72 under this section must be in writing.

73 (4) Except if the attorney has agreed to provide pro bono
74 services, an appointed attorney or organization must be
75 adequately compensated and provided with access to funding for
76 expert witnesses, depositions, and other costs of litigation.
77 Payment to an attorney is subject to appropriations and subject
78 to review by the Justice Administrative Commission for
79 reasonableness. The Justice Administrative Commission shall
80 contract with attorneys appointed by the court. Attorney fees
81 may not exceed \$3,000 per child per year.

82 (5) The department shall develop procedures to identify a
83 dependent child who has a special need specified under
84 subsection (1) and to request that a court appoint an attorney
85 for the child. The department may adopt rules to administer this
86 section.

87 (6) This section does not limit the authority of the court
88 to appoint an attorney for a dependent child in a proceeding
89 under this chapter.

90 (7) Implementation of this section is subject to
91 appropriations expressly made for that purpose.

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

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Amendment No. 1

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

Remove everything before the enacting clause and insert:
An act relating to attorneys for dependent children with special needs; providing legislative findings and intent; creating s. 39.01305, F.S.; requiring appointment of an attorney to represent a dependent child who meets one or more specified criteria; requiring that, if one is available, an attorney who is willing to represent a child without additional compensation be appointed; requiring that the appointment be in writing; requiring that the appointment continue in effect until the attorney is allowed to withdraw or is discharged by the court or until the case is dismissed; requiring that an attorney not acting in a pro bono capacity be adequately compensated for his or her services and have access to funding for certain costs; providing for financial oversight by the Justice Administrative Commission; providing a limit on attorney fees; requiring the Department of Children and Families to develop procedures to identify dependent children who qualify for an attorney; authorizing the department to adopt rules; providing applicability; providing an effective date.

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 753 : School Safety

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley		X			
Eric Eisnaugle	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				
Total Yeas: 12		Total Nays: 3			

CS/CS/HB 753 Amendments

Amendment 307639

Adopted Without Objection

Appearances:

CS/CS/HB 753 Amendment 307639

Howat, Scott (Lobbyist) - Proponent

School Board of Orange County

445 W Amelia St

Orlando FL 32801

Phone: (407)317-3337

CS/CS/HB 753 Amendment 307639

Blanton, Wayne (Lobbyist) - Waive In Support

Florida School Boards Association

203 S Monroe St

Tallahassee FL 32301

Phone: (850)414-2578

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 753 : School Safety (continued)

Appearances: (continued)

CS/CS/HB 753

Mixon, Juhan (Lobbyist) - Proponent

Florida Association of School Administrators

119 E Park Ave

Tallahassee FL 32301

Phone: 850-222-2591

CS/CS/HB 753

Horton, Carol (General Public) - Waive In Opposition

5954 Triphammer Rd.

Lake Worth FL 33463

Phone: 561-762-7635

CS/CS/HB 753

Silver, Keri (Lobbyist) - Waive In Support

Florida Sheriffs Association

PO Box 12519

Tallahassee FL 32317

Phone: 850)524-2394

McCleave, Paula (General Public) - Waive In Opposition

PBC Teacher

9125 Demery Dr.

Palm Beach Gardens FL 33410

Phone: 561-718-0633

CS/CS/HB 753

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM



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
4.11.14*

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

4 **Amendment (with title amendment)**

5 Remove lines 30-281 and insert:

6 Section 1. It is the intent of the Legislature to prevent
7 violent crimes from occurring on school grounds. The Legislature
8 acknowledges that the safekeeping of our students, teachers, and
9 campuses is imperative. In addition, the Legislature's intent is
10 not to mandate that a school have one or more designees as
11 described in the amendments made by this act to s. 790.115,
12 Florida Statutes; rather, the intent of the amendments is to
13 allow a local school board to develop policies consistent with
14 chapter 790, Florida Statutes.

15 Section 2. Section 790.115, Florida Statutes, is amended
16 to read:



Amendment No. 1

17 790.115 Possessing or discharging weapons or firearms at a
18 school-sponsored event or on school property prohibited;
19 penalties; exceptions.-

20 (1) For purposes of this section, "school" means a
21 preschool, elementary school, middle school, junior high school,
22 secondary school, adult education facility, career center, or
23 postsecondary school, whether public or nonpublic, or a facility
24 that combines any of these.

