



Criminal Justice Subcommittee

**Monday, March 16, 2015
4:00 PM - 6:00 PM
Sumner Hall (404 HOB)**

ACTION PACKET

**Steve Crisafulli
Speaker**

**Carlos Trujillo
Chair**

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

Summary:

Criminal Justice Subcommittee

Monday March 16, 2015 04:00 pm

CS/HB 369	Favorable	Yeas: 13	Nays: 0
HB 523	Favorable With Committee Substitute	Yeas: 13	Nays: 0
Amendment 189193	Adopted Without Objection		
Am 1			
HB 649	Favorable With Committee Substitute	Yeas: 13	Nays: 0
Amendment 289845	Adopted Without Objection		
Am 1			
HB 755	Favorable	Yeas: 13	Nays: 0
HB 783	Favorable With Committee Substitute	Yeas: 12	Nays: 1
Amendment 302925	Adopted Without Objection		
Am 1			
Amendment 674241	Adopted Without Objection		
Am 2			
HB 845	Favorable With Committee Substitute	Yeas: 13	Nays: 0
Amendment 402681	Adopted Without Objection		
Am 1			
HB 963	Favorable With Committee Substitute	Yeas: 11	Nays: 2
Amendment 534103	Adopted	Yeas: 11	Nays: 2
Strike-All			
HB 967	Favorable With Committee Substitute	Yeas: 13	Nays: 0
Amendment 784955	Adopted Without Objection		
Am 1			
HB 1015	Favorable With Committee Substitute	Yeas: 13	Nays: 0
Amendment 747405	Adopted Without Objection		
Am 1			
Amendment 359717	Adopted Without Objection		
Am 2			
HB 1037	Favorable With Committee Substitute	Yeas: 12	Nays: 0
Amendment 573725	Adopted Without Objection		
Am 1			

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

Summary: (continued)

Criminal Justice Subcommittee

Monday March 16, 2015 04:00 pm

HB 1069	Favorable With Committee Substitute	Yeas: 13	Nays: 0
	Amendment 495511 Adopted Without Objection		
	Am 1		
HB 4045	Favorable	Yeas: 12	Nays: 1
PCB CRJS 15-04	Favorable	Yeas: 13	Nays: 0
PCB CRJS 15-05	Favorable	Yeas: 13	Nays: 0
PCB CRJS 15-06	Favorable	Yeas: 13	Nays: 0
PCS for HB 151	Favorable	Yeas: 12	Nays: 1

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Carlos Trujillo (Chair)	X		
Dennis Baxley	X		
Randolph Bracy	X		
Jay Fant	X		
Gayle Harrell	X		
Dave Kerner	X		
Chris Latvala	X		
Ray Pilon	X		
Scott Plakon	X		
Sharon Pritchett	X		
Ross Spano	X		
Charles Van Zant	X		
Clovis Watson, Jr.	X		
Totals:	13	0	0

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

CS/HB 369 : Human Trafficking

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

HB 369

Sexton, Samantha (General Public) - Waive In Support
Assoc. Dir. of Gov. Affairs, Pace Center for Girls
One West Adams St., #301
Jacksonville FL 32202
Phone: 904-383-9403

HB 369

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

HB 369

McKinlay, Melissa (General Public) - Waive In Support
Junior Leagues of Florida
675 Belle Grove Lane
Royal Palm Beach FL 33411
Phone: 561-425-6217

HB 369

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

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

CS/HB 369 : Human Trafficking (continued)

Appearances: (continued)

HB 369

Datz, Amy (General Public) - Proponent

National Council of Jewish Women

1130 Crestview Ave.

Tallahassee FL 32303

Phone: (850) 322-7599

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 523 : Notaries Public

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 523 Amendments

Amendment 189193

Adopted Without Objection

Appearances:

HB 523

Carroll, Sarrah (Lobbyist) - Waive In Support

Florida Sheriffs Association

2617 Mahan Dr

Tallahassee FL 32308

Phone: 850)877-2165

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<u>✓</u>	(Y/N) 3/16/15
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Kerner offered the following:

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

6 Remove lines 25-45 and insert:
 7 an officer authorized under s. 92.50 to administer oaths; ~~or~~
 8 (b) Under oath or affirmation taken or administered by an
 9 officer authorized under s. 117.10 to administer oaths; or
 10 (c) By the signing of the written declaration prescribed in
 11 subsection (2).

12
 13 -----
 14 **T I T L E A M E N D M E N T**

15 Remove lines 4-7 and insert:
 16 verifying documents; amending s. 117.10, F.S.;

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 649 : Surveillance by a Drone

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 649 Amendments

Amendment 289845

Adopted Without Objection

Appearances:

HB 649

Chamizo, Jorge (Lobbyist) - Waive In Support
Florida Association of Criminal Defense Lawyers
PO Box 1528
Tallahassee FL 32302
Phone: (850)681-0024

HB 649

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

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)

ADOPTED AS AMENDED (Y/N)

ADOPTED W/O OBJECTION (Y/N) 3/14/15

FAILED TO ADOPT (Y/N)

WITHDRAWN (Y/N)

OTHER

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Metz offered the following:

4

5 **Amendment**

6 Remove lines 57-99 and insert:

7 her written consent. For purposes of this paragraph, a person is
8 presumed to have a reasonable expectation of privacy on his or
9 her privately owned or occupied real property if he or she is
10 not observable by persons located at ground level in a place
11 where they have a legal right to be, regardless of whether he or
12 she is observable from the air with the use of a drone.

13 (4) EXCEPTIONS.—Paragraph(3)(a) ~~This act~~ does not prohibit
14 the use of a drone:

15 (a) To counter a high risk of a terrorist attack by a
16 specific individual or organization if the United States
17 Secretary of Homeland Security determines that credible



Amendment No. 1

18 intelligence indicates that there is such a risk.

19 (b) If the law enforcement agency first obtains a search
20 warrant signed by a judge authorizing the use of a drone.

21 (c) If the law enforcement agency possesses reasonable
22 suspicion that, under particular circumstances, swift action is
23 needed to prevent imminent danger to life or serious damage to
24 property, to forestall the imminent escape of a suspect or the
25 destruction of evidence, or to achieve purposes including, but
26 not limited to, facilitating the search for a missing person.

27 (5) REMEDIES FOR VIOLATION.—

28 (a) An aggrieved party may initiate a civil action against
29 a law enforcement agency to obtain all appropriate relief in
30 order to prevent or remedy a violation of paragraph (3)(a) this
31 act.

32 (b)1. The owner, tenant, or occupant of privately owned or
33 occupied real property may initiate a civil action for
34 compensatory damages for violations of paragraph (3)(b) and may
35 seek injunctive relief to prevent future violations of paragraph
36 (3)(b) against a person, state agency, or political subdivision
37 that violates paragraph (3)(b). In such action, the prevailing
38 party is entitled to recover reasonable attorney fees from the
39 nonprevailing party based on the actual and reasonable time
40 expended by his or her attorney billed at an appropriate hourly
41 rate and, in cases in which the payment of such a fee is
42 contingent on the outcome, without a multiplier, unless the
43 action is tried to verdict, in which case a multiplier of up to



Amendment No. 1

44 twice the actual value of the time expended may be awarded in
45 the discretion of the trial court.

46 2. Punitive damages under this paragraph may be sought
47 against a person subject to other requirements and limitations
48 of law, including, but not limited to, part II of chapter 768
49 and case law.

