



Judiciary Committee

**Tuesday, April 14, 2015
9:00 AM – 12:00 PM
Sumner Hall (404 HOB)**

ACTION PACKET

**Steve Crisafulli
Speaker**

**Charles McBurney
Chair**

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

Summary:

Judiciary Committee

Tuesday April 14, 2015 09:00 am

CS/CS/HB 57	Favorable With Committee Substitute	Yeas: 18	Nays: 0
Amendment 129873	Adopted Without Objection		
Am 1			
Amendment 620211	Adopted Without Objection		
Am 2			
CS/CS/CS/HB 69	Favorable	Yeas: 17	Nays: 0
CS/CS/HB 99	Favorable With Committee Substitute	Yeas: 16	Nays: 0
Amendment 748717	Adopted Without Objection		
Am 1			
HB 137	Favorable	Yeas: 18	Nays: 0
CS/CS/HB 611	Favorable With Committee Substitute	Yeas: 15	Nays: 3
Amendment 258305	Adopted Without Objection		
Am 1			
CS/HB 845	Favorable	Yeas: 16	Nays: 1
CS/CS/HB 1127	Favorable	Yeas: 17	Nays: 0
HM 1269	Favorable	Yeas: 13	Nays: 4
CS/HB 7063	Favorable	Yeas: 18	Nays: 0
HB 7065	Favorable	Yeas: 18	Nays: 0
HB 7103	Favorable	Yeas: 18	Nays: 0
CS/HB 7131	Favorable With Committee Substitute	Yeas: 15	Nays: 3
Amendment 470049	Adopted		
Am 1			
Amendment 400179	Adopted Without Objection		
Am 2			
Amendment 881615	Withdrawn		
Am 3			
Amendment 796587	Adopted		
Am 4			

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

Summary: (continued)

Judiciary Committee

Tuesday April 14, 2015 09:00 am

Amendment 352009 Adopted
Am 5

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Charles McBurney (Chair)	X		
Colleen Burton	X		
Dwight Dudley	X		
Katie Edwards	X		
Jay Fant	X		
Julio Gonzalez	X		
Gayle Harrell	X		
Matt Hudson	X		
Dave Kerner	X		
Larry Metz	X		
Jared Moskowitz	X		
Kathleen Passidomo	X		
Scott Plakon	X		
Michelle Rehwinkel Vasilinda	X		
José Rodriguez	X		
Charlie Stone	X		
Carlos Trujillo	X		
John Wood	X		
Totals:	18	0	0

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 57 : Law Enforcement Officer Body Cameras

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Colleen Burton	X				
Dwight Dudley	X				
Katie Edwards	X				
Jay Fant	X				
Julio Gonzalez	X				
Gayle Harrell	X				
Matt Hudson	X				
Dave Kerner	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Scott Plakon	X				
Michelle Rehwinkel Vasilinda	X				
José Rodríguez	X				
Charlie Stone	X				
Carlos Trujillo	X				
John Wood	X				
Charles McBurney (Chair)	X				
Total Yeas: 18		Total Nays: 0			

CS/CS/HB 57 Amendments

Amendment 129873

Adopted Without Objection

Amendment 620211

Adopted Without Objection

Appearances:

CS/CS/HB 57

Book, Ron (Lobbyist) - Waive In Support

Miami Dade County

104 W Jefferson

Tallahassee FL 32301

Phone: 850-224-3427

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 57 : Law Enforcement Officer Body Cameras (continued)

Appearances: (continued)

CS/CS/HB 57

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

CS/CS/HB 57

Richardson, Michelle (Lobbyist) - Proponent

ACLU of Florida

Director of Public Policy

4500 Biscayne Blvd

Miami FL 33137

Phone: 786-363-2700

CS/CS/HB 57

Fort, Pamela Burch (Lobbyist) - Waive In Support

Florida State Conference of NAACP

104 S Monroe St

Tallahassee FL 32301

Phone: 850-425-1344

CS/CS/HB 57

Mercer, Amy (Lobbyist) - Waive In Support

Florida Police Chiefs Association

Executive Director

924 N. Gadsdew St.

Tallahassee FL 32303

Phone: (850)219-3631

CS/CS/HB 57

Barnard, Bryan - Waive In Support

Florida Sheriffs Association

Lt. Volusion County Sheriff Officer

123 W Indiana Avenue

Deland FL 32721

Phone: 386-736-5961

President and CEO,

Bishop, Barney (Lobbyist) - Waive In Support

Florida Smart Justice Alliance

President and CEO,

204 S Monroe St

Tallahassee FL 32301

CS/CS/HB 57

Trammell, Robert (Lobbyist) - Waive In Support

Florida Public Defender Association, Inc

PO Box 11057

Tallahassee FL 32302

Phone: (850)510-2187

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 57 : Law Enforcement Officer Body Cameras (continued)

Appearances: (continued)

CS/CS/HB 57

Bradford, Gary (Lobbyist) - Waive In Support

Florida Police Benevolent Association, Inc

Gov't Relations

300 E Brevard Street

Tallahassee FL 32301

Phone: 800-733-3723

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> Y </u>	(Y/N) 4/14/15
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Jones, S. offered the following:

Amendment

Between lines 51 and 52, insert:

6 (c) "Law enforcement officer" has the same meaning as
 7 provided in s. 943.10.



Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)	
ADOPTED AS AMENDED	—	(Y/N)	
ADOPTED W/O OBJECTION	<u>y</u>	(Y/N)	4/14/15
FAILED TO ADOPT	—	(Y/N)	
WITHDRAWN	—	(Y/N)	
OTHER	_____		

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Jones, S. offered the following:

3

4 **Amendment**

5 Remove line 82 and insert:

6 Section 2. This act shall take effect upon becoming a law.

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/CS/HB 69 : Missing Persons with Special Needs

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Colleen Burton	X				
Dwight Dudley	X				
Katie Edwards	X				
Jay Fant	X				
Julio Gonzalez	X				
Gayle Harrell	X				
Matt Hudson	X				
Dave Kerner	X				
Larry Metz				X	
Jared Moskowitz	X				
Kathleen Passidomo	X				
Scott Plakon	X				
Michelle Rehwinkel Vasilinda	X				
José Rodríguez	X				
Charlie Stone	X				
Carlos Trujillo	X				
John Wood	X				
Charles McBurney (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Appearances:

CS/CS/CS/HB 69

Quigley, Tim - Waive In Support

Lieutenant

Florida Sheriff's Association

951 Singleton Dr

Deland FL 32724

Phone: 386-736-5333

CS/CS/CS/HB 69

Smith, Zayne (Lobbyist) - Waive In Support

AARP

ASD

200 W. College Ave.

Tallahassee FL 32301

Phone: 850-577-5163

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COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/CS/HB 69 : Missing Persons with Special Needs (continued)

Appearances: (continued)

CS/CS/CS/HB 69

Stein, Gary - Proponent

FAAST, Inc.