25 (2) A person who exhibits any sword, sword cane, firearm,
26 electric weapon or device, destructive device, or other weapon
27 as defined in s. 790.001(13), including a razor blade, box
28 cutter, or common pocketknife, except as authorized in support
29 of school-sanctioned activities, in the presence of one or more
30 persons in a rude, careless, angry, or threatening manner and
31 not in lawful self-defense, at a school-sponsored event or on
32 the grounds or facilities of any school, school bus, or school
33 bus stop, or within 1,000 feet of the real property that
34 comprises a public or private elementary school, middle school,
35 or secondary school, during school hours or during the time of a
36 sanctioned school activity, commits a felony of the third
37 degree, punishable as provided in s. 775.082, s. 775.083, or s.
38 775.084. This subsection does not apply to the exhibition of a
39 firearm or weapon on private real property within 1,000 feet of
40 a school by the owner of such property or by a person whose
41 presence on such property has been authorized, licensed, or
42 invited by the owner.

307639 - h0753-line30 - revised.docx

Published On: 4/10/2014 6:25:58 PM



Amendment No. 1

43 (3) (a) A school superintendent, with approval of the
44 school board, may authorize a school safety designee to carry a
45 concealed weapon or firearm on school property. For purposes of
46 this subsection, a school safety designee is an individual who
47 is a school district employee or volunteer who is licensed to
48 carry a concealed weapon or firearm pursuant to s. 790.06 and
49 who is:

50 1. A military veteran who was honorably discharged and who
51 has not been found to have committed a firearms-related
52 disciplinary infraction during his or her service;

53 2. An active duty member of the military, the National
54 Guard, or military reserves who has not been found to have
55 committed a firearms-related disciplinary infraction during his
56 or her service; or

57 3. An active law enforcement officer in good standing or a
58 law enforcement officer who retired or terminated employment in
59 good standing and did not retire or terminate employment during
60 the course of an internal affairs investigation.

61 (b) A school safety designee authorized to carry a
62 concealed weapon or firearm on school property under this
63 subsection may only carry such weapon or firearm in a concealed
64 manner. The weapon or firearm must be carried on the school
65 safety designee's person at all times while the school safety
66 designee is performing his or her official school duties or, if
67 the school safety designee is a volunteer, while performing his
68 or her official school duties under this program.



Amendment No. 1

69 (c) A school board that approves the use of a school
70 safety designee shall develop policies consistent with this
71 section to incorporate in its overall school safety plan. A
72 school principal may recommend school safety designees to the
73 school superintendent under this subsection. The school
74 superintendent may designate individuals to serve as school
75 safety designees who agree to accept the designation. If a
76 superintendent designates one or more individuals pursuant to
77 this section, the school district shall coordinate with each
78 local law enforcement agency that may potentially respond to an
79 emergency at a school in which a school safety designee is
80 employed or volunteers to develop best practices and to allow
81 the responding law enforcement agency to easily identify a
82 school safety designee in a case of emergency. In the case of an
83 emergency, a school safety designee shall be under the direction
84 of the assigned school resource officer, if any. Upon the
85 arrival of the local responding law enforcement agency, the
86 school safety designee shall be under the direction of the
87 responding law enforcement agency.

88 (d) Each school safety designee must submit to the school
89 superintendent proof of completion of a school safety
90 program. The school safety program shall be created and defined
91 by the Criminal Justice Standards and Training Commission and
92 may include, but is not limited to active shooter training,
93 firearm proficiency, school resource officer training, crisis
94 intervention training, weapons retention training and continuing



Amendment No. 1

95 education and training. The school safety program shall be
96 developed and created by January 1, 2015. The school safety
97 program shall be administered by State of Florida Criminal
98 Justice Training Centers. Each state-operated criminal justice
99 training center who administers the school safety program must
100 certify and provide proof of completion of the program in a
101 manner prescribed by the Criminal Justice Standards and Training
102 Commission.

103 (e) School property at which a school safety designee may
104 carry a concealed weapon or firearm under this subsection may be
105 indicated with signage that reads: "Authorized Armed Defense
106 Present and Permitted."

107 (f) Subsection (4) does not apply to school safety
108 designees who are working or volunteering at the school they are
109 assigned to be the school safety designee. A school safety
110 designee who stores or leaves a weapon or firearm within the
111 reach or easy access of a minor who obtains the firearm commits
112 a misdemeanor of the second degree, punishable as provided in s.
113 775.082 or s. 775.083.