50 3. The remedies provided by this paragraph are cumulative

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 755 : Convenience Business Security

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

HB 755

Miller, Randy (Lobbyist) - Waive In Support

Florida Retail Federation

c/o Rick McAllister 227 S Adams St

Tallahassee FL 32302-2024

Phone: (850)222-4082

HB 755

Edward Bowman - Information Only

FPMA

Ex-Director

209 Office Plasa

Tallahassee FL 32301

Phone: 850-877-5178

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 783 : Charging Youths as Adults in Criminal Proceedings

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner		X			
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
	Total Yeas: 12	Total Nays: 1			

HB 783 Amendments

Amendment 302925

Adopted Without Objection

Amendment 674241

Adopted Without Objection

Appearances:

HB 783

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

HB 783

Ragbeer, Diana (Lobbyist) - Waive In Support
Children's Trust, The
3150 SW 3rd Ave, 8th Floor
Miami FL 33129
Phone: (305)571-5718

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 783 : Charging Youths as Adults in Criminal Proceedings (continued)

Appearances: (continued)

HB 783

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

HB 783

Chamizo, Jorge (Lobbyist) - Waive In Support
Florida Association of Criminal Defense Lawyers
PO Box 1528
Tallahassee FL 32302
Phone: (850)681-0024

HB 783

Woodall, Karen (Lobbyist) - Waive In Support
Southern Proverty Law Center
579 E Call Street
Tallahassee FL 32301
Phone: (850)321-9386

HB 783

Newborn, Greg (General Public) - Waive In Support
Florida Project Director, Families Against Mandatory Minimums
P.O. Box 142933
Gainesville FL 32614
Phone: 352-682-2542

HB 783

Jones, Jack - Opponent
St. Augustine FL

HB 783

Marino, Susana - Opponent
Washington DC

HB 783

Walters, Wansley (State Employee) - Opponent
Department of Juvenile Justice
Former Secretary
121 N Monroe St #7006
Tallahassee FL 32301
Phone: 305-333-1469

HB 783

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

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 783 : Charging Youths as Adults in Criminal Proceedings (continued)

Appearances: (continued)

HB 783

Jacobs, Buddy (Lobbyist) - Opponent
General Counsel FL Prosecuting Attorneys Association
961687 Gateway Blvd.
Fernerdina Beach FL 32034
Phone: 904-261-3693

HB 783

Datz, Amy (General Public) - Waive In Support
National Council of Jewish Women
1130 Crestview Ave.
Tallahassee FL 32303
Phone: (850) 322-7599

HB 783

Vickers, Alice (Lobbyist) - Waive In Support
Public Interest Law Section of the Florida Bar
The Florida Bar 651 E Jefferson St
Tallahassee FL
Phone: 850)556-3121

HB 783

Craig-Myers, Catherine (Lobbyist) - Waive In Support
Florida Juvenile Justice Association
1201 Hays St Ste 107
Tallahassee FL 32301
Phone: (850)671-3442

HB 783

Mackin, Colleen (Lobbyist) - Waive In Support
The Children's Campaign
6417 Sweetgum Dr
New Port Richey FL 34655
Phone: 7272441032

HB 783

Martinez, Carlos (State Employee) - Proponent
Florida Public Defenders Association
Miami FL

HB 783

Sexton, Samantha (General Public) - Waive In Support
Assoc. Dir. of Gov. Affairs, Pace Center for Girls
One West Adams St., #301
Jacksonville FL 32202
Phone: 904-383-9403

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 783 : Charging Youths as Adults in Criminal Proceedings (continued)

Appearances: (continued)

HB 783

Mayersohn, Robert - Waive In Support

Florida PTA

6742 NW 80 th Manor

parkland FL 33067

Phone: 945-494-0914

HB 783

Nuzzo, Sal - Proponent

The James Madison Institute

VP of Policy

100 Duval St.

Tallahassee FL 32308

Phone: 850-322-9941

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)	
ADOPTED AS AMENDED	___	(Y/N)	
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)	3/16/15
FAILED TO ADOPT	___	(Y/N)	
WITHDRAWN	___	(Y/N)	
OTHER	_____		

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Edwards offered the following:

4
5 **Amendment**

6 Remove lines 41-202 and insert:

7 (a) With respect to a child who was 16 years of age or
 8 older and less than 18 years of age at the time the alleged
 9 offense was committed, the state attorney may file an
 10 information when, in the state attorney's judgment and
 11 discretion, the public interest requires that adult sanctions be
 12 considered and when the offense charged is for the commission of
 13 or attempt to commit:

- 14 1. Murder;
- 15 2. Manslaughter;
- 16 3. Sexual battery;
- 17 4. Armed robbery;



Amendment No. 1

- 18 5. Aggravated assault with a firearm;
19 6. Aggravated child abuse;
20 7. Aggravated stalking;
21 8. Kidnapping;
22 9. Unlawful throwing, placing, or discharging of a
23 destructive device or bomb;
24 10. Aggravated battery resulting in great bodily harm,
25 permanent disability, or permanent disfigurement;
26 11. Carrying, displaying, using, or threatening or
27 attempting to use a weapon or firearm in furtherance of the
28 commission of a felony, provided the use or threatened use does
29 not include the mere acquisition of a deadly weapon or firearm
30 during the felony;
31 12. Possessing or discharging a firearm on school property
32 in violation of s. 790.115;
33 13. Home invasion robbery;
34 14. Carjacking;
35 15. Aggravated animal cruelty;
36 16. DUI resulting in fatality, great bodily harm,
37 permanent disability, or permanent disfigurement to a person
38 other than the accused;
39 17. Criminal use of personal identification information in
40 violation of s. 817.568(2)(b) or (c); or
41 18. Arson in violation of s. 806.031(2).
42 (b) With respect to a child who was 14 years of age or
43 older and less than 16 years of age at the time the alleged



Amendment No. 1

44 offense was committed, the state attorney may file an
45 information when, in the state attorney's judgment and
46 discretion, the public interest requires that adult sanctions be
47 considered and when the offense charged is for the commission of
48 or attempt to commit:

- 49 1. Murder;
50 2. Manslaughter; or
51 3. Sexual battery.

52 (2) EFFECT OF DIRECT FILE.—When a child is transferred for
53 criminal prosecution as an adult, the court may transfer and
54 certify to the adult circuit court for prosecution of the child
55 as an adult all related felony cases pertaining to the child
56 which have not yet resulted in a plea of guilty or nolo
57 contendere or in which a finding of guilt has not been made. If
58 the child is acquitted of all charged offenses or lesser
59 included offenses contained in the original case transferred to
60 adult court, any felony cases that were transferred to adult
61 court under this subsection shall be subject to the same
62 penalties such cases were subject to before being transferred to
63 adult court.

64 (3) TRANSFER PROHIBITION.—Notwithstanding any other
65 provision of law, a child who is eligible for direct file may
66 not be transferred to adult court for criminal prosecution if he
67 or she:

- 68 (a) Is pending a competency hearing in juvenile court; or



Amendment No. 1

69 (b) Has been previously found to be incompetent to proceed
70 and has not subsequently been found by a court to have attained
71 competency.

72 (4) Nothing in this section shall preclude the state
73 attorney from seeking to transfer a child for criminal
74 prosecution pursuant to s. 985.556.

75 (5) DATA COLLECTION RELATING TO DIRECT FILE.-

76 (a) The department shall collect data regarding children
77 who qualify for direct file under subsection (1), including, but
78 not limited to:

79 1. Age.

80 2. Race and ethnicity.

81 3. Gender.

82 4. Circuit and county of residence.

83 5. Circuit and county of offense.

84 6. Prior adjudicated offenses.

85 7. Prior periods of probation.

86 8. Previous contacts with law enforcement agencies or the
87 courts.

88 9. Initial charges.

89 10. Charges at disposition.

90 11. Whether adult codefendants were involved.

91 12. Whether child codefendants were involved who were
92 transferred to adult court.

93 13. Whether the child was represented by counsel.

94 14. Whether the child had waived counsel.



Amendment No. 1

- 95 15. Risk assessment instrument score.
- 96 16. The child's medical, mental health, substance abuse,
97 or trauma history.
- 98 17. The child's history of physical or mental impairment
99 or disability-related accommodations.
- 100 18. The child's history of abuse or neglect.
- 101 19. The child's history of foster care placements,
102 including the number of prior placements.
- 103 20. Whether the child has experienced a failed adoption.
- 104 21. Whether the child has fetal alcohol syndrome or was
105 exposed to controlled substances at birth.
- 106 22. Whether the child has below-average intellectual
107 functioning or is eligible for exceptional student education
108 services.
- 109 23. Whether the child has received mental health services
110 or treatment.
- 111 24. Whether the child has been the subject of a CINS/FINS
112 or dependency petition.
- 113 25. Plea offers made by the state and the outcome of any
114 plea offers.
- 115 26. Whether the child was transferred for criminal
116 prosecution as an adult.
- 117 27. The case resolution in juvenile court.
- 118 28. The case resolution in adult court.
- 119 (b) When a child is transferred for criminal prosecution
120 as an adult, the department shall also collect disposition data,



Amendment No. 1

121 including, but not limited to, whether the child received adult
122 sanctions, youthful offender sanctions, juvenile sanctions, or
123 diversion, and, if sentenced to prison, the length of prison
124 sentence or enhanced sentence.