Dir. of Public Policy

3333 W. Pensacola St.

Tallahassee FL

Phone: 850-366-3733

CS/CS/CS/HB 69

Williams, Buddy - Proponent

Chief of Police Live Oak Florida

205 SE White Ave

Live Oak FL 32064

Phone: 386-590-1645

CS/CS/CS/HB 69

Pitts, Brian - Information Only

Justice-2-Jesus

Trustee

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

CS/CS/CS/HB 69

Pritt, Jennifer (Lobbyist) (State Employee) - Waive In Support

FDLE

Assistant Commissioner

2331 Phillips Road

Tallahassee FL 32306

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 99 : Juvenile Justice

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Colleen Burton	X				
Dwight Dudley	X				
Katie Edwards	X				
Jay Fant	X				
Julio Gonzalez	X				
Gayle Harrell	X				
Matt Hudson	X				
Dave Kerner	X				
Larry Metz	X				
Jared Moskowitz			X		
Kathleen Passidomo	X				
Scott Plakon	X				
Michelle Rehwinkel Vasilinda	X				
José Rodríguez	X				
Charlie Stone	X				
Carlos Trujillo			X		
John Wood	X				
Charles McBurney (Chair)	X				
Total Yeas: 16		Total Nays: 0			

CS/CS/HB 99 Amendments

Amendment 748717

Adopted Without Objection

Appearances:

CS/CS/HB 99

Retter, Ryan (Lobbyist) - Waive In Support
Children's Services Council of Broward County
Govt. Affairs Manager
6600 W. Commercial Blvd.
Lauderhill FL 33319
Phone: 954-377-1600

CS/CS/HB 99

Sexton, Samantha (Lobbyist) - Waive In Support
Pace Center for Girls
Governmental Affairs
1 W. Park Ave.
Jacksonville FL
Phone: 904-383-9403

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COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 99 : Juvenile Justice (continued)

Appearances: (continued)

CS/CS/HB 99

Dodge, David - Waive In Support
934 Lexington St.
Lakeland FL 33801
Phone: 863-680-1890

CS/CS/HB 99

Hauptert-Johnson, Sue - Waive In Support
United Methodist Church/Children of Florida
District Superintendent
1135 E. Ft. King Street
Ocala FL 34471
Phone: 352-817-1966

CS/CS/HB 99

Spencer, Gary - Waive In Support
United Methodist Church
Minister
625 Woodbridge Dr.
Melbourne FL 32940

CS/CS/HB 99

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

CS/CS/HB 99

Clark, Ronnie - Proponent
Pastor
700 Avenue O NE
Winter Haven FL
Phone: 863-293-6415

CS/CS/HB 99

Bishop, Barney (Lobbyist) - Waive In Support
The Florida Smart Justice Alliance
President & CEO
204 S Monroe
Tallahassee FL 32301

CS/CS/HB 99

Mercer, Amy (Lobbyist) - Waive In Support
The Florida Police Chiefs Association
Executive Director
924 N. Gadsden Street
Tallahassee FL 32303
Phone: 850-219-3631

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COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 99 : Juvenile Justice (continued)

Appearances: (continued)

CS/CS/HB 99

Martinez, Carlos (State Employee) - Waive In Support
Florida Public Defenders Association
Public Defender, 11th Circuit
1320 NW 14th Street
Miami FL 33125
Phone: 305-545-1600

CS/CS/HB 99

Quigley, Tim - Waive In Support
Lieutenant
Florida Sheriff's Association
951 Singleton Dr
Deland FL 32724
Phone: 386-736-5333

CS/CS/HB 99

Youmans, Laura (Lobbyist) - Waive In Support
Florida Association of Counties
Legislative Advocate
100 N. Monroe St.
Tallahassee FL 32301
Phone: 850-294-1838

CS/CS/HB 99

Smith, Ronald (Ron) - Proponent
F.A.I.T.H./Fight Against Injustice Towards Harmony
Citizen of New Smyrna Beach, FL Member, Coronado Community United Methodist Church
813 E. 25th Ave.
New Smyrna Beach FL 32169
Phone: 770-633-7810

CS/CS/HB 99

Padgett, Samantha (Lobbyist) - Proponent
Florida Retail Federation & Florida Petroleum Marketers
General Counsel
227 S Adams St
Tallahassee FL 32301
Phone: 850-222-4082

CS/CS/HB 99

DeSue, Fatha - Waive In Support
Trinity United Methodist in Lake City
Pastor
5808 N.W. 177th St.
Starke FL 32091
Phone: 904-964-8763

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COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 99 : Juvenile Justice (continued)

Appearances: (continued)

CS/CS/HB 99

Roach, Kay - Waive In Support

United Methodist Church Women

FL Conf. VP

85 Cool Springs Ln

Quincy FL 32351

Phone: 850-570-5482

CS/CS/HB 99

Cassini, Marty (Lobbyist) - Waive In Support

Broward County

Legislative Counsel

115 S. Andrews Ave

Fort Lauderdale FL 33301

Phone: 954-357-7575

CS/CS/HB 99

Rooks, Amy - Waive In Support

FL United Methodist

335 Frances Drive

Havana FL 32333

Phone: 478-278-9219

CS/CS/HB 99

Uebel, Rosemary - Waive In Support

United Methodist United Methodist Women

1068 44th Ave. NE

St. Petersburg FL 33703

Phone: 727-821-5032

CS/CS/HB 99

Zarzycki, Emily - Waive In Support

United Methodist Church

Camp Director at CROS Ministries

301 1st. Ave. S.

Lake Worth FL 33460

Phone: 561-281-6469

CS/CS/HB 99

DeLoach, Anja - Waive In Support

United Methodist Women

539 Willowbrook Lane

Tallahassee FL 32317

Phone: 850-656-4996

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 99 : Juvenile Justice (continued)

Appearances: (continued)

CS/CS/HB 99

Dancey, Rev. Lauren Dunkle - Waive In Support
Florida United Methodist Annual Conference
Chaplain
510 E. Oakwood Ave.
Orange City FL 32763
Phone: 386-837-0064

CS/CS/HB 99

Smiley, Candace - Waive In Support
Florida United Methodist Church
Citizen Duval County
2228 Cheryl Drive
Jacksonville FL 32217
Phone: 954-647-1196

CS/CS/HB 99

Pride, Lucy - Waive In Support
Florida Conference AME
Conference President
3191 Connector Drive
Tallahassee FL 32303
Phone: 850-228-6327

CS/CS/HB 99

Sailor, Ms. Louvenia E. - Waive In Support
AME Church
Advocate-AME Church
135 Drew Ellis Lane
Quincy
Phone: 850-509-4665

CS/CS/HB 99

Aronberg, Dave - Waive In Support
FPAA
State Attorney, Palm Beach County
401 N. Dixie Hwy.
WPB FL 33401
Phone: 561-355-7246

CS/CS/HB 99

Wiatt, Wayne - Waive In Support
United Methodist Church. FL Conf.
Clergy. Dir. Com.Clergy Excellence
458 Martin Luther King Jr Ave.
Lakeland FL 33815
Phone: 407-403-4367