114 (g)1. If the school safety designee has not previously
115 been level 2 background screened pursuant to s. 435.04 by the
116 school board, then the school superintendent must require the
117 school safety designee to undergo level 2 background screening
118 pursuant to s. 435.04 every 5 years. The school superintendent
119 may require additional screenings at any time.



Amendment No. 1

120 2. If the school safety designee is screened pursuant to
121 subparagraph 1., the school safety designee's fingerprints must
122 be submitted by the school or an entity or vendor as authorized
123 by s. 943.053(13). The fingerprints shall be forwarded to the
124 Department of Law Enforcement for state processing, and the
125 Department of Law Enforcement shall forward the fingerprints to
126 the Federal Bureau of Investigation for national processing.

127 3. All fingerprints submitted to the Department of Law
128 Enforcement as required under this subsection shall be retained
129 by the Department of Law Enforcement as provided under s.
130 943.05(2)(g) and (h) and enrolled in the Federal Bureau of
131 Investigation's national retained print arrest notification
132 program. Fingerprints shall be enrolled in the national retained
133 print arrest notification program when the Department of Law
134 Enforcement begins participation with the Federal Bureau of
135 Investigation. Arrest fingerprints shall be searched against the
136 retained prints by the Department of Law Enforcement and the
137 Federal Bureau of Investigation, and any arrest record that is
138 identified shall be reported to the school by the Department of
139 Law Enforcement.

140 4. The fees for state and national fingerprint processing,
141 along with the fingerprint retention fees, shall be borne by the
142 school safety designee or school. The state shall pay the cost
143 for fingerprint processing as authorized in s. 943.053(3)(b) for
144 records provided to persons or entities other than those
145 specified as exceptions therein.



Amendment No. 1

146 5. A school superintendent shall notify the Department of
147 Law Enforcement regarding any person whose fingerprints have
148 been retained but who is no longer a school safety designee.

149 (4)-(2)(a) A person shall not possess any firearm, electric
150 weapon or device, destructive device, or other weapon as defined
151 in s. 790.001(13), including a razor blade or box cutter, except
152 as authorized in support of school-sanctioned activities, at a
153 school-sponsored event or on the property of any school, school
154 bus, or school bus stop; however, a person may carry a firearm:

155 1. In a case to a firearms program, class or function
156 which has been approved in advance by the principal or chief
157 administrative officer of the school as a program or class to
158 which firearms could be carried;

159 2. In a case to a career center having a firearms training
160 range; or

161 3. In a vehicle pursuant to s. 790.25(5); except that
162 school districts may adopt written and published policies that
163 waive the exception in this subparagraph for purposes of student
164 and campus parking privileges.

165
166 For the purposes of this section, "school" means any preschool,
167 elementary school, middle school, junior high school, secondary
168 school, career center, or postsecondary school, whether public
169 or nonpublic.

170 (b) A person who willfully and knowingly possesses any
171 electric weapon or device, destructive device, or other weapon



Amendment No. 1

172 as defined in s. 790.001(13), including a razor blade or box
173 cutter, except as authorized in support of school-sanctioned
174 activities, in violation of this subsection commits a felony of
175 the third degree, punishable as provided in s. 775.082, s.
176 775.083, or s. 775.084.

177 (c)1. A person who willfully and knowingly possesses any
178 firearm in violation of this subsection commits a felony of the
179 third degree, punishable as provided in s. 775.082, s. 775.083,
180 or s. 775.084.

181 2. A person who stores or leaves a loaded firearm within
182 the reach or easy access of a minor who obtains the firearm and
183 commits a violation of subparagraph 1. commits a misdemeanor of
184 the second degree, punishable as provided in s. 775.082 or s.
185 775.083; except that this does not apply if the firearm was
186 stored or left in a securely locked box or container or in a
187 location which a reasonable person would have believed to be
188 secure, or was securely locked with a firearm-mounted push-
189 button combination lock or a trigger lock; if the minor obtains
190 the firearm as a result of an unlawful entry by any person; or
191 to members of the Armed Forces, National Guard, or State
192 Militia, or to police or other law enforcement officers, with
193 respect to firearm possession by a minor which occurs during or
194 incidental to the performance of their official duties.

195 (d) A person who discharges any weapon or firearm while in
196 violation of paragraph (a), unless discharged for lawful defense
197 of himself or herself or another or for a lawful purpose,



Amendment No. 1

198 commits a felony of the second degree, punishable as provided in
199 s. 775.082, s. 775.083, or s. 775.084.