125 (c) The department shall annually provide a report
126 analyzing this aggregated data to the President of the Senate
127 and the Speaker of the House of Representatives.

128 Section 2. Section 985.56, Florida Statutes, is amended to
129 read:

130 985.56 Indictment of a juvenile.—

131 (1) With respect to a child who is 13 years of age or
132 older and less than 18 years of age at the time the alleged
133 offense was committed, the state attorney may seek an indictment
134 before a grand jury when, in the state attorney's judgment and
135 discretion, the public interest requires that adult sanctions be
136 considered and when the offense charged is for the commission of
137 or attempt to commit murder, manslaughter, or sexual battery. ~~of~~
138 any age who is charged with a violation of state law punishable
139 by death or by life imprisonment The child is subject to the
140 jurisdiction of the court as set forth in s. 985.0301(2) unless
141 and until an indictment on the charge is returned by the grand
142 jury. When such indictment is returned, the petition for
143 delinquency, if any, must be dismissed and the child must be
144 tried ~~and handled in every respect~~ as an adult:

145 (a) On the indicting offense punishable by death or by
146 life imprisonment; and



Amendment No. 1

147 (b) On all other felonies or misdemeanors charged in the
148 indictment which are based on the same act or transaction as the
149 indicting offense ~~punishable by death or by life imprisonment or~~
150 ~~on one or more acts or transactions connected with the offense~~
151 ~~punishable by death or by life imprisonment.~~

152 (2) An adjudicatory hearing may not be held until 21 days
153 after the child is taken into custody and charged with having
154 committed an indictable offense ~~punishable by death or by life~~
155 ~~imprisonment~~, unless the state attorney advises the court in
156 writing that he or she does not intend to present the case to
157 the grand jury, or has presented the case to the grand jury and
158 the grand jury has not returned an indictment. If the court
159 receives such a notice from the state attorney, or if the grand
160 jury fails to act within the 21-day period, the court may
161 proceed as otherwise authorized under this part.

162 (3) Notwithstanding any other provision of law, a child
163 who is eligible for indictment may not be transferred to adult
164 court for criminal prosecution if he or she:

165 (a) Is pending a competency hearing in juvenile court; or

166 (b) Has been previously found to be incompetent to proceed
167 and has not subsequently been found by a court to have attained
168 competency.

169

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 783 (2015)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Edwards offered the following:

4

5 **Amendment**

6 Remove line 330 and insert:

7 criminal prosecution pursuant to information, indictment, or
8 waiver of

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 845 : Sexting

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
	Total Yeas: 13	Total Nays: 0			

HB 845 Amendments

Amendment 402681

Adopted Without Objection

Appearances:

HB 845

Howard, Jeanne (Lobbyist) - Waive In Support

State Attorney, 15th Judicial Circuit

401 N Dixie Hwy

West Palm Beach FL 33401

Phone: (561)355-7246

HB 845

Bishop, Barney - Waive In Support

Florida Smart Justice Alliance

President and CEO

204 S Monroe St #201

Tallahassee FL 32301

Phone: 850-577-3032

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 845 : Sexting (continued)

Appearances: (continued)

HB 845

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> ✓ </u>	(Y/N) 3/10/15
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Bracy offered the following:
 4

5 **Amendment (with title amendment)**

6 Remove lines 84-119 and insert:

7 (b) Commits a misdemeanor of the first degree for a
 8 violation that occurs after the minor has been ~~being~~ found to
 9 have committed a noncriminal violation for sexting or has
 10 satisfied the penalty imposed in lieu of a court appearance as
 11 provided in paragraph (a), punishable as provided in s. 775.082
 12 or s. 775.083.

13 (c) Commits a felony of the third degree for a violation
 14 that occurs after the minor has been ~~being~~ found to have
 15 committed a misdemeanor of the first degree for sexting,
 16 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

17 (5) As used in this section, the term "found to have



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18 committed" means a determination of guilt that is the result of
19 a plea or trial, or a finding of delinquency that is the result
20 of a plea or an adjudicatory hearing, regardless of whether
21 adjudication is withheld.

22 (6) Eighty percent of all civil penalties received by a
23 juvenile court pursuant to this section shall be remitted by the
24 clerk of the court to the county commission to provide training
25 on cyber safety for minors. The remaining 20 percent shall
26 remain with the clerk of the court to defray administrative
27 costs.

28 Section 2. Subsection (1) of section 985.0301, Florida
29 Statutes, is amended to read:

30 985.0301 Jurisdiction.—

31 (1) The circuit court has exclusive original jurisdiction
32 of proceedings in which a child is alleged to have committed:

33 (a) to have committed A delinquent act or violation of
34 law.

35 (b) A noncriminal violation that has been assigned to
36 juvenile court by law.

37 Section 3. This act shall take effect upon becoming a law.
38

39 -----

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

41 Remove lines 18-21 and insert:
42 conforming provisions to

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 963 : Controlled Substances

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy		X			
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.		X			
Carlos Trujillo (Chair)	X				
Total Yeas: 11		Total Nays: 2			

HB 963 Amendments

Amendment 534103

Adopted

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy		X			
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.		X			
Carlos Trujillo (Chair)	X				
Total Yeas: 11		Total Nays: 2			

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 963 : Controlled Substances (continued)

Appearances:

HB 963

Newborn, Greg (General Public) - Waive In Opposition

Florida Project Director, Families Against Mandatory Minimums

P.O. Box 142933

Gainesville FL 32614

Phone: 352-682-2542

HB 963

Bishop, Barney (Lobbyist) - Waive In Support

President and CEO, Florida Smart Justice Alliance

204 S Monroe St, Suite 201

Tallahassee FL 32301

Phone: 850-907-3436

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>✓</u>	(Y/N)	3/16/15
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: Criminal Justice
 2 Subcommittee

3 Representative Burgess offered the following:
 4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (a) of subsection (1) of section
 8 893.13, Florida Statutes, is amended to read:

9 893.13 Prohibited acts; penalties.—

10 (1)(a) Except as authorized by this chapter and chapter
 11 499, a person may not sell, manufacture, or deliver, or possess
 12 with intent to sell, manufacture, or deliver, a controlled
 13 substance. A person who violates this provision with respect to:

14 1. A controlled substance named or described in s.
 15 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
 16 commits a felony of the second degree, punishable as provided in
 17 s. 775.082, s. 775.083, or s. 775.084. A person who violates



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18 this subparagraph in a dwelling as defined in s. 810.011 shall
19 be sentenced to a mandatory minimum term of imprisonment of 3
20 years.

21 2. A controlled substance named or described in s.
22 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
23 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
24 the third degree, punishable as provided in s. 775.082, s.
25 775.083, or s. 775.084.

26 3. A controlled substance named or described in s.
27 893.03(5) commits a misdemeanor of the first degree, punishable
28 as provided in s. 775.082 or s. 775.083.

29 Section 2. Paragraph (m) is added to subsection (1) of
30 section 893.135, Florida Statutes, to read:

31 893.135 Trafficking; mandatory sentences; suspension or
32 reduction of sentences; conspiracy to engage in trafficking.—

33 (1) Except as authorized in this chapter or in chapter 499
34 and notwithstanding the provisions of s. 893.13:

35 (m)1. Any person who knowingly sells, purchases,
36 manufactures, delivers, or brings into this state, or who is
37 knowingly in actual or constructive possession of, 250 grams or
38 more of a controlled substance described in s. 893.03(1)(c)46.-
39 50., 114.-142., 151.-159., or 166.-173., or any mixture
40 containing those substances, commits a felony of the first
41 degree, which felony shall be known as "trafficking in synthetic
42 drugs," punishable as provided in s. 775.082, s. 775.083, or s.
43 775.084. If the quantity involved:

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44 a. Is 250 grams or more, but less than 500 grams, such
45 person shall be sentenced to a mandatory minimum term of
46 imprisonment of 3 years, and the defendant shall be ordered to
47 pay a fine of \$25,000.

48 b. Is 500 grams or more, but less than 1,000 grams, such
49 person shall be sentenced to a mandatory minimum term of
50 imprisonment of 7 years, and the defendant shall be ordered to
51 pay a fine of \$50,000.

52 c. Is 1,000 grams or more, but less than 30 kilograms,
53 such person shall be sentenced to a mandatory minimum term of
54 imprisonment of 15 years, and the defendant shall be ordered to
55 pay a fine of \$200,000.