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 99 : Juvenile Justice (continued)

Appearances: (continued)

CS/CS/HB 99

Elkins, Margaree R. - Waive In Support

AME Church

Women Missionary Society AME Church

605 Howard Ave

Tallahassee FL 32310

Phone: 850-576-4733

CS/CS/HB 99

Griffin, Callum - Waive In Support

A.M.E. Church

1415 Louisiana Ave.

Lynn Haven FL 32444

Phone: 850-265-2650

CS/CS/HB 99

Griffin, Dorise G. - Waive In Support

AME Church

1415 Louisiana Ave.

Lynn Haven FL 32444

Phone: 850-265-2650

CS/CS/HB 99

McQueen, Marrie - Waive In Support

11th Episcopal District AME

A.M.E. Conference Missionary

1825 Woodgate Way

Tallahassee FL 32308

Phone: 850-385-2461

CS/CS/HB 99

Griffin, Harriet L. - Waive In Support

African Methodist Episcopal Church

Florida Conference Women Missionary Society of AME Church

3194 Notre Dame St.

Tallahassee FL 32305

Phone: 850-509-6010

CS/CS/HB 99

Glenn-Williams, Isabell - Waive In Support

AME Church -- Women's Missionary Society

544 Royal Ridge St.

Valrico FL 33594

Phone: 813-655-1151

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 99 : Juvenile Justice (continued)

Appearances: (continued)

CS/CS/HB 99

Petties, Sylvia G. - Waive In Support

AME Church

Missionary -- AME Church

3203 Wheatley Road

Tallahassee FL 32305

Phone: 850-508-3684

CS/CS/HB 99

Snell, Mary M. - Waive In Support

New Life United Methodist

1575 Paul Russell Rd #3802

Tallahassee FL 32301

Phone: 850-597-7343

CS/CS/HB 99

Newbold, Jeroline O. - Waive In Support

New Life United Meth. Church

2732 Summer Meadow Dr.

Tallahassee FL 32303

Phone: 850-877-1456

CS/CS/HB 99

Miller, Roy (Lobbyist) - Waive In Support

The Children's Campaign

President

111 S. Magnolia Dr.

Tallahassee FL 32301

Phone: 850-425-2600

CS/CS/HB 99

Graves, William R. - Waive In Support

United Methodist Church

Conference Lay Leader UMC

2260 Front St. #204

Melbourne FL 32901

Phone: 321-722-2660

CS/CS/HB 99

Pound, Greg - Information Only

9166 Sunrise Dr

Largo FL 33773

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N) 4/14/15
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Clarke-Reed offered the following:

Amendment

Remove line 60 and insert:

3
 4
 5
 6 may be used in a second or subsequent misdemeanor. However, a
 7 juvenile may not be issued a civil citation or be required to
 8 participate in a similar diversion program for more than three
 9 separate misdemeanor offenses. If an arrest

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 137 : Civil Liability of Farmers

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Colleen Burton	X				
Dwight Dudley	X				
Katie Edwards	X				
Jay Fant	X				
Julio Gonzalez	X				
Gayle Harrell	X				
Matt Hudson	X				
Dave Kerner	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Scott Plakon	X				
Michelle Rehwinkel Vasilinda	X				
José Rodríguez	X				
Charlie Stone	X				
Carlos Trujillo	X				
John Wood	X				
Charles McBurney (Chair)	X				
	Total Yeas: 18	Total Nays: 0			

Appearances:

HB 137

Basford, Adam (Lobbyist) - Waive In Support

FL Farm Bureau
Leg. Affairs Director
315 S Calhoun St #850
Tallahassee FL 32301
Phone: 8502222557

HB 137

Buckley, Emily (Lobbyist) - Waive In Support

Palm Beach County
1400 Village Square Blvd
Tallahassee FL 32312
Phone: 850-681-6692

HB 137

Pitts, Brian - Information Only

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

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 611 : Residential Properties

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Colleen Burton	X				
Dwight Dudley	X				
Katie Edwards	X				
Jay Fant	X				
Julio Gonzalez	X				
Gayle Harrell	X				
Matt Hudson	X				
Dave Kerner		X			
Larry Metz	X				
Jared Moskowitz		X			
Kathleen Passidomo	X				
Scott Plakon	X				
Michelle Rehwinkel Vasilinda	X				
José Rodríguez		X			
Charlie Stone	X				
Carlos Trujillo	X				
John Wood	X				
Charles McBurney (Chair)	X				
Total Yeas: 15		Total Nays: 3			

CS/CS/HB 611 Amendments

Amendment 258305

Adopted Without Objection

Appearances:

CS/CS/HB 611

Book, Ron (Lobbyist) - Opponent
104 W. Jefferson
Tallahassee FL 32301
Phone: 850-224-3427

CS/CS/HB 611

Black, Gregory (Lobbyist) - Waive In Support
Attorneys' Title Fund Services
215 South Monroe Street
Tallahassee FL 32301
Phone: 850-205-9000

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 611 : Residential Properties (continued)

Appearances: (continued)

CS/CS/HB 611

Krueger, John - Opponent

Associa

VP

5401 N Central Expressway, Ste 260

Dallas TX 75205

Phone: 770-570-7871

CS/CS/HB 611

Payton, Rusty (Lobbyist) - Waive In Support

Florida Home Builders

CEO

2600 Centennial Place

Tallahassee Florida 32308

Phone: 850-567-1073

CS/CS/HB 611

Mayer, Ashley (Lobbyist) - Waive In Support

Old Republic National Title

101 East College Ave, Ste 502

Tallahassee FL

Phone: 850-222-9075

CS/CS/HB 611

Daniel, David (Lobbyist) - Waive In Support

Agents Section-Florida Land Title Association

311 E. Park Avenue

Tallahassee FL 32301

Phone: 850-224-5081

CS/CS/HB 611

Vecchioli, Beth (Lobbyist) - Waive In Support

Stewart Title Guaranty Company

Sr Policy Advisor

315 South Calhoun St, Ste 600

Tallahassee FL 32301

Phone: 850-425-5623

CS/CS/HB 611

Bell, Doug (Lobbyist) - Waive In Support

Westcor Land Title Insurance Company

101 North Monroe St.

Tallahassee FL

Phone: (850)681-7240

CS/CS/HB 611

Moore, Travis (Lobbyist) - Opponent

Community Associations Institute and First Service Residential

P O Box 2020

St. Petersburg FL 33731

Phone: 727-421-6902

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 611 : Residential Properties (continued)

Appearances: (continued)

CS/CS/HB 611

Kalliche, Tony - Opponent
First Service Residential Florida
General Counsel
2950 N 28th Terrace
Hollywood FL 33020
Phone: 954-378-2289

CS/CS/HB 611

Fallon, Chuck - Opponent
First Service Residential Florida
CEO
2950 N 28th Terrace
Dania Beach FL 33004
Phone: 954-926-2921