200 (e) The penalties of this subsection shall not apply to
201 persons licensed under s. 790.06. Persons licensed under s.
202 790.06 shall be punished as provided in s. 790.06(12), except
203 that a licenseholder who unlawfully discharges a weapon or
204 firearm on school property as prohibited by this subsection
205 commits a felony of the second degree, punishable as provided in
206 s. 775.082, s. 775.083, or s. 775.084.

207 ~~(5)(3)~~ This section does not apply to any law enforcement
208 officer as defined in s. 943.10(1), (2), (3), (4), (6), (7),
209 (8), (9), or (14).

210 ~~(6)(4)~~ Notwithstanding s. 985.24, s. 985.245, or s.
211 985.25(1), any minor under 18 years of age who is charged under
212 this section with possessing or discharging a firearm on school
213 property shall be detained in secure detention, unless the state
214 attorney authorizes the release of the minor, and shall be given
215 a probable cause hearing within 24 hours after being taken into
216 custody. At the hearing, the court may order that the minor
217 continue to be held in secure detention for a period of 21 days,
218 during which time the minor shall receive medical, psychiatric,
219 psychological, or substance abuse examinations pursuant to s.
220 985.18, and a written report shall be completed.

221 Section 3. Subsections (4) and (6) of section 1006.07,
222 Florida Statutes, are amended and subsection (7) is added to
223 that section to read:



Amendment No. 1

224 1006.07 District school board duties relating to student
225 discipline and school safety.—The district school board shall
226 provide for the proper accounting for all students, for the
227 attendance and control of students at school, and for proper
228 attention to health, safety, and other matters relating to the
229 welfare of students, including:

230 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

231 (a) Formulate and prescribe policies and procedures for
232 emergency drills and for actual emergencies, including, but not
233 limited to, fires, natural disasters, active shooters, hostage
234 situations, and bomb threats, for all the public schools of the
235 district which comprise grades K-12. District school board
236 policies shall include commonly used alarm system responses for
237 specific types of emergencies and verification by each school
238 that drills have been provided as required by law and fire
239 protection codes. The emergency response agency that is
240 responsible for notifying the school district for each type of
241 emergency must be listed in the district's emergency response
242 policy.

243 (b) Establish model emergency management and emergency
244 preparedness procedures, including emergency notification
245 procedures pursuant to paragraph (a), for the following life-
246 threatening emergencies:

247 1. Weapon-use, and hostage, and active shooter situations.
248 The active shooter situation procedures for each school shall be
249 developed in consultation with a local law enforcement agency.



Amendment No. 1

250 2. Hazardous materials or toxic chemical spills.

251 3. Weather emergencies, including hurricanes, tornadoes,
252 and severe storms.

253 4. Exposure as a result of a manmade emergency.

254 (6) SAFETY AND SECURITY BEST PRACTICES.—Use the Safety and
255 Security Best Practices developed by the Office of Program
256 Policy Analysis and Government Accountability to conduct a self-
257 assessment of the school districts' current safety and security
258 practices. Based on these self-assessment findings, the district
259 school superintendent shall provide recommendations to the
260 district school board and local law enforcement agencies that
261 are first responders to the district campuses which identify
262 strategies and activities that the district school board should
263 implement in order to improve school safety and security.
264 Annually each district school board must receive the self-
265 assessment results at a publicly noticed district school board
266 meeting to provide the public an opportunity to hear the
267 district school board members discuss and take action on the
268 report findings. Each district school superintendent shall
269 report the self-assessment results and school board action to
270 the commissioner within 30 days after the district school board
271 meeting.

272 (7) SAFETY IN CONSTRUCTION AND PLANNING.—A district school
273 board or private school principal or governing board must allow
274 local law enforcement agencies that are first responders to the
275 schools to tour the school campuses at least once every 3 years.



Amendment No. 1

276 Any changes related to school safety and emergency issues
277 recommended by a law enforcement agency based on a campus tour
278 must be documented by the district school board or the private
279 school principal or governing board.