56 d. Is 30 kilograms or more, such person shall be sentenced
57 to a mandatory minimum term of imprisonment of 25 years, and the
58 defendant shall be ordered to pay a fine of \$750,000.

59 2. A person who knowingly sells, purchases, manufactures,
60 delivers, or brings into this state, or who is knowingly in
61 actual or constructive possession of, 30 kilograms or more of a
62 controlled substance described in s. 893.03(1)(c)46.-50., 114.-
63 142., 151.-159., or 166.-173., or any mixture containing those
64 substances, commits the first degree felony of trafficking in
65 synthetic drugs. A person who has been convicted of the first
66 degree felony of trafficking in synthetic drugs under this
67 subparagraph shall be punished by life imprisonment and is
68 ineligible for any form of discretionary early release except
69 pardon or executive clemency or conditional medical release



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70 under s. 947.149. However, if the court determines that, in
71 addition to committing any act specified in this paragraph:

72 a. The person intentionally killed an individual or
73 counseled, commanded, induced, procured, or caused the
74 intentional killing of an individual and such killing was the
75 result; or

76 b. The person's conduct in committing that act led to a
77 natural, though not inevitable, lethal result,

78
79 such person commits the capital felony of trafficking in
80 synthetic drugs, punishable as provided in ss. 775.082 and
81 921.142. A person sentenced for a capital felony under this
82 paragraph shall also be sentenced to pay the maximum fine
83 provided under subparagraph 1.

84 3. A person who knowingly brings into this state 60
85 kilograms or more of a controlled substance described in s.
86 893.03(1)(c)46.-50., 114.-142., 151.-159., or 166.-173., or any
87 mixture containing those substances, and who knows that the
88 probable result of such importation would be the death of a
89 person, commits capital importation of synthetic drugs, a
90 capital felony punishable as provided in ss. 775.082 and
91 921.142. A person sentenced for a capital felony under this
92 paragraph shall also be sentenced to pay the maximum fine
93 provided under subparagraph 1.

94 Section 3. Paragraphs (g), (h), and (i) of subsection (3)
95 of section 921.0022, Florida Statutes, are amended to read:

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Amendment No. 1

96 921.0022 Criminal Punishment Code; offense severity
97 ranking chart.—

98 (3) OFFENSE SEVERITY RANKING CHART

99 (g) LEVEL 7

100

Florida	Felony	Description
Statute	Degree	

101

316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
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102

316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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103

316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
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104

327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
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105



Amendment No. 1

106	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
107	409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
108	409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
109	456.065(2)	3rd	Practicing a health care profession without a license.
110	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
111	458.327(1)	3rd	Practicing medicine without a license.
	459.013(1)	3rd	Practicing osteopathic medicine without a license.



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112

460.411(1) 3rd Practicing chiropractic
medicine without a license.

113

461.012(1) 3rd Practicing podiatric medicine
without a license.

114

462.17 3rd Practicing naturopathy without
a license.

115

463.015(1) 3rd Practicing optometry without a
license.

116

464.016(1) 3rd Practicing nursing without a
license.

117

465.015(2) 3rd Practicing pharmacy without a
license.

118

466.026(1) 3rd Practicing dentistry or dental
hygiene without a license.

119

467.201 3rd Practicing midwifery without a
license.

120

468.366 3rd Delivering respiratory care

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services without a license.

121

483.828(1) 3rd Practicing as clinical
laboratory personnel without a
license.

122

483.901(9) 3rd Practicing medical physics
without a license.

123

484.013(1)(c) 3rd Preparing or dispensing optical
devices without a prescription.

124

484.053 3rd Dispensing hearing aids without
a license.

125

494.0018(2) 1st Conviction of any violation of
ss. 494.001-494.0077 in which
the total money and property
unlawfully obtained exceeded
\$50,000 and there were five or
more victims.

126

560.123(8)(b)1. 3rd Failure to report currency or
payment instruments exceeding
\$300 but less than \$20,000 by a
money services business.



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127
560.125(5)(a) 3rd Money services business by
unauthorized person, currency
or payment instruments
exceeding \$300 but less than
\$20,000.

128
655.50(10)(b)1. 3rd Failure to report financial
transactions exceeding \$300 but
less than \$20,000 by financial
institution.

129
775.21(10)(a) 3rd Sexual predator; failure to
register; failure to renew
driver license or
identification card; other
registration violations.

130
775.21(10)(b) 3rd Sexual predator working where
children regularly congregate.

131
775.21(10)(g) 3rd Failure to report or providing
false information about a
sexual predator; harbor or
conceal a sexual predator.

132



Amendment No. 1

133	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
134	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
135	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
136	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
137	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.



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138	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
139	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
140	784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
141	784.048(7)	3rd	Aggravated stalking; violation of court order.
142	784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
143	784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
144	784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
145	784.081(1)	1st	Aggravated battery on specified official or employee.
	784.082(1)	1st	Aggravated battery by detained

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person on visitor or other
detainee.

146

784.083(1) 1st Aggravated battery on code
inspector.

147

787.06(3)(a)2. 1st Human trafficking using
coercion for labor and services
of an adult.

148

787.06(3)(e)2. 1st Human trafficking using
coercion for labor and services
by the transfer or transport of
an adult from outside Florida
to within the state.

149

790.07(4) 1st Specified weapons violation
subsequent to previous
conviction of s. 790.07(1) or
(2).

150

790.16(1) 1st Discharge of a machine gun
under specified circumstances.

151

790.165(2) 2nd Manufacture, sell, possess, or
deliver hoax bomb.



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152 790.165(3) 2nd Possessing, displaying, or
threatening to use any hoax
bomb while committing or
attempting to commit a felony.

153 790.166(3) 2nd Possessing, selling, using, or
attempting to use a hoax weapon
of mass destruction.

154 790.166(4) 2nd Possessing, displaying, or
threatening to use a hoax
weapon of mass destruction
while committing or attempting
to commit a felony.

155 790.23 1st,PBL Possession of a firearm by a
person who qualifies for the
penalty enhancements provided
for in s. 874.04.

156 794.08(4) 3rd Female genital mutilation;
consent by a parent, guardian,
or a person in custodial
authority to a victim younger
than 18 years of age.



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157	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
158	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
159	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
160	800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
161	800.04(5)(e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
162			



Amendment No. 1

163

806.01(2) 2nd Maliciously damage structure by
fire or explosive.

164

810.02(3)(a) 2nd Burglary of occupied dwelling;
unarmed; no assault or battery.

165

810.02(3)(b) 2nd Burglary of unoccupied
dwelling; unarmed; no assault
or battery.

166

810.02(3)(d) 2nd Burglary of occupied
conveyance; unarmed; no assault
or battery.

167

810.02(3)(e) 2nd Burglary of authorized
emergency vehicle.

168

812.014(2)(a)1. 1st Property stolen, valued at
\$100,000 or more or a
semitrailer deployed by a law
enforcement officer; property
stolen while causing other
property damage; 1st degree
grand theft.

812.014(2)(b)2. 2nd Property stolen, cargo valued



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at less than \$50,000, grand
theft in 2nd degree.

169

812.014(2)(b)3. 2nd Property stolen, emergency
medical equipment; 2nd degree
grand theft.

170

812.014(2)(b)4. 2nd Property stolen, law
enforcement equipment from
authorized emergency vehicle.

171

812.0145(2)(a) 1st Theft from person 65 years of
age or older; \$50,000 or more.

172

812.019(2) 1st Stolen property; initiates,
organizes, plans, etc., the
theft of property and traffics
in stolen property.

173

812.131(2)(a) 2nd Robbery by sudden snatching.

174

812.133(2)(b) 1st Carjacking; no firearm, deadly
weapon, or other weapon.

175

817.034(4)(a)1. 1st Communications fraud, value
greater than \$50,000.

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176	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
177	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
178	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
179	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
180	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
181	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or

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disfigurement.

182

825.103(3)(b) 2nd Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.

183

827.03(2)(b) 2nd Neglect of a child causing great bodily harm, disability, or disfigurement.

184

827.04(3) 3rd Impregnation of a child under 16 years of age by person 21 years of age or older.

185

837.05(2) 3rd Giving false information about alleged capital felony to a law enforcement officer.

186

838.015 2nd Bribery.

187

838.016 2nd Unlawful compensation or reward for official behavior.

188

838.021(3)(a) 2nd Unlawful harm to a public servant.