CS/CS/HB 611

McReynolds, Beverly - Waive In Support
North American Title
President
700 NW 107 Ave, Ste 100
Miami FL 33172
Phone: 305-588-5603

CS/CS/HB 611

Stewart, Shelley - Waive In Support
Title Agents; FLTA; FHRA
President of Southern Title
2335 Beville Road
Daytona Beach FL 32119
Phone: 386-760-9800

CS/CS/HB 611

Overhoff, Alexandra (Lobbyist) - Waive In Support
Florida Land Title Association
Executive Director
Tallahassee FL
Phone: 513-519-2121

CS/CS/HB 611

Anderson, Mark (Lobbyist) - Opponent
CEOMC
106 South Monroe Street
Tallahassee FL 32301
Phone: 813-205-0658

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>✓</u>	(Y/N) 4/14/15
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

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

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:
 6 Section 1. Subsection (8) of section 718.116, Florida
 7 Statutes, is amended to read:

8 718.116 Assessments; liability; lien and priority;
 9 interest; collection.—

10 (8) An association shall issue an estoppel certificate to
 11 a unit owner or the unit owner's designee or a unit mortgagee or
 12 the unit mortgagee's designee within 10 business ~~15~~ days after
 13 receiving a written or electronic request for the certificate.
 14 The estoppel certificate must be delivered by mail, by hand
 15 delivery, or by electronic means to the requester on the date of
 16 issuance.



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17 (a) The estoppel certificate must contain all of the
18 following:

19 1. The date of issuance.

20 2. The amount of all assessments and other moneys owed to
21 the association by the unit owner for a specific unit on the
22 date of issuance. This amount is limited to amounts authorized
23 by statute to be recorded in the official records of the
24 association under s. 718.111(12).

25 3. The amount of any additional assessments and other
26 moneys that are scheduled to become due for each day after the
27 date of issuance for the 30-day or 35-day effective period of
28 the estoppel certificate. This amount is limited to amounts
29 authorized by statute to be recorded in the official records of
30 the association under s. 718.111(12). In calculating the amounts
31 that are scheduled to become due, the association may assume
32 that any delinquent amounts will remain delinquent during the
33 effective period of the estoppel certificate.

34 4. The amount of any fee charged by the association for
35 preparing and delivering the estoppel certificate. This fee is
36 in addition to any other amounts on the estoppel certificate.

37 5. The signature of an officer or agent of the
38 association.

39 (b) An estoppel certificate that is delivered on the date
40 of issuance has a 30-day effective period. An estoppel
41 certificate that is mailed to the requester has a 35-day
42 effective period.

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43 (c) An association waives the right to collect any moneys
44 owed in excess of the amounts specified in the estoppel
45 certificate from any person who in good faith relies upon the
46 estoppel certificate and from the person's successors and
47 assigns. therefor from a unit owner or his or her designee, or a
48 unit mortgagee or his or her designee, the association shall
49 provide a certificate signed by an officer or agent of the
50 association stating all assessments and other moneys owed to the
51 association by the unit owner with respect to the condominium
52 parcel.

53 ~~(a) Any person other than the owner who relies upon such~~
54 ~~certificate shall be protected thereby.~~

55 ~~(d)-(b)~~ A summary proceeding pursuant to s. 51.011 may be
56 brought to compel compliance with this subsection, and in any
57 such action the prevailing party is entitled to recover
58 reasonable attorney ~~attorney's~~ fees.

59 (e)1.-(e) Notwithstanding any limitation on transfer fees
60 contained in s. 718.112(2)(i), an ~~the~~ association or its
61 authorized agent may charge a reasonable fee, which may not
62 exceed its reasonable costs to prepare and deliver for the
63 preparation of the estoppel certificate. However, the fee for
64 the estoppel certificate may not exceed \$250 if on the date the
65 certificate is issued, no delinquent amounts are owed to the
66 association for the applicable unit. If an estoppel certificate
67 is requested on an expedited basis and delivered within 3
68 business days after the request, the association may charge an



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69 additional fee of \$100. If delinquent amounts are owed to the
70 association for the applicable unit, an additional fee for the
71 estoppel certificate may not exceed \$100. The association may
72 not charge a fee for an estoppel certificate that is issued more
73 than 10 business days after it receives the request for the
74 certificate. ~~The amount of the fee must be included on the~~
75 certificate.

76 2. If the estoppel certificate is requested in conjunction
77 with the sale or refinancing of a unit, the fee for the
78 certificate shall be paid to the association from the closing or
79 settlement proceeds. If the closing does not occur within 60
80 days after the issuance of the estoppel certificate, the fee for
81 the certificate is the obligation of the unit owner, and the
82 association may collect the fee in the same manner as an
83 assessment against the unit. An association may not require the
84 payment of any other fees as a condition for the preparation or
85 delivery of an estoppel certificate.

86 (f)(d) The authority to charge a fee for the estoppel
87 certificate ~~must shall~~ be established by a written resolution
88 adopted by the board or provided by a written management,
89 bookkeeping, or maintenance contract and ~~is payable upon the~~
90 preparation of the certificate. ~~If the certificate is requested~~
91 ~~in conjunction with the sale or mortgage of a unit but the~~
92 ~~closing does not occur and no later than 30 days after the~~
93 ~~closing date for which the certificate was sought the preparer~~
94 ~~receives a written request, accompanied by reasonable~~

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95 ~~documentation, that the sale did not occur from a payor that is~~
96 ~~not the unit owner, the fee shall be refunded to that payor~~
97 ~~within 30 days after receipt of the request. The refund is the~~
98 ~~obligation of the unit owner, and the association may collect it~~
99 ~~from that owner in the same manner as an assessment as provided~~
100 ~~in this section.~~

101 Section 2. Subsection (6) of section 719.108, Florida
102 Statutes, is amended to read:

103 719.108 Rents and assessments; liability; lien and
104 priority; interest; collection; cooperative ownership.—

105 (6) An association shall issue an estoppel certificate to
106 a unit owner or the unit owner's designee or a unit mortgagee or
107 the unit mortgagee's designee within 10 business 15 days after
108 receiving a written or electronic request for the certificate.
109 The estoppel certificate must be delivered by mail, by hand
110 delivery, or by electronic means to the requester on the date of
111 issuance.

112 (a) The estoppel certificate must contain all of the
113 following:

114 1. The date of issuance.

115 2. The amount of all assessments and other moneys owed to
116 the association by the unit owner for a specific unit on the
117 date of issuance. This amount is limited to the amounts
118 authorized to be recorded in the official records of the
119 association under s. 719.104(2).



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120 3. The amount of any additional assessments and other
121 moneys that are scheduled to become due for each day after the
122 date of issuance for the 30-day or 35-day effective period of
123 the estoppel certificate. This amount is limited to the amounts
124 authorized to be recorded in the official records of the
125 association under s. 719.104(2). In calculating the amounts that
126 are scheduled to become due, the association may assume that any
127 delinquent amounts will remain delinquent during the effective
128 period of the estoppel certificate.