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

Remove lines 4-17 and insert:

permitting a school superintendent, with approval of the school board, to authorize a school safety designee to carry a concealed weapon or firearm on school property; providing requirements for school safety designees; providing exceptions to the prohibition on possession of firearms or other specified devices on school property; providing for fingerprint processing and retention; requiring that fees shall be borne by the designee or school; amending s. 1006.07, F.S.; requiring school boards to formulate policies and procedures for managing active shooter and hostage situations; requiring that active shooter procedures for each school be developed in consultation with local law enforcement agencies; requiring that

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 797 : Clerks of Court

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Eric Eisnaugle	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				
	Total Yeas: 19	Total Nays: 0			

Appearances:

CS/CS/HB 797

Baggett, Fred (Lobbyist) - Proponent

Florida Association of Court Clerks

101 E College Ave

Tallahassee FL

Phone: 850-425-8512

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

HB 903 : Application of Foreign Law in Certain Cases

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell		X			
Dwight Dudley		X			
Eric Eisnaugle	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				
	Total Yeas: 13	Total Nays: 6			

Appearances:

HB 903

Schlakman, Mark (General Public) - Information Only

FSU Center for the Advancement of Human Rights & on behalf of both Int. Law Section of FL Bar & ADL

FSU/CAHR 426 W. Jefferson St.

Tallahassee FL 32301

Phone: (850) 644-4614

HB 903

Flynn, Mark (Lobbyist) - Opponent

EMERGE

210 Britt

Tallahassee FL

Phone: 850-320-5555

HB 903

Sheir, Mohammad (General Public) - Waive In Opposition

5619 Oakland Dr

Tampa FL

Phone: 813-957-2555

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

HB 903 : Application of Foreign Law in Certain Cases (continued)

Appearances: (continued)

HB 903

Alkadah, Majeed (General Public) - Waive In Opposition
3940 Solano Rd
Panama City FL 32405
Phone: 850-960-2978

HB 903

Ahman, Musa (General Public) - Waive In Opposition
8255 Citrus Chase Drive
Orlando FL
Phone: 407-970-2653

HB 903

Rahman, Muthanna (General Public) - Waive In Opposition
7916 Harmony Lake Ct
Ft. Myers FL 33907
Phone: 239-851-5204

HB 903

Hasan, Omar (General Public) - Waive In Opposition
4619 Rue Bordeaux
Lutz FL 33558
Phone: 813-949-2525

HB 903

Khalil, Iman (General Public) - Waive In Opposition
8525 Hidden River Parkway
Tampa FL 33637
Phone: 352-397-8535

HB 903

Qureshi, Bilal (General Public) - Waive In Opposition

HB 903

Tabbaa, Rami (General Public) - Waive In Opposition
467 Sudduth Ave
Panama City FL 32401
Phone: 850-896-4258

HB 903

Merchant, Zainah (General Public) - Waive In Opposition
5031 Savadge Palms Drive
Tampa FL
Phone: 352-301-6155

HB 903

Johnson, Sara (Lobbyist) - Waive In Support
Florida Family Action
4853 S. Orange Ave.
Orlando FL 32806
Phone: 850-567-8143

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

HB 903 : Application of Foreign Law in Certain Cases (continued)

Appearances: (continued)

HB 903

Fort, Pamela (Lobbyist) - Waive In Opposition

ACLU of Florida
104 S. Monroe Street
Tallahassee Florida 32301
Phone: 850-425-1344

HB 903

Elhaz, Sam (General Public) - Waive In Opposition

4930 SW 90th Ave
Cooper City FL 33328
Phone: 954-336-5963

HB 903

Spahic, Aunina (General Public) - Waive In Opposition

10805 N 53 St
Tampa FL 33617
Phone: 813-484-9670

HB 903

Shamim, Ibrahim (General Public) - Information Only

20092 Heritage Point Drive
Tampa FL 33647
Phone: 813-463-3456

HB 903

Aly, Nadine (General Public) - Waive In Opposition

2299 Park Place
Boca Raton FL 33486
Phone: 561-702-9774

HB 903

Ashouri, Faris (General Public) - Waive In Opposition

7361 SW 120th Ave
Miami FL 33183
Phone: 786-942-8294

HB 903

Abdelaziz, Laila (General Public) - Waive In Opposition

5031 Sunridge Palms Drive
Tampa FL
Phone: 352-361-1808

HB 903

Cleland, John (General Public) - Proponent

Major General, U S Army, Ret.
1346 Democracy Ave
Viera FL
Phone: 321-757-9327

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

HB 903 : Application of Foreign Law in Certain Cases (continued)

Appearances: (continued)

HB 903

Oblack, Joe (General Public) - Proponent
Major, U S Air Force, Ret.
2631 Little Bend Pl
Merritt Island FL 32952
Phone: 321-453-2947