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Amendment No. 1

189	838.22	2nd	Bid tampering.
190	843.0855(2)	3rd	Impersonation of a public officer or employee.
191	843.0855(3)	3rd	Unlawful simulation of legal process.
192	843.0855(4)	3rd	Intimidation of a public officer or employee.
193	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
194	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
195	872.06	2nd	Abuse of a dead human body.
196	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
197			



Amendment No. 1

201	893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
202	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
203	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
204	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
205	893.135 (1)(c)2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
206	893.135 (1)(c)2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
	893.135	1st	Trafficking in oxycodone, 7

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207	(1) (c) 3.a.		grams or more, less than 14 grams.
	893.135	1st	Trafficking in oxycodone, 14 (1) (c) 3.b. grams or more, less than 25 grams.
208			
	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
209			
	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
210			
	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
211			
	893.135	1st	Trafficking in flunitrazepam, 4 (1) (g) 1.a. grams or more, less than 14 grams.
212			
	893.135	1st	Trafficking in gamma- (1) (h) 1.a. hydroxybutyric acid (GHB), 1 kilogram or more, less than 5

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kilograms.

213

893.135 1st Trafficking in 1,4-Butanediol,
(1) (j) 1.a. 1 kilogram or more, less than 5
kilograms.

214

893.135 1st Trafficking in Phenethylamines,
(1) (k) 2.a. 10 grams or more, less than 200
grams.

215

893.135 1st Trafficking in LSD, 1 gram or
(1) (l) 1.a. more, less than 5 grams.

216

893.135 1st Trafficking in synthetic drugs,
(1) (m) 1.a. 250 grams or more, less than
500 grams.

217

893.135 1st Trafficking in synthetic drugs,
(1) (m) 1.b. 500 grams or more, less than
1,000 grams.

218

893.1351(2) 2nd Possession of place for
trafficking in or manufacturing
of controlled substance.

219

896.101(5) (a) 3rd Money laundering, financial



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transactions exceeding \$300 but
less than \$20,000.

220

896.104(4)(a)1. 3rd Structuring transactions to
evade reporting or registration
requirements, financial
transactions exceeding \$300 but
less than \$20,000.

221

943.0435(4)(c) 2nd Sexual offender vacating
permanent residence; failure to
comply with reporting
requirements.

222

943.0435(8) 2nd Sexual offender; remains in
state after indicating intent
to leave; failure to comply
with reporting requirements.

223

943.0435(9)(a) 3rd Sexual offender; failure to
comply with reporting
requirements.

224

943.0435(13) 3rd Failure to report or providing
false information about a
sexual offender; harbor or



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conceal a sexual offender.

225

943.0435(14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

226

944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

227

944.607(10)(a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

228

944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

229

944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.



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230

985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

231

985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

232

985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

233

234 (h) LEVEL 8

235

Florida	Felony	
Statute	Degree	Description

236

316.193 2nd DUI manslaughter.
(3) (c) 3.a.

237

316.1935(4) (b) 1st Aggravated fleeing or attempted eluding with serious bodily



Amendment No. 1

injury or death.

238

327.35(3)(c)3. 2nd Vessel BUI manslaughter.

239

499.0051(7) 1st Knowing trafficking in
contraband prescription drugs.

240

499.0051(8) 1st Knowing forgery of prescription
labels or prescription drug
labels.

241

560.123(8)(b)2. 2nd Failure to report currency or
payment instruments totaling or
exceeding \$20,000, but less
than \$100,000 by money
transmitter.

242

560.125(5)(b) 2nd Money transmitter business by
unauthorized person, currency
or payment instruments totaling
or exceeding \$20,000, but less
than \$100,000.

243

655.50(10)(b)2. 2nd Failure to report financial
transactions totaling or
exceeding \$20,000, but less



Amendment No. 1

than \$100,000 by financial
institutions.

244

777.03(2)(a) 1st Accessory after the fact,
capital felony.

245

782.04(4) 2nd Killing of human without design
when engaged in act or attempt
of any felony other than arson,
sexual battery, robbery,
burglary, kidnapping,
aggravated fleeing or eluding
with serious bodily injury or
death, aircraft piracy, or
unlawfully discharging bomb.

246

782.051(2) 1st Attempted felony murder while
perpetrating or attempting to
perpetrate a felony not
enumerated in s. 782.04(3).

247

782.071(1)(b) 1st Committing vehicular homicide
and failing to render aid or
give information.

248

782.072(2) 1st Committing vessel homicide and



Amendment No. 1

failing to render aid or give
information.

249

787.06(3)(a)1. 1st Human trafficking for labor and
services of a child.

250

787.06(3)(b) 1st Human trafficking using
coercion for commercial sexual
activity of an adult.

251

787.06(3)(c)2. 1st Human trafficking using
coercion for labor and services
of an unauthorized alien adult.

252

787.06(3)(e)1. 1st Human trafficking for labor and
services by the transfer or
transport of a child from
outside Florida to within the
state.

253

787.06(3)(f)2. 1st Human trafficking using
coercion for commercial sexual
activity by the transfer or
transport of any adult from
outside Florida to within the
state.



Amendment No. 1

- 254 | 790.161(3) | 1st | Discharging a destructive
device which results in bodily
harm or property damage.
- 255 | 794.011(5)(a) | 1st | Sexual battery; victim 12 years
of age or older but younger
than 18 years; offender 18
years or older; offender does
not use physical force likely
to cause serious injury.
- 256 | 794.011(5)(b) | 2nd | Sexual battery; victim and
offender 18 years of age or
older; offender does not use
physical force likely to cause
serious injury.
- 257 | 794.011(5)(c) | 2nd | Sexual battery; victim 12 years
of age or older; offender
younger than 18 years; offender
does not use physical force
likely to cause injury.
- 258 | 794.011(5)(d) | 1st | Sexual battery; victim 12 years
of age or older; offender does



Amendment No. 1

not use physical force likely
to cause serious injury; prior
conviction for specified sex
offense.

259

794.08(3) 2nd Female genital mutilation,
removal of a victim younger
than 18 years of age from this
state.

260

800.04(4)(b) 2nd Lewd or lascivious battery.

261

800.04(4)(c) 1st Lewd or lascivious battery;
offender 18 years of age or
older; prior conviction for
specified sex offense.

262

806.01(1) 1st Maliciously damage dwelling or
structure by fire or explosive,
believing person in structure.

263

810.02(2)(a) 1st,PBL Burglary with assault or
battery.

264

810.02(2)(b) 1st,PBL Burglary; armed with explosives
or dangerous weapon.



Amendment No. 1

265
810.02(2)(c) 1st Burglary of a dwelling or
structure causing structural
damage or \$1,000 or more
property damage.

266
812.014(2)(a)2. 1st Property stolen; cargo valued
at \$50,000 or more, grand theft
in 1st degree.

267
812.13(2)(b) 1st Robbery with a weapon.

268
812.135(2)(c) 1st Home-invasion robbery, no
firearm, deadly weapon, or
other weapon.

269
817.535(2)(b) 2nd Filing false lien or other
unauthorized document; second
or subsequent offense.

270
817.535(3)(a) 2nd Filing false lien or other
unauthorized document; property
owner is a public officer or
employee.

271
817.535(4)(a)1. 2nd Filing false lien or other

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Amendment No. 1

unauthorized document;
defendant is incarcerated or
under supervision.

272

817.535 (5) (a) 2nd Filing false lien or other
unauthorized document; owner of
the property incurs financial
loss as a result of the false
instrument.

273

817.568 (6) 2nd Fraudulent use of personal
identification information of
an individual under the age of
18.

274

825.102 (2) 1st Aggravated abuse of an elderly
person or disabled adult.

275

825.1025 (2) 2nd Lewd or lascivious battery upon
an elderly person or disabled
adult.

276

825.103 (3) (a) 1st Exploiting an elderly person or
disabled adult and property is
valued at \$50,000 or more.

277



Amendment No. 1

278	837.02(2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
279	837.021(2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
280	860.121(2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
281	860.16	1st	Aircraft piracy.
282	893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
283	893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
	893.13(6)(c)	1st	Possess in excess of 10 grams



Amendment No. 1

of any substance specified in
s. 893.03(1) (a) or (b).

284

893.135(1) (a) 2. 1st Trafficking in cannabis, more
than 2,000 lbs., less than
10,000 lbs.

285

893.135 1st Trafficking in cocaine, more
(1) (b) 1.b. than 200 grams, less than 400
grams.