129 4. The amount of any fee charged by the association for
130 preparing and delivering the estoppel certificate. This fee is
131 in addition to any other amounts on the estoppel certificate.

132 5. The signature of an officer or agent of the
133 association.

134 (b) An estoppel certificate that is delivered on the date
135 of issuance has a 30-day effective period. An estoppel
136 certificate that is mailed to the requester has a 35-day
137 effective period.

138 (c) An association waives the right to collect any moneys
139 owed in excess of the amounts specified in the estoppel
140 certificate from any person who in good faith relies upon the
141 estoppel certificate and from that person's successors and
142 assigns.

143 (d) A summary proceeding pursuant to s. 51.011 may be
144 brought to compel compliance with this subsection, and in any
145 such action the prevailing party is entitled to recover



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146 ~~reasonable attorney fees. by a unit owner or mortgagee, the~~
147 ~~association shall provide a certificate stating all assessments~~
148 ~~and other moneys owed to the association by the unit owner with~~
149 ~~respect to the cooperative parcel. Any person other than the~~
150 ~~unit owner who relies upon such certificate shall be protected~~
151 ~~thereby.~~

152 (e)1. Notwithstanding any limitation on transfer fees
153 contained in s. 719.106(1)(i), an the association or its
154 authorized agent may charge a reasonable fee, which may not
155 exceed its reasonable costs to prepare and deliver for the
156 preparation of the estoppel certificate. However, the fee for
157 the estoppel certificate may not exceed \$250 if on the date the
158 certificate is issued, no delinquent amounts are owed to the
159 association for the applicable unit. If an estoppel certificate
160 is requested on an expedited basis and delivered within 3
161 business days after the request, the association may charge an
162 additional fee of \$100. If delinquent amounts are owed to the
163 association for the applicable unit, an additional fee for the
164 estoppel certificate may not exceed \$100. The association may
165 not charge a fee for an estoppel certificate that is issued more
166 than 10 business days after it receives a request for the
167 certificate.

168 2. If the estoppel certificate is requested in conjunction
169 with the sale or refinancing of a unit, the fee for the
170 certificate shall be paid to the association from the closing or
171 settlement proceeds. If the closing does not occur within 60



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172 days after the issuance of the estoppel certificate, the fee for
173 the certificate is the obligation of the unit owner, and the
174 association may collect the fee in the same manner as an
175 assessment against the unit. An association may not require the
176 payment of any other fees as a condition for the preparation or
177 delivery of an estoppel certificate.

178 (f) The authority to charge a fee for the estoppel
179 certificate must be established by a written resolution adopted
180 by the board or provided by a written management, bookkeeping,
181 or maintenance contract.

182 Section 3. Section 720.30851, Florida Statutes, is amended
183 to read:

184 720.30851 Estoppel certificates.—An association shall
185 issue an estoppel certificate to a parcel owner or the parcel
186 owner's designee or a mortgagee or the mortgagee's designee
187 within 10 business ~~15~~ days after receiving a written or
188 electronic request for the certificate. The estoppel certificate
189 must be delivered by mail, by hand delivery, or by electronic
190 means to the requester on the date of issuance.

191 (1) The estoppel certificate must contain all of the
192 following:

193 (a) The date of issuance.

194 (b) The amount of all assessments and other moneys owed to
195 the association by the parcel owner for a specific parcel as
196 recorded on the date of issuance. This amount is limited to



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197 amounts authorized by statute to be recorded in the official
198 records of the association under s. 720.303(4).

199 (c) The amount of any additional assessments and other
200 moneys that are scheduled to become due for each day after the
201 date of issuance for the 30-day or 35-day effective period of
202 the estoppel certificate. This amount is limited to amounts
203 authorized by statute to be recorded in the official records of
204 the association under s. 720.303(4). In calculating the amounts
205 that are scheduled to become due, the association may assume
206 that any delinquent amounts will remain delinquent during the
207 effective period of the estoppel certificate.

208 (d) The amount of any fee charged by the association for
209 preparing and delivering the estoppel certificate. This fee is
210 in addition to any other amounts on the certificate.

211 (e) The signature of an officer or agent of the
212 association.

213 (2) An estoppel certificate that is delivered on the date
214 of issuance has a 30-day effective period. An estoppel
215 certificate that is mailed to the requester has a 35-day
216 effective period.

217 (3) An association waives the right to collect any moneys
218 owed in excess of the amounts specified in the estoppel
219 certificate from any person who in good faith relies upon the
220 estoppel certificate and from that person's successors and
221 assigns. ~~the date on which a request for an estoppel certificate~~
222 ~~is received from a parcel owner or mortgagee, or his or her~~

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223 ~~designee, the association shall provide a certificate signed by~~
224 ~~an officer or authorized agent of the association stating all~~
225 ~~assessments and other moneys owed to the association by the~~
226 ~~parcel owner or mortgagee with respect to the parcel. An~~
227 ~~association may charge a fee for the preparation of such~~
228 ~~certificate, and the amount of such fee must be stated on the~~
229 ~~certificate.~~

230 ~~(1) Any person other than a parcel owner who relies upon a~~
231 ~~certificate receives the benefits and protection thereof.~~

232 (4)(2) A summary proceeding pursuant to s. 51.011 may be
233 brought to compel compliance with this section, and the
234 prevailing party is entitled to recover reasonable attorney
235 attorney's fees.

236 (5) (a) An association or its agent may charge a fee, which
237 may not exceed its reasonable costs to prepare and deliver the
238 estoppel certificate. However, the fee for the estoppel
239 certificate may not exceed \$250 if on the date the certificate
240 is issued, no delinquent amounts are owed to the association for
241 the applicable parcel. If an estoppel certificate is requested
242 on an expedited basis and delivered within 3 business days after
243 the request, the association may charge an additional fee of
244 \$100. If delinquent amounts are owed to the association for the
245 applicable parcel, an additional fee for the certificate may not
246 exceed \$100. The association may not charge a fee for an
247 estoppel certificate that is issued more than 10 business days
248 after it receives the request for the certificate.



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249 (b) If the estoppel certificate is requested in
250 conjunction with the sale or refinancing of a parcel, the fee
251 for the certificate shall be paid to the association from the
252 closing or settlement proceeds. If the closing does not occur
253 within 60 days after the issuance of the estoppel certificate,
254 the fee for the certificate is the obligation of the parcel
255 owner, and the association may collect the fee in the same
256 manner as an assessment against the parcel. An association may
257 not require the payment of any other fees as a condition for the
258 preparation or delivery of an estoppel certificate.