HB 903

Boyland, Lee (General Public) - Proponent
Veterans in Defense of Americal Liberties
Melbourne FL 32940
Phone: 321-255-3995

HB 903

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

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 1017 : Human Trafficking

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Eric Eisnaugle	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				
Total Yeas: 18		Total Nays: 0			

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 1021 : Pub. Rec./Human Trafficking Victims

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				
Eric Eisnaugle	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				
Total Yeas: 19		Total Nays: 0			

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 1105 : Sexual Predator & Sexual Offender Absconders

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Eric Eisnaugle	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				
	Total Yeas: 19	Total Nays: 0			

CS/CS/HB 1105 Amendments

Amendment 768411

Adopted Without Objection

Appearances:

CS/CS/HB 1105

Pitts, Brian - Proponent

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM



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
4-11-14*

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

Amendment

5 Remove lines 86-96 and insert:

6 additional meeting. At least one meeting must be held via
7 teleconference. Members may appear at meetings by electronic
8 means. A majority of the members of the strike force constitutes
9 a quorum.

10 (7) DUTIES.—The strike force shall coordinate with the
11 Department of Corrections and local law enforcement agencies to:

12 (a)1. Develop and review a statewide list of known sexual
13 predator and sexual offender absconders.

14 2. Identify the statewide challenges, legal obstacles, and
15 case law that impact sexual predator and sexual offender
16 absconders.

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 1135 : Limitation of Civil Liability for Farmers

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Eric Eisnaugle	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				
	Total Yeas: 19	Total Nays: 0			

CS/HB 1135 Amendments

Amendment 372745

Adopted Without Objection

Appearances:

CS/HB 1135

Pierce, Lance (Lobbyist) - Waive In Support

Assistant Director of State Legislative Affairs, Florida Farm Bureau

315 S Calhoun St

Tallahassee FL

Phone: 850-222-2517

CS/HB 1135

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 1135 : Limitation of Civil Liability for Farmers (continued)

Appearances: (continued)

CS/HB 1135 Amendment 372745

Bon Larron, Todd (Lobbyist) - Waive In Support

Palm Beach County

301 N. Olive Ave.

West Palm Beach FL 33401

Phone: (561) 355-3451

CS/HB 1135

Bevis, Brewster (Lobbyist) - Waive In Support

Associated Industries of Florida

516 N Adams St

Tallahassee FL 32301

Phone: 850)224-7173

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM



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*

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

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsections (2) and (3) of section 768.137,
7 Florida Statutes, are amended to read:

8 768.137 Definition; limitation of civil liability for
9 certain farmers; exception.-

10 (2) A Any farmer who gratuitously allows a person persons
11 to enter upon the farmer's ~~her or his own~~ land for the purpose
12 of removing any farm produce or crops is remaining in the fields
13 ~~following the harvesting thereof,~~ shall be exempt from civil
14 liability:

15 (a) Arising out of any injury or the death of such person
16 due to resulting from the nature or condition of the such land;
17 or



Amendment No. 1

18 (b) Arising out of any injury or death due to the nature,
19 age, or condition of the any such farm produce or crops removed
20 by such person erop.

21 (3) The exemption from civil liability provided for in
22 this section does shall not apply if injury or death directly
23 results from the gross negligence or, intentional act of the
24 farmer, or the failure of the farmer to warn of a dangerous
25 condition of which the farmer has actual knowledge unless the
26 dangerous condition would be obvious to a person entering upon
27 the farmer's land from known dangerous conditions not disclosed
28 by the farmer.

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

30
31
32 -----
33 **T I T L E A M E N D M E N T**

34 Remove everything before the enacting clause and insert:
35 An act relating to the civil liability of farmers; amending s.
36 768.137, F.S.; expanding an existing exemption from civil
37 liability for farmers who gratuitously allow a person to enter
38 upon their land for the purpose of removing farm produce or
39 crops left in the field after harvesting to include farmers who
40 gratuitously allow a person to enter upon their land to remove
41 any farm produce or crops; revising exceptions to the exemption
42 from civil liability; providing an effective date.

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 1215 : False Personation

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				
Eric Eisnaugle	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				
	Total Yeas: 19	Total Nays: 0			

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/11/2014 8:00:00AM

Location: Sumner Hall (404 HOB)

HB 1279 : Marriage of Minors

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Dwight Dudley	X				
Eric Eisnaugle	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				
	Total Yeas: 19	Total Nays: 0			

Appearances:

HB 1279

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Friday, April 11, 2014 2:05:15PM