286

893.135 1st Trafficking in illegal drugs,
(1) (c) 1.b. more than 14 grams, less than
28 grams.

287

893.135 1st Trafficking in hydrocodone, 50
(1) (c) 2.c. grams or more, less than 200
grams.

288

893.135 1st Trafficking in oxycodone, 25
(1) (c) 3.c. grams or more, less than 100
grams.

289

893.135 1st Trafficking in phencyclidine,
(1) (d) 1.b. more than 200 grams, less than
400 grams.

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Amendment No. 1

290	893.135 (1) (e) 1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
291	893.135 (1) (f) 1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
292	893.135 (1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
293	893.135 (1) (h) 1.b.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
294	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
295	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
296			



Amendment No. 1

297	<u>893.135</u> <u>(1)(1)1.b.</u>	<u>1st</u>	<u>Trafficking in LSD, 5 grams or more, less than 7 grams.</u>
298	<u>893.135</u> <u>(1)(m)1.c.</u>	<u>1st</u>	<u>Trafficking in synthetic drugs, 1,000 grams or more, less than 30 kilograms.</u>
299	893.1351(3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
300	895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
301	895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
302	895.03(3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
	896.101(5)(b)	2nd	Money laundering, financial

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transactions totaling or
exceeding \$20,000, but less
than \$100,000.

303

896.104 (4) (a) 2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.
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304

305 (i) LEVEL 9

306

Florida Statute	Felony Degree	Description
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307

316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
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308

327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
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309

409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
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310

499.0051 (9)	1st	Knowing sale or purchase of
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Amendment No. 1

contraband prescription drugs
resulting in great bodily harm.

311

560.123(8)(b)3. 1st Failure to report currency or
payment instruments totaling or
exceeding \$100,000 by money
transmitter.

312

560.125(5)(c) 1st Money transmitter business by
unauthorized person, currency,
or payment instruments totaling
or exceeding \$100,000.

313

655.50(10)(b)3. 1st Failure to report financial
transactions totaling or
exceeding \$100,000 by financial
institution.

314

775.0844 1st Aggravated white collar crime.

315

782.04(1) 1st Attempt, conspire, or solicit
to commit premeditated murder.

316

782.04(3) 1st,PBL Accomplice to murder in
connection with arson, sexual
battery, robbery, burglary,



Amendment No. 1

aggravated fleeing or eluding
with serious bodily injury or
death, and other specified
felonies.

317

782.051(1) 1st Attempted felony murder while
perpetrating or attempting to
perpetrate a felony enumerated
in s. 782.04(3).

318

782.07(2) 1st Aggravated manslaughter of an
elderly person or disabled
adult.

319

787.01(1)(a)1. 1st,PBL Kidnapping; hold for ransom or
reward or as a shield or
hostage.

320

787.01(1)(a)2. 1st,PBL Kidnapping with intent to
commit or facilitate commission
of any felony.

321

787.01(1)(a)4. 1st,PBL Kidnapping with intent to
interfere with performance of
any governmental or political
function.



Amendment No. 1

- 322
787.02(3)(a) 1st,PBL False imprisonment; child under
age 13; perpetrator also
commits aggravated child abuse,
sexual battery, or lewd or
lascivious battery,
molestation, conduct, or
exhibition.
- 323
787.06(3)(c)1. 1st Human trafficking for labor and
services of an unauthorized
alien child.
- 324
787.06(3)(d) 1st Human trafficking using
coercion for commercial sexual
activity of an unauthorized
adult alien.
- 325
787.06(3)(f)1. 1st,PBL Human trafficking for
commercial sexual activity by
the transfer or transport of
any child from outside Florida
to within the state.
- 326
790.161 1st Attempted capital destructive
device offense.



Amendment No. 1

327	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
328	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
329	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
330	794.011(4)(a)	1st,PBL	Sexual battery, certain circumstances; victim 12 years of age or older but younger than 18 years; offender 18 years or older.
331	794.011(4)(b)	1st	Sexual battery, certain circumstances; victim and offender 18 years of age or older.
332	794.011(4)(c)	1st	Sexual battery, certain



Amendment No. 1

circumstances; victim 12 years
of age or older; offender
younger than 18 years.

333

794.011(4)(d) 1st,PBL Sexual battery, certain
circumstances; victim 12 years
of age or older; prior
conviction for specified sex
offenses.

334

794.011(8)(b) 1st,PBL Sexual battery; engage in
sexual conduct with minor 12 to
18 years by person in familial
or custodial authority.

335

794.08(2) 1st Female genital mutilation;
victim younger than 18 years of
age.

336

800.04(5)(b) Life Lewd or lascivious molestation;
victim less than 12 years;
offender 18 years or older.

337

812.13(2)(a) 1st,PBL Robbery with firearm or other
deadly weapon.

338



Amendment No. 1

339 812.133(2)(a) 1st,PBL Carjacking; firearm or other
deadly weapon.

340 812.135(2)(b) 1st Home-invasion robbery with
weapon.

341 817.535(3)(b) 1st Filing false lien or other
unauthorized document; second
or subsequent offense; property
owner is a public officer or
employee.

342 817.535(4)(a)2. 1st Filing false claim or other
unauthorized document;
defendant is incarcerated or
under supervision.

343 817.535(5)(b) 1st Filing false lien or other
unauthorized document; second
or subsequent offense; owner of
the property incurs financial
loss as a result of the false
instrument.

817.568(7) 2nd, Fraudulent use of personal
PBL identification information of

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Amendment No. 1

an individual under the age of
18 by his or her parent, legal
guardian, or person exercising
custodial authority.

344

827.03(2)(a) 1st Aggravated child abuse.

345

847.0145(1) 1st Selling, or otherwise
transferring custody or
control, of a minor.

346

847.0145(2) 1st Purchasing, or otherwise
obtaining custody or control,
of a minor.

347

859.01 1st Poisoning or introducing
bacteria, radioactive
materials, viruses, or chemical
compounds into food, drink,
medicine, or water with intent
to kill or injure another
person.

348

893.135 1st Attempted capital trafficking
offense.

349

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Amendment No. 1

350 893.135(1)(a)3. 1st Trafficking in cannabis, more
than 10,000 lbs.

893.135 1st Trafficking in cocaine, more
(1)(b)1.c. than 400 grams, less than 150
kilograms.

351 893.135 1st Trafficking in illegal drugs,
(1)(c)1.c. more than 28 grams, less than
30 kilograms.

352 893.135 1st Trafficking in hydrocodone, 200
(1)(c)2.d. grams or more, less than 30
kilograms.

353 893.135 1st Trafficking in oxycodone, 100
(1)(c)3.d. grams or more, less than 30
kilograms.

354 893.135 1st Trafficking in phencyclidine,
(1)(d)1.c. more than 400 grams.

355 893.135 1st Trafficking in methaqualone,
(1)(e)1.c. more than 25 kilograms.

356 893.135 1st Trafficking in amphetamine,



Amendment No. 1

357 (1) (f) 1.c. more than 200 grams.

893.135 1st Trafficking in gamma-
358 (1) (h) 1.c. hydroxybutyric acid (GHB), 10
kilograms or more.

893.135 1st Trafficking in 1,4-Butanediol,
359 (1) (j) 1.c. 10 kilograms or more.

893.135 1st Trafficking in Phenethylamines,
360 (1) (k) 2.c. 400 grams or more.

893.135 1st Trafficking in LSD, 7 grams or
361 (1) (l) 1.c. more.

893.135 1st Trafficking in synthetic drugs,
362 (1) (m) 1.d. 30 kilograms or more.

896.101 (5) (c) 1st Money laundering, financial
instruments totaling or
363 exceeding \$100,000.

896.104 (4) (a) 3. 1st Structuring transactions to
evade reporting or registration
requirements, financial
transactions totaling or



Amendment No. 1

exceeding \$100,000.

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Section 4. This act shall take effect October 1, 2015.