259 ~~(6)(3) The authority to charge a fee for the estoppel~~
260 ~~certificate must ~~shall~~ be established by a written resolution~~
261 ~~adopted by the board or provided by a written management,~~
262 ~~bookkeeping, or maintenance contract and is payable upon the~~
263 ~~preparation of the certificate. If the certificate is requested~~
264 ~~in conjunction with the sale or mortgage of a parcel but the~~
265 ~~closing does not occur and no later than 30 days after the~~
266 ~~closing date for which the certificate was sought the preparer~~
267 ~~receives a written request, accompanied by reasonable~~
268 ~~documentation, that the sale did not occur from a payor that is~~
269 ~~not the parcel owner, the fee shall be refunded to that payor~~
270 ~~within 30 days after receipt of the request. The refund is the~~
271 ~~obligation of the parcel owner, and the association may collect~~
272 ~~it from that owner in the same manner as an assessment as~~
273 ~~provided in this section.~~

274 Section 4. This act shall take effect July 1, 2015.



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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 residential properties; amending ss. 718.116,
719.108, and 720.30851, F.S.; revising requirements relating to
the issuance of an estoppel certificate to specified persons;
requiring that an estoppel certificate contain certain
information; providing an effective period for a certificate
based upon the date of issuance and form of delivery; providing
that the association waives a specified claim against a person
or such person's successors or assigns who rely on the
certificate in good faith; authorizing a summary proceeding to
be brought to compel an association to prepare or deliver an
estoppel certificate; specifying the maximum amounts an
association may charge for an estoppel certificate; providing
that the authority to charge a fee for the estoppel certificate
must be established by a specified written resolution or
provided by a written management, bookkeeping, or maintenance
contract; deleting obsolete provisions; conforming provisions to
changes made by the act; providing an effective date.

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 845 : Sexting

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Colleen Burton				X	
Dwight Dudley	X				
Katie Edwards		X			
Jay Fant	X				
Julio Gonzalez	X				
Gayle Harrell	X				
Matt Hudson	X				
Dave Kerner	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Scott Plakon	X				
Michelle Rehwinkel Vasilinda	X				
José Rodríguez	X				
Charlie Stone	X				
Carlos Trujillo	X				
John Wood	X				
Charles McBurney (Chair)	X				
Total Yeas: 16					
Total Nays: 1					

Appearances:

CS/HB 845

Aronberg, Dave (State Employee) - Waive In Support

FPAA

Palm Beach County State Attorney

401 N Dixie Hwy

West Palm Beach FL

Phone: 561-355-7246

CS/HB 845

Pitts, Brian - Waive In Opposition

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

CS/HB 845

Bishop, Barney (Lobbyist) - Waive In Support

Florida Smart Justice Alliance

President & CEO

204 S Monroe

Tallahassee FL 32301

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/CS/HB 1127 : Insurance Fraud

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Colleen Burton	X				
Dwight Dudley	X				
Katie Edwards	X				
Jay Fant	X				
Julio Gonzalez	X				
Gayle Harrell	X				
Matt Hudson	X				
Dave Kerner	X				
Larry Metz				X	
Jared Moskowitz	X				
Kathleen Passidomo	X				
Scott Plakon	X				
Michelle Rehwinkel Vasilinda	X				
José Rodríguez	X				
Charlie Stone	X				
Carlos Trujillo	X				
John Wood	X				
Charles McBurney (Chair)	X				
	Total Yeas: 17	Total Nays: 0			

Appearances:

CS/CS/HB 1127

Pitts, Brian - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

CS/CS/HB 1127

Boyd, Elizabeth (Lobbyist) (State Employee) - Waive In Support

CFO Atwater

Legislative Director

400 South Monroe St

Tallahassee Florida 32399

Phone: 850-413-2829

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HM 1269 : Regulation Freedom Amendment

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Colleen Burton	X				
Dwight Dudley		X			
Katie Edwards	X				
Jay Fant	X				
Julio Gonzalez	X				
Gayle Harrell	X				
Matt Hudson	X				
Dave Kerner			X		
Larry Metz	X				
Jared Moskowitz		X			
Kathleen Passidomo	X				
Scott Plakon	X				
Michelle Rehwinkel Vasilinda		X			
José Rodríguez		X			
Charlie Stone	X				
Carlos Trujillo	X				
John Wood	X				
Charles McBurney (Chair)	X				
	Total Yeas: 13	Total Nays: 4			

Appearances:

HM 1269

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 7063 : Child Pornography

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Colleen Burton	X				
Dwight Dudley	X				
Katie Edwards	X				
Jay Fant	X				
Julio Gonzalez	X				
Gayle Harrell	X				
Matt Hudson	X				
Dave Kerner	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Scott Plakon	X				
Michelle Rehwinkel Vasilinda	X				
José Rodríguez	X				
Charlie Stone	X				
Carlos Trujillo	X				
John Wood	X				
Charles McBurney (Chair)	X				
Total Yeas: 18		Total Nays: 0			

Appearances:

CS/HB 7063
 Pound, Greg - Information Only
 9166 Sunrise Dr
 Largo FL 33773

CS/HB 7063
 Pitts, Brian - Information Only
 Justice-2-Jesus
 1119 Newton Ave. S.
 St. Petersburg FL 33705
 Phone: 727-897-9291

CS/HB 7063
 Bishop, Barney (Lobbyist) - Waive In Support
 Florida Smart Justice Alliance
 204 S Monroe
 Tallahassee FL 32301
 Phone: 850-907-3436

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 7065 : Pub. Rec./Child Pornography

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Colleen Burton	X				
Dwight Dudley	X				
Katie Edwards	X				
Jay Fant	X				
Julio Gonzalez	X				
Gayle Harrell	X				
Matt Hudson	X				
Dave Kerner	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Scott Plakon	X				
Michelle Rehwinkel Vasilinda	X				
José Rodríguez	X				
Charlie Stone	X				
Carlos Trujillo	X				
John Wood	X				
Charles McBurney (Chair)	X				
Total Yeas: 18		Total Nays: 0			

Appearances:

HB 7065
 Bishop, Barney (Lobbyist) - Waive In Support
 Florida Smart Justice Alliance
 President and CEO
 204 S Monroe St
 Tallahassee FL 32301

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 7103 : Public Records/Juvenile Criminal History Records

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Colleen Burton	X				
Dwight Dudley	X				
Katie Edwards	X				
Jay Fant	X				
Julio Gonzalez	X				
Gayle Harrell	X				
Matt Hudson	X				
Dave Kerner	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Scott Plakon	X				
Michelle Rehwinkel Vasilinda	X				
José Rodríguez	X				
Charlie Stone	X				
Carlos Trujillo	X				
John Wood	X				
Charles McBurney (Chair)	X				
	Total Yeas: 18	Total Nays: 0			

Appearances:

HB 7103

Bishop, Barney (Lobbyist) - Waive In Support
Florida Smart Justice Alliance
President and CEO
204 S Monroe St
Tallahassee FL 32301

HB 7103

Sexton, Samantha (Lobbyist) - Waive In Support
Pace Center for Girls
Gov. Affairs
1 W Park Avenue
Jacksonville FL 32202
Phone: 904-383-9403

HB 7103

Trammell, Robert (Lobbyist) (State Employee) - Waive In Support
Florida Public Defender Association, Inc
PO Box 11057
Tallahassee FL 32302
Phone: (850)510-2187

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 7103 : Public Records/Juvenile Criminal History Records (continued)

Appearances: (continued)

HB 7103

Miller, Roy (Lobbyist) - Waive In Support

The Children's Campaign

President

111 S. Magnolia Drive

Tallahassee FL 32301

Phone: 850-425-2600

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

CS/HB 7131 : Corrections

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Colleen Burton	X				
Dwight Dudley	X				
Katie Edwards		X			
Jay Fant	X				
Julio Gonzalez	X				
Gayle Harrell	X				
Matt Hudson	X				
Dave Kerner	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Scott Plakon	X				
Michelle Rehwinkel Vasilinda		X			
José Rodríguez		X			
Charlie Stone	X				
Carlos Trujillo	X				
John Wood	X				
Charles McBurney (Chair)	X				
Total Yeas: 15		Total Nays: 3			

CS/HB 7131 Amendments

Amendment 470049

Adopted

Amendment 400179

Adopted Without Objection

Amendment 881615

Withdrawn

Amendment 796587

Adopted

Amendment 352009

Adopted

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM

COMMITTEE MEETING REPORT

Judiciary Committee

4/14/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

Appearances:

CS/HB 7131

Bishop, Barney (Lobbyist) - Proponent
Florida Smart Justice Alliance
President and CEO
204 S Monroe St, Suite 201
Tallahassee FL 32301

CS/HB 7131

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

CS/HB 7131

Bullins, Christina - Information Only
Florida 33312
Phone: 954-816-8385

CS/HB 7131

Furey, Agnes - Information Only
3053 Rain Valley Circle
Tallahassee FL 32308
Phone: 850-321-7756

CS/HB 7131

Pound, Greg - Information Only
9166 Sunrise Dr
Largo FL 33773

CS/HB 7131

Thompson, Judy - Information Only
Forgotten Majority, Inc
5117 Brompton Ct
Jacksonville Florida 32217
Phone: 904-568-8231

Committee meeting was reported out: Tuesday, April 14, 2015 4:05:45PM



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

4/14/15

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

Amendment (with title amendment)

Remove lines 54-59 and insert:

(4) REGIONS.—

(a) The department shall plan and administer its program of services for community corrections; security, and institutional operations through regions.

(b) The department shall plan and administer its program of services for security and institutional operations through five geographical regions. The secretary shall appoint a director for each of the five regions. A person may serve as the director for a specific region for up to four consecutive years. The directors must:

1. Ensure the policies of the department, particularly those policies associated with inmate grievances, the care of



Amendment No. 1

18 inmates, and contact with inmates, are appropriately implemented
19 and enforced at each correctional facility within the director's
20 assigned region;

21 2. Review, recommend, and hold subordinate chain-of-command
22 staff responsible for appropriate and measured disciplinary
23 decisions;

24 3. Ensure each correctional facility in the director's
25 assigned region maintains a retaliation free work environment;

26 4. Ensure each correctional facility in the director's
27 assigned region maintains a retaliation free custody environment
28 for all inmates;

29 5. Make at least two unannounced visits to each
30 correctional facility within the director's assigned region on a
31 quarterly basis; and

32 6. Meet quarterly to review statistics and trends related
33 to uses of force, inmate grievances, employee discipline
34 reports, and calls received from the Office of Citizen Services
35 involving inmate abuse.

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

41

Remove line 7 and insert:

42

director for each region; requiring the directors to perform

43

specified functions; amending s. 216.136, F.S.;



Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)	
ADOPTED AS AMENDED	—	(Y/N)	
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N)	4/14/15
FAILED TO ADOPT	—	(Y/N)	
WITHDRAWN	—	(Y/N)	
OTHER	—		

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

Amendment (with title amendment)

Between lines 322 and 323, insert:

6 Section 7. Paragraph (a) of subsection (1) and subsection
 7 (2) of section 944.35, Florida Statutes, is amended to read, and
 8 subsection (5) is added to that section to read:

9 944.35 Authorized use of force; malicious battery and
 10 sexual misconduct prohibited; reporting required; penalties.—

11 (1)(a) An employee of the department is authorized to
 12 apply physical force upon an inmate only when and to the extent
 13 that it reasonably appears necessary:

14 1. To defend himself or herself or another against such
 15 other imminent use of unlawful force;

16 2. To prevent a person from escaping from a state
 17 correctional institution when the officer reasonably believes



Amendment No. 2

18 that person is lawfully detained in such institution;

19 3. To prevent damage to property;

20 4. To quell a disturbance;

21 5. To overcome physical resistance to a lawful command; or

22 6. To administer medical treatment only by or under the
23 supervision of a physician or his or her designee and only:

24 a. When treatment is necessary to protect the health of
25 other persons, as in the case of contagious or venereal
26 diseases; or

27 b. When treatment is offered in satisfaction of a duty to
28 protect the inmate against self-inflicted injury or death.

29
30 As part of the correctional officer training program, the
31 Criminal Justice Standards and Training Commission shall develop
32 a course specifically designed to explain the parameters of this
33 subsection and to teach the proper methods and techniques in
34 applying authorized physical force upon an inmate. Effective
35 October 1, 2015, this course shall include specialized training
36 for effectively managing in nonforceful ways mentally ill
37 inmates who may exhibit erratic behavior.

38 (2) Each employee of the department who either applies
39 physical force or was responsible for making the decision to
40 apply physical force upon an inmate or an offender supervised by
41 the department in the community pursuant to this subsection
42 shall prepare, date, and sign under oath an independent report
43 within 1 working day of the incident. The report shall be



Amendment No. 2

44 delivered to the warden or the circuit administrator, who shall
45 forward the report with all appropriate documentation to the
46 office of the inspector general. The inspector general shall
47 conduct a review and make recommendations regarding the
48 appropriateness or inappropriateness of the use of force. If the
49 inspector general finds that the use of force was appropriate,
50 the employee's report, together with the inspector general's
51 written determination of the appropriateness of the force used
52 and the reasons therefor, shall be forwarded to the circuit
53 administrator or warden upon completion of the review. If the
54 inspector general finds that the use of force was inappropriate,
55 the inspector general shall conduct a complete investigation
56 into the incident and forward the findings of fact to the
57 appropriate regional director for further action. Copies of the
58 employee's report and the inspector general's review shall be
59 kept in the files of the inmate or the offender supervised by
60 the department in the community. A notation of each incident
61 involving use of force and the outcome based on the inspector
62 general's evaluation shall be kept in the employee's file.

63 (5) The department shall establish a usage and inventory
64 policy to track, by institution, the use of chemical agents and
65 the disposal of expired, used, or damaged canisters of chemical
66 agents. The policy shall include, but not be limited to, a
67 requirement that a numbered seal be affixed to each chemical
68 agent canister in such a manner that the canister cannot be
69 removed from the carrier without breaking the seal. All



Amendment No. 2

70 canisters in the carriers will be checked out at the beginning
71 of each shift and checked back in at the end of the shift. The
72 shift supervisor should be charged with verifying the condition
73 of the numbered seals and periodically weighing random canisters
74 to insure that they have not been used without the required
75 documentation. All nonreactionary use of force incidents using
76 chemical agents shall be videotaped.

77

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79

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

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Remove line 38 and insert:

81

circumstances; amending s. 944.35, F.S.; requiring the Criminal
82 Justice Standards and Training Commission to include specialized
83 training for effectively managing in nonforceful ways mentally
84 ill inmates who may exhibit erratic behavior as part of the
85 correctional officer training program; requiring that reports of
86 physical force be signed under oath; requiring the department to
87 establish policies relating to the use of chemical agents;
88 requiring all nonreactionary use of force incidents using
89 chemical agents be videotaped; providing an appropriation;
90 amending s.



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	<u>Y</u>	(Y/N)	4/14/15
OTHER	—		

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

Amendment (with title amendment)

Between lines 59 and 60, insert:

Section 2. Paragraph (m) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(m) All assistant division director, deputy division director, and bureau chief positions in any department, and those positions determined by the department to have managerial responsibilities comparable to such positions, which include, but are not limited to:

1. Positions in the Department of Health and the Department of Children and Families which are assigned primary



Amendment No. 3

18 duties of serving as the superintendent or assistant
19 superintendent of an institution.

20 2. Positions in the Department of Corrections which are
21 assigned primary duties of serving as the warden, assistant
22 warden, colonel, or major of an institution or that are assigned
23 primary duties of serving as the circuit administrator or deputy
24 circuit administrator, and all positions assigned to the
25 Inspector General's office.

26 3. Positions in the Department of Transportation which are
27 assigned primary duties of serving as regional toll managers and
28 managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

29 4. Positions in the Department of Environmental Protection
30 which are assigned the duty of an Environmental Administrator or
31 program administrator.

32 5. Positions in the Department of Health which are
33 assigned the duties of Environmental Administrator, Assistant
34 County Health Department Director, and County Health Department
35 Financial Administrator.

36 6. Positions in the Department of Highway Safety and Motor
37 Vehicles which are assigned primary duties of serving as
38 captains in the Florida Highway Patrol.

39
40 Unless otherwise fixed by law, the department shall set the
41 salary and benefits of the positions listed in this paragraph in
42 accordance with the rules established for the Selected Exempt
43 Service.



Amendment No. 3

44 Section 3. For the 2015-2016 fiscal year, the sum of
45 \$180,000 in recurring funds is appropriated from the General
46 Revenue Fund to the Department of Corrections to exempt
47 positions assigned to the Inspector General's office from the
48 Career Service System as required by this act.

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

52

Remove line 7 and insert:

53

director for each region; amending s. 110.205, F.S.; exempting
54 all positions assigned to the department's Inspector General's
55 office from the Career Service System; providing an
56 appropriation; amending s. 216.136, F.S.;



Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)	4/14/15
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)	
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)	
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)	
WITHDRAWN	<input type="checkbox"/>	(Y/N)	
OTHER	<input type="checkbox"/>		

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

Amendment (with title amendment)

Between lines 463 and 464, insert:

6 Section 10. Body Camera Pilot Program.--The Department of
 7 Corrections shall implement a pilot program in which
 8 correctional officers who work in the mental health units at
 9 Union Correctional Institution are equipped with body cameras.
 10 The pilot program shall expire on June 30, 2016. At the
 11 conclusion of the pilot program, the Department of Corrections
 12 shall submit a report by January 1, 2017, to the Executive
 13 Office of the Governor, the President of the Senate, and the
 14 Speaker of the House of Representatives. The report must compare
 15 the number of use of force incidents that occur in the mental
 16 health units at Union Correctional Institution while the pilot
 17 program was in effect with:

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Amendment No. 4

18 (1) The number of use of force incidents that occurred in
19 the mental health units at Union Correctional Institution during
20 the preceding five years; and

21 (2) The number of use of force incidents that occurred in
22 the mental health units of other correctional institutions while
23 the pilot program was in effect.

24 Section 11. For the 2015-2016 fiscal year, the sum of
25 \$121,110 in nonrecurring funds is appropriated from the General
26 Revenue Fund to the Department of Corrections for a body camera
27 pilot program at the mental health units at Union Correctional
28 Institution as required by this act.

29
30 -----
31 **T I T L E A M E N D M E N T**

32 Remove line 46 and insert:
33 rates; requiring the department to implement a body camera pilot
34 program at Union Correctional Institution; requiring the
35 department of submit a report regarding the body camera pilot
36 program; providing an appropriation; providing an effective
37 date.



Amendment No.5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>4</u> (Y/N)	4/14/15
ADOPTED AS AMENDED	— (Y/N)	
ADOPTED W/O OBJECTION	— (Y/N)	
FAILED TO ADOPT	— (Y/N)	
WITHDRAWN	— (Y/N)	
OTHER	—	

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

Amendment (with title amendment)

Between lines 59 and 60, insert:

Section 2. Paragraph (m) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(m) All assistant division director, deputy division director, and bureau chief positions in any department, and those positions determined by the department to have managerial responsibilities comparable to such positions, which include, but are not limited to:

1. Positions in the Department of Health and the Department of Children and Families which are assigned primary



Amendment No.5

18 duties of serving as the superintendent or assistant
19 superintendent of an institution.

20 2. Positions in the Department of Corrections which are
21 assigned primary duties of serving as the warden, assistant
22 warden, colonel, or major of an institution or that are assigned
23 primary duties of serving as the circuit administrator or deputy
24 circuit administrator, and all positions assigned to the
25 Inspector General's office.

26 3. Positions in the Department of Transportation which are
27 assigned primary duties of serving as regional toll managers and
28 managers of offices, as specified in s. 20.23(3)(b) and (4)(c).

29 4. Positions in the Department of Environmental Protection
30 which are assigned the duty of an Environmental Administrator or
31 program administrator.

32 5. Positions in the Department of Health which are
33 assigned the duties of Environmental Administrator, Assistant
34 County Health Department Director, and County Health Department
35 Financial Administrator.

36 6. Positions in the Department of Highway Safety and Motor
37 Vehicles which are assigned primary duties of serving as
38 captains in the Florida Highway Patrol.

39
40 Unless otherwise fixed by law, the department shall set the
41 salary and benefits of the positions listed in this paragraph in
42 accordance with the rules established for the Selected Exempt
43 Service.



Amendment No.5

44 Section 3. For the 2015-2016 fiscal year, the sum of
45 \$180,000 in recurring funds is appropriated from the General
46 Revenue Fund to the Department of Corrections to set the salary
47 and benefits of set positions assigned to the Inspector
48 General's office in accordance with rules of the selected exempt
49 services.

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51

52

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

53

Remove line 7 and insert:

54

director for each region; amending s. 110.005, F.S.; exempting

55

all positions assigned to the department's Inspector General's

56

office from the Career Service System; providing an

57

appropriation; amending s. 216.136, F.S.;