



Criminal Justice Subcommittee

**Wednesday, March 4, 2015
9:00 AM – 11:00 AM
Sumner Hall (404 HOB)**

ACTION PACKET

**Steve Crisafulli
Speaker**

**Carlos Trujillo
Chair**

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

Summary:

Criminal Justice Subcommittee

Wednesday March 04, 2015 09:00 am

HB 91	Favorable With Committee Substitute	Yeas: 12	Nays: 0
	Amendment 242017 Adopted Without Objection		
	Am 1		
HB 93	Favorable With Committee Substitute	Yeas: 12	Nays: 0
	Amendment 515751 Adopted Without Objection		
	Am 1		
HB 99	Favorable With Committee Substitute	Yeas: 10	Nays: 3
	Amendment 850985 Adopted Without Objection		
	Am 1		
HB 443	Favorable With Committee Substitute	Yeas: 12	Nays: 0
	Amendment 664257 Adopted Without Objection		
	Am 1		
HB 493	Favorable With Committee Substitute	Yeas: 9	Nays: 2
	Amendment 689063 Adopted Without Objection		
	Am 1		
HB 4023	Favorable With Committee Substitute	Yeas: 12	Nays: 0
	Amendment 190231 Adopted Without Objection		
	Am 1		
PCB CRJS 15-02	Favorable	Yeas: 13	Nays: 0
PCB CRJS 15-03	Favorable	Yeas: 13	Nays: 0
PCS for HB 439	Favorable	Yeas: 12	Nays: 0

Committee meeting was reported out: Wednesday, March 04, 2015 1:14:49PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

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: Wednesday, March 04, 2015 1:14:49PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 91 : Trade Secrets

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 91 Amendments

Amendment 242017

Adopted Without Objection

Appearances:

HB 91

Henderson, Cynthia (Lobbyist) - Waive In Support

LGBS

108 E Jefferson St Ste A

Tallahassee FL 32301

Phone: 8502105385

HB 91

Burnette, Kelly - Waive In Support

LGBS

108 E. Jefferson St.

Tallahassee FL 32301

Fentriss, Cam (Lobbyist) - Waive In Support

FL Roofing, Sheet Metal

1400 Village Square #3-243

Tallahassee FL 32312

Phone: (850) 222-2772

Committee meeting was reported out: Wednesday, March 04, 2015 1:14:49PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 91 : Trade Secrets (continued)

Appearances: (continued)

Watson, Richard (Lobbyist) - Waive In Support
Associated Builders & Contractors of Florida, Inc
c/o Steve Cona 2008 N Himes Ave
Tampa FL 33607
Phone: (850)222-0000

Committee meeting was reported out: Wednesday, March 04, 2015 1:14:49PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)	
ADOPTED AS AMENDED	—	(Y/N)	
ADOPTED W/O OBJECTION	✓	(Y/N)	3/4/15
FAILED TO ADOPT	—	(Y/N)	
WITHDRAWN	—	(Y/N)	
OTHER	—		

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

Amendment (with title amendment)

Remove lines 69-78

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

11 Remove lines 6-12 and insert:
 12 penalties; providing an effective date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 93 : Pub. Rec./Trade Secrets

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
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 93 Amendments

Amendment 515751

Adopted Without Objection

Committee meeting was reported out: Wednesday, March 04, 2015 1:14:49PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)	
ADOPTED AS AMENDED	—	(Y/N)	
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N)	3/4/15
FAILED TO ADOPT	—	(Y/N)	
WITHDRAWN	—	(Y/N)	
OTHER	_____		

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee
 3 Representative Pilon offered the following:
 4

Amendment (with title amendment)

Between lines 370 and 371, insert:

7 Section 12. For the purpose of incorporating the amendment
 8 made by this act to section 812.081, Florida Statutes, in a
 9 reference thereto, Section 499.931, Florida Statutes, is
 10 reenacted to read:

11 499.931 Trade secret information.—Information required to
 12 be submitted under this part which is a trade secret as defined
 13 in s. 812.081(1)(c) and designated as a trade secret by an
 14 applicant or permitholder must be maintained as required under
 15 s. 499.051.