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 controlled substances; amending s. 893.13, F.S.; providing a minimum mandatory term of imprisonment for specified violations committed in a dwelling; amending s. 893.135, F.S.; creating the offense of trafficking in synthetic drugs; providing specified offenses involving 250 grams or more of specified controlled substances; providing specified minimum terms of imprisonment and fines based on the quantity involved in the offense; amending s. 921.0022, F.S.; adding specified trafficking provisions established in s. 893.135, F.S., to the offense severity ranking chart; providing an effective date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 967 : Trespass on Airport Property

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 967 Amendments

Amendment 784955

Adopted Without Objection

Appearances:

HB 967

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 3/14/15
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Cortes, B. offered the following:
 4

Amendment

Remove line 29 and insert:

7 if the property trespassed upon is the operational area of an
 8 airport that is legally posted and identified in substantially
 9 the following manner: "THIS AREA IS A DESIGNATED OPERATIONAL
 10 AREA OF AN AIRPORT, AND ANYONE WHO TRESPASSES ON THIS PROPERTY
 11 COMMITTS A FELONY," and the offender trespasses

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 1015 : Public Records/Law Enforcement Personnel, State Attorneys, & Statewide Prosecutors

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 1015 Amendments

Amendment 747405

Adopted Without Objection

Amendment 359717

Adopted Without Objection

Appearances:

HB 1015

Carroll, Sarrah (Lobbyist) - Waive In Support
Florida Sheriffs Association
2617 Mahan Dr
Tallahassee FL 32308
Phone: 850)877-2165

HB 1015

Puckett, Matthew (Lobbyist) - Waive In Support
Florida Police Benevolent Association, Inc
300 E Brevard St
Tallahassee FL 32301
Phone: (850)222-3329

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

**HB 1015 : Public Records/Law Enforcement Personnel, State Attorneys, & Statewide Prosecutors
(continued)**

Appearances: (continued)

HB 1015

Dillinger, Bob (State Employee) - Waive In Support

6th Judicial Circuit

14250 49 St North

Clearwater FL 33762

Phone: 727-464-6865

HB 1015

Pitts, Brian - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<u>✓</u>	(Y/N) 3/10/15
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee
 3 Representative Latvala offered the following:

Amendment

6 Remove lines 59-112 and insert:
 7 numbers, and banking and financial information of such personnel
 8 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 9 Constitution. This sub-sub-subparagraph is subject to the Open
 10 Government Sunset Review Act in accordance with s. 119.15 and
 11 shall stand repealed on October 2, 2020, unless reviewed and
 12 saved from repeal through reenactment by the Legislature.

13 b. The home addresses, telephone numbers, dates of birth,
 14 and photographs of firefighters certified in compliance with s.
 15 633.408; the home addresses, telephone numbers, photographs,
 16 dates of birth, and places of employment of the spouses and
 17 children of such firefighters; and the names and locations of



Amendment No. 1

18 schools and day care facilities attended by the children of such
19 firefighters are exempt from s. 119.07(1).

20 c. The home addresses, dates of birth, and telephone
21 numbers of current or former justices of the Supreme Court,
22 district court of appeal judges, circuit court judges, and
23 county court judges; the home addresses, telephone numbers,
24 dates of birth, and places of employment of the spouses and
25 children of current or former justices and judges; and the names
26 and locations of schools and day care facilities attended by the
27 children of current or former justices and judges are exempt
28 from s. 119.07(1).

29 d.(I) The home addresses, telephone numbers, social
30 security numbers, dates of birth, and photographs of current or
31 former state attorneys, assistant state attorneys, statewide
32 prosecutors, or assistant statewide prosecutors; the home
33 addresses, telephone numbers, social security numbers,
34 photographs, dates of birth, and places of employment of the
35 spouses and children of current or former state attorneys,
36 assistant state attorneys, statewide prosecutors, or assistant
37 statewide prosecutors; and the names and locations of schools
38 and day care facilities attended by the children of current or
39 former state attorneys, assistant state attorneys, statewide
40 prosecutors, or assistant statewide prosecutors are exempt from
41 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

42 (II) The names of the spouses and children of current or
43 former state attorneys, assistant state attorneys, statewide



Amendment No. 1

44 prosecutors, or assistant statewide prosecutors are exempt from
45 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

46 (III) Sub-sub-subparagraph (II) is subject to the Open
47 Government Sunset Review Act in accordance with s. 119.15, and
48 shall stand repealed on October 2, 2018, unless reviewed and
49 saved from repeal through reenactment by the Legislature.

50 (IV) The residential addresses other than home addresses,
51 including former residences, of current or former state
52 attorneys, assistant state attorneys, statewide prosecutors, or
53 assistant statewide prosecutors, including residences in which
54 such current or former state attorneys, assistant state
55 attorneys, statewide prosecutors, or assistant statewide
56 prosecutors frequently reside, and the e-mail addresses, driver
57 license numbers, license plate numbers, and banking and
58 financial information of such current or former state attorneys,
59 assistant



Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> ✓ </u>	(Y/N) 3/14/15
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee
 3 Representative Latvala offered the following:

Amendment (with title amendment)

Between lines 212 and 213, insert:

7 (III) The residential addresses other than home addresses,
 8 including former residences, of current or former public
 9 defenders, assistant public defenders, criminal conflict and
 10 civil regional counsel, and assistant criminal conflict and
 11 civil regional counsel, including residences in which such
 12 current or former public defenders, assistant public defenders,
 13 criminal conflict and civil regional counsel, and assistant
 14 criminal conflict and civil regional counsel frequently reside,
 15 and the e-mail addresses, driver license numbers, license plate
 16 numbers, and banking and financial information of such current
 17 or former public defenders, assistant public defenders, criminal



Amendment No. 2

18 conflict and civil regional counsel, and assistant criminal
19 conflict and civil regional counsel; and the home addresses,
20 telephone numbers, social security numbers, photographs, dates
21 of birth, and places of employment of the parents, siblings, and
22 cohabitants of current or former public defenders, assistant
23 public defenders, criminal conflict and civil regional counsel,
24 and assistant criminal conflict and civil regional counsel, are
25 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
26 Constitution. This sub-sub-subparagraph is subject to the Open
27 Government Sunset Review Act in accordance with s. 119.15 and
28 shall stand repealed on October 2, 2020, unless reviewed and
29 saved from repeal through reenactment by the Legislature.

30
31 Between lines 312 and 313, insert:

32 (3) The Legislature finds that it is a public necessity
33 that the residential addresses, e-mail addresses, driver license
34 numbers, license plate numbers, and banking and financial
35 information of current or former public defenders, assistant
36 public defenders, criminal conflict and civil regional counsel,
37 and assistant criminal conflict and civil regional counsel be
38 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
39 Article I of the State Constitution. The Legislature further
40 finds that it is a public necessity that the home addresses,
41 telephone numbers, social security numbers, photographs, dates
42 of birth, and places of employment of the parents, siblings, and
43 cohabitants of such persons be made exempt from s. 119.07(1),



Amendment No. 2

44 Florida Statutes, and s. 24(a), Article I of the State
45 Constitution. The Legislature finds that the release of such
46 identifying and location information could place the person, or
47 a parent, sibling, or cohabitant of the person, in danger of
48 being physically and emotionally harmed or being stalked by a
49 defendant or other person. The Legislature finds that the harm
50 that may result from the release of such identifying and
51 location information outweighs any public benefit that may be
52 derived from the disclosure of the information.

53

54

55

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

56

Remove line 12 and insert:

57

cohabitants; providing an exemption from public records

58

requirements for certain information related to current or

59

former public defenders, assistant public defenders, criminal

60

conflict and civil regional counsel, and assistant criminal

61

conflict and civil regional counsel and their parents, siblings,

62

or cohabitants; providing for future legislative review

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 1037 : Electronic Monitoring Devices

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant				X	
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
Total Yeas: 12		Total Nays: 0			

HB 1037 Amendments

Amendment 573725

Adopted Without Objection

Appearances:

HB 1037

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

HB 1037

Carroll, Sarrah (Lobbyist) - Waive In Support
Florida Association of Counties
PO Box 549
Tallahassee FL 32302
Phone: (850)922-4300

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 3/10/15
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Torres offered the following:

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

6 Remove lines 19-38 and insert:

7 (2) It shall be unlawful for a person to intentionally and
8 without authority:

9 (a) Remove, destroy, alter, tamper with, damage, or
 10 circumvent the operation of, an electronic monitoring device
 11 that the person is required to wear or use pursuant to any court
 12 order or pursuant to an order by the Commission on Offender
 13 Review; or

14 (b) Request or solicit any individual to remove, destroy,
 15 alter, tamper with, damage, or circumvent the operation of, an
 16 electronic monitoring device required to be worn or used



Amendment No. 1

17 pursuant to any court order or pursuant to an order by the
18 Commission on Offender Review.

19 (3) A person who violates this section commits a felony of
20 the third degree, punishable as provided in s. 775.082, s.
21 775.083, or s. 775.084.

22 Section 2. Subsections (1) and (7) of section 948.11,
23 Florida Statutes, are amended to read:

24 948.11 Electronic monitoring devices.—

25 (1) The Department of Corrections may, ~~at its discretion,~~
26 electronically monitor an offender sentenced to community
27 control when the court has imposed electronic monitoring as a
28 condition of community control.

29 ~~(7) A person who intentionally alters, tampers with,~~
30 ~~damages, or destroys any electronic monitoring equipment~~
31 ~~pursuant to court or commission order, unless such person is the~~
32 ~~owner of the equipment, or an agent of the owner, performing~~
33 ~~ordinary maintenance and repairs, commits a felony of the third~~
34 ~~degree, punishable as provided in s. 775.082, s. 775.083, or s.~~
35 ~~775.084.~~

36 Section 3. This act shall take effect October 1, 2015.

37

38

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

40 Remove lines 4-8 and insert:

41 prohibiting a person from removing, destroying, altering,
42 tampering with, damaging, or circumventing the operation of, an



Amendment No. 1

43 | electronic monitoring device being worn or used pursuant to any
44 | court order or an order by the Commission on Offender Review;
45 | prohibiting requesting or soliciting a person to perform such an
46 | act; providing criminal penalties; amending s. 948.11, F.S.;
47 | clarifying that the Department of Corrections may electronically
48 | monitor an offender sentenced to community control when the
49 | court has imposed electronic monitoring as a condition of
50 | community control; deleting language imposing criminal penalties
51 | on persons who intentionally alter, tamper with, damage, or
52 | destroy electronic monitoring equipment;

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 1069 : Defendants in Specialized Courts

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 1069 Amendments

Amendment 495511

Adopted Without Objection

Appearances:

HB 1069

Roundtree, Robert (State Employee) - Waive In Support

Chief Judge, 8th Circuit

201 E University Avenue

Gainesville FL 32601

Phone: 352-318-2403

HB 1069

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 1069 : Defendants in Specialized Courts (continued)

Appearances: (continued)

HB 1069

Sanchez, Washington (General Public) - Waive In Opposition

Florida Veteran's Foundation

Chairman

2229 Gates Dr.

Tallahassee FL 32312

Phone: (850) 322-845

HB 1069

Jumier, Richard - Information Only

No Fla Homeless Veteran's Stand Down

Civil Legal Affairs Co-ordinator

319 East Park Ave

Tallahassee FL 32301

Phone: 561-542-3111

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 3/10/15
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Perry offered the following:

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

6 Remove everything after the enacting clause and insert:
 7 Section 1. Subsection (5) of section 910.035, Florida
 8 Statutes, is amended to read:

9 910.035 Transfer from county for plea, and sentence, or
 10 participation in a problem-solving court.-

11 (5) (a) For purposes of this subsection, the term "problem-
 12 solving court" means a drug court pursuant to s. 948.01, s.
 13 948.06, s. 948.08, s. 948.16, or s. 948.20; a veterans' court
 14 pursuant to s. 394.47891, s. 948.08, s. 948.16, or s. 948.21; or
 15 a mental health court.

16 (b) Any person eligible for participation in a problem-
 17 solving ~~drug~~ court shall, upon request by the person or a court,



Amendment No. 1

18 ~~treatment program pursuant to s. 948.08(6) may be eligible to~~
19 have the case transferred to a county other than that in which
20 the charge arose if the defendant agrees to the transfer and the
21 ~~drug court program agrees and if the following conditions are~~
22 ~~met:~~

23 ~~(a) The authorized representative of the trial drug court~~
24 ~~program of the county requesting to transfer the case shall~~
25 ~~consults~~ with the authorized representative of the problem-
26 solving drug court program in the county to which transfer is
27 desired, and both representatives agree to the transfer.

28 ~~(c)(b) If all parties agree to the transfer as required by~~
29 ~~paragraph (b), approval for transfer is received from all~~
30 ~~parties, the trial court shall accept a plea of nolo contendere~~
31 ~~and enter a transfer order directing the clerk to transfer the~~
32 case to the county which has accepted the defendant into its-
33 problem solving drug court program.

34 ~~(d)1.(c) When transferring a pretrial problem-solving~~
35 court case, The transfer order shall include a copy of the
36 probable cause affidavit; any charging documents in the case;
37 all reports, witness statements, test results, evidence lists,
38 and other documents in the case; the defendant's mailing address
39 and phone number; and the defendant's written consent to abide
40 by the rules and procedures of the receiving county's problem-
41 solving drug court program.

42 2. When transferring a postadjudicatory problem-solving
43 court case, the transfer order shall include a copy of the



Amendment No. 1

44 charging documents in the case; the final disposition; all
45 reports, test results, and other documents in the case; the
46 defendant's mailing address and phone number; and the
47 defendant's written consent to abide by the rules and procedures
48 of the receiving county's problem-solving court.

49 (e)(d) After the transfer takes place, the clerk shall set
50 the matter for a hearing before the problem-solving drug court
51 program judge and the court shall to ensure the defendant's
52 entry into the problem-solving drug court program.

53 (f)(e) Upon successful completion of the problem-solving
54 drug court program, the jurisdiction to which the case has been
55 transferred shall dispose of the case pursuant to s. 948.08(6).
56 If the defendant does not complete the problem-solving drug
57 court program successfully, the jurisdiction to which the case
58 has been transferred shall dispose of the case within the
59 guidelines of the Criminal Punishment Code.

60 Section 2. This act shall take effect July 1, 2015.

61
62 -----
63 **T I T L E A M E N D M E N T**

64 Remove everything before the enacting clause and insert:
65 An act relating to defendants in specialized courts; amending s.
66 910.035, F.S.; providing a definition; requiring a trial court
67 to transfer certain criminal cases involving participants in
68 specified programs to another jurisdiction having such a program
69 under certain conditions; providing an effective date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

HB 4045 : Repeal of a Prohibition on Cohabitation

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant		X			
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
	Total Yeas: 12	Total Nays: 1			

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

PCB CRJS 15-04 : Pub.Rec./Juvenile Criminal History Records

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kemer	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

PCB CRJS 15-04

Dillinger, Bob (State Employee) - Waive In Support
6th Judicial Circuit
14250 49 St North
Clearwater FL 33762
Phone: 727-464-6865

PCB CRJS 15-04

Miller, Roy (Lobbyist) - Proponent
Children's Campaign, The
Children's Campaign Inc PO Box 1718
Tallahassee FL 32302
Phone: 8504252600

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

PCB CRJS 15-05 : Expunging and Sealing Criminal History Records

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

PCB CRJS 15-05

Pitts, Brian - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

PCB CRJS 15-05

Dillinger, Bob (State Employee) - Waive In Support

6th Judicial Circuit

14250 49 St North

Clearwater FL 33762

Phone: 727-464-6865

PCB CRJS 15-05

Chamizo, Jorge (Lobbyist) - Waive In Support

Florida Association of Criminal Defense Lawyers

PO Box 1528

Tallahassee FL 32302

Phone: (850)681-0024

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

PCB CRJS 15-06 : Pub.Rec./Expunging and Sealing Criminal History Records

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett	X				
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/16/2015 4:00:00PM

Location: Sumner Hall (404 HOB)

PCS for HB 151 : Sexual Cyberharassment

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Randolph Bracy	X				
Jay Fant	X				
Gayle Harrell	X				
Dave Kerner	X				
Chris Latvala	X				
Ray Pilon	X				
Scott Plakon	X				
Sharon Pritchett		X			
Ross Spano	X				
Charles Van Zant	X				
Clovis Watson, Jr.	X				
Carlos Trujillo (Chair)	X				
Total Yeas: 12		Total Nays: 1			

Appearances:

PCS for HB 151

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

PCS for HB 151

Ivey, Wayne - Proponent
Sheriff
700 S Park Ave
Titusville FL 32780
Phone: 321-264-5372

PCS for HB 151

Dritt, Jennifer (Lobbyist) - Waive In Support
Florida Council Against Sexual Violence
1820 E Park Avenue, Suite 100
Tallahassee FL 32301
Phone: 850-297-2000

PCS for HB 151

Carroll, Sarrah (Lobbyist) - Waive In Support
Florida Sheriffs Association
2617 Mahan Dr
Tallahassee FL 32308
Phone: 850)877-2165

Committee meeting was reported out: Monday, March 16, 2015 8:05:44PM