Amendment No. 1

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

19 | Remove lines 5-17 and insert:

20 | 499.012(8)(g) and (m), 499.0121(7), 499.051(7), 499.931,
21 | 502.222, 570.48(3), 573.123(2), 601.10(8)(a), 601.15(7)(d),
22 | 601.152(8)(c), 601.76, and 815.04(3), F.S., relating to
23 | exemptions from inspection or copying of public records for
24 | tourist development taxes, the Florida Tourism Industry
25 | Marketing Corporation, information relating to trade secrets,
26 | proprietary confidential business information, trade secret
27 | confidentiality, regulation of recovered materials, trade secret
28 | confidentiality, permit application requirements, recordkeeping
29 | concerning the storage and handling of prescription drugs,
30 | inspections and investigations, trade secret information,
31 | information relating

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 99 : Juvenile Civil Citations

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: 10		Total Nays: 3			

HB 99 Amendments

Amendment 850985

Adopted Without Objection

Appearances:

HB 99

Russell, Scott - Information Only

Broward County Sheriffs Dept

Captain

15811 N. Wind Circle

Sunrise FL

Phone: 954-931-1814

HB 99

Cassini, Marty (Lobbyist) - Waive In Support

Broward County

115 S Andreas Ave

Fort Lauderdale FL 33301

Phone: 954-357-7575

Committee meeting was reported out: Wednesday, March 04, 2015 1:14:49PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 99 : Juvenile Civil Citations (continued)

Appearances: (continued)

HB 99

Rev. Bernice Powell Jackson - Proponent
Hope Organization
Pastor/First United Church of Tampa
1237 Rambling Vine Court
Trinity FL
Phone: 727-372-2448

HB 99

Jeanty, Msgr. Chanel - Proponent
Archdiocese of Miami
Vicar
9401 Biscayne Blvd.
Miami FL 33138
Phone: 305-987-1646

HB 99

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 99

Aronberg, Dave (State Employee) - Opponent
State Attorney, 15th Judicial Circuit
401 N Dixie Hwy
West Palm Beach FL
Phone: 561-355-4100

HB 99

Gualtieri, Bob (General Public) - Opponent
Sheriff, Pinellas County
10750 Ulmerton Road
Largo FL 34677
Phone: 727-582-6200

HB 99

Padgett, Samantha (Lobbyist) - Opponent
Florida Retail Federation
PO Box 10024
Tallahassee FL 32302-2024
Phone: (850)222-4082

HB 99

Delgado, Ingrid (Lobbyist) - Waive In Support
Florida Conference of Catholic Bishops
201 W Park Ave
Tallahassee FL 32301
Phone: 8502223803

Committee meeting was reported out: Wednesday, March 04, 2015 1:14:49PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 99 : Juvenile Civil Citations (continued)

Appearances: (continued)

HB 99

Egitto, Philip - Proponent

F.A.I.T.H.

Reverend

201 University Blvd.

Daytona Beach FL 32118

Phone: 386-255-0433

HB 99

Bernhardt, David - Waive In Opposition

Palm Beach County Chief of Police

600 Banyan Blvd.

West Palm Beach FL 33401

Phone: 561-315-5436

HB 99

Kelley, Michael - Waive In Opposition

Fraternal Order of Police

Director

HB 99

Bishop, Barney (Lobbyist) - Opponent

President and CEO, Florida Smart Justice Alliance

204 S Monroe St, Suite 201

Tallahassee FL 32301

Phone: 850-907-3436

HB 99

Mercer, Amy (Lobbyist) - Information Only

Florida Police Chiefs Association

PO Box 14038

Tallahassee FL 32317

Phone: 850)219-3631

Committee meeting was reported out: Wednesday, March 04, 2015 1:14:49PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 3/4/15
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Clarke-Reed offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (1) of section 985.12, Florida

8 Statutes, is amended to read:

9 985.12 Civil citation.—

10 (1) There is established a juvenile civil citation process
 11 for the purpose of providing an efficient and innovative
 12 alternative to custody by the Department of Juvenile Justice for
 13 children who commit nonserious delinquent acts and to ensure
 14 swift and appropriate consequences. The department shall
 15 encourage and assist in the implementation and improvement of
 16 civil citation programs or other similar diversion programs
 17 around the state. The civil citation or similar diversion



Amendment No. 1

18 program shall be established at the local level with the
19 concurrence of the chief judge of the circuit, state attorney,
20 public defender, and the head of each local law enforcement
21 agency involved. The program may be operated by an entity such
22 as a law enforcement agency, the department, a juvenile
23 assessment center, the county or municipality, or another ~~some~~
24 ~~other~~ entity selected by the county or municipality. An entity
25 operating the civil citation or similar diversion program must
26 do so in consultation and agreement with the state attorney and
27 local law enforcement agencies. Under such a juvenile civil
28 citation or similar diversion program, a any law enforcement
29 officer, upon making contact with a juvenile who admits having
30 committed a misdemeanor, may choose to issue a simple warning or
31 inform the child's guardian or parent of the child's infraction,
32 or shall issue a civil citation, or require participation in a
33 similar diversion program, and assess up to not more than 50
34 community service hours, and require participation in
35 intervention services as indicated by an assessment of the needs
36 of the juvenile, including family counseling, urinalysis
37 monitoring, and substance abuse and mental health treatment
38 services. A copy of each citation issued under this section
39 shall be provided to the department, and the department shall
40 enter appropriate information into the juvenile offender
41 information system. Use of the civil citation or similar
42 diversion program is not limited to first-time misdemeanor
43 offenses and may be used in a second or subsequent misdemeanor



Amendment No. 1

44 offense. In exceptional situations, a local law enforcement
45 officer may arrest a juvenile for a misdemeanor if he or she
46 provides written documentation as to why an arrest was warranted
47 to protect public safety. ~~Only first-time misdemeanor offenders~~
48 are eligible for the civil citation or similar diversion
49 program. At the conclusion of a juvenile's civil citation
50 program or similar diversion program, the agency operating the
51 program shall report the outcome to the department. The issuance
52 of a civil citation is not considered a referral to the
53 department.

54 Section 2. For the purpose of incorporating the amendment
55 made by this act to section 985.12, Florida Statutes, in a
56 reference thereto, paragraph (b) of subsection (3) of section
57 943.051, Florida Statutes, is reenacted to read:

58 943.051 Criminal justice information; collection and
59 storage; fingerprinting.—

60 (3)

61 (b) A minor who is charged with or found to have committed
62 the following offenses shall be fingerprinted and the
63 fingerprints shall be submitted electronically to the
64 department, unless the minor is issued a civil citation pursuant
65 to s. 985.12:

- 66 1. Assault, as defined in s. 784.011.
- 67 2. Battery, as defined in s. 784.03.
- 68 3. Carrying a concealed weapon, as defined in s.
- 69 790.01(1).

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Amendment No. 1

- 70 4. Unlawful use of destructive devices or bombs, as
71 defined in s. 790.1615(1).
- 72 5. Neglect of a child, as defined in s. 827.03(1)(e).
- 73 6. Assault or battery on a law enforcement officer, a
74 firefighter, or other specified officers, as defined in s.
75 784.07(2)(a) and (b).
- 76 7. Open carrying of a weapon, as defined in s. 790.053.
- 77 8. Exposure of sexual organs, as defined in s. 800.03.
- 78 9. Unlawful possession of a firearm, as defined in s.
79 790.22(5).
- 80 10. Petit theft, as defined in s. 812.014(3).
- 81 11. Cruelty to animals, as defined in s. 828.12(1).
- 82 12. Arson, as defined in s. 806.031(1).
- 83 13. Unlawful possession or discharge of a weapon or
84 firearm at a school-sponsored event or on school property, as
85 provided in s. 790.115.

86 Section 3. For the purpose of incorporating the amendment
87 made by this act to section 985.12, Florida Statutes, in a
88 reference thereto, paragraph (b) of subsection (1) of section
89 985.11, Florida Statutes, is reenacted to read:

90 985.11 Fingerprinting and photographing.-

91 (1)

92 (b) Unless the child is issued a civil citation or is
93 participating in a similar diversion program pursuant to s.
94 985.12, a child who is charged with or found to have committed
95 one of the following offenses shall be fingerprinted, and the



Amendment No. 1

96 fingerprints shall be submitted to the Department of Law
97 Enforcement as provided in s. 943.051(3)(b):

98 1. Assault, as defined in s. 784.011.

99 2. Battery, as defined in s. 784.03.

100 3. Carrying a concealed weapon, as defined in s.
101 790.01(1).

102 4. Unlawful use of destructive devices or bombs, as
103 defined in s. 790.1615(1).

104 5. Neglect of a child, as defined in s. 827.03(1)(e).

105 6. Assault on a law enforcement officer, a firefighter, or
106 other specified officers, as defined in s. 784.07(2)(a).

107 7. Open carrying of a weapon, as defined in s. 790.053.

108 8. Exposure of sexual organs, as defined in s. 800.03.

109 9. Unlawful possession of a firearm, as defined in s.
110 790.22(5).

111 10. Petit theft, as defined in s. 812.014.

112 11. Cruelty to animals, as defined in s. 828.12(1).

113 12. Arson, resulting in bodily harm to a firefighter, as
114 defined in s. 806.031(1).

115 13. Unlawful possession or discharge of a weapon or
116 firearm at a school-sponsored event or on school property as
117 defined in s. 790.115.

118

119 A law enforcement agency may fingerprint and photograph a child
120 taken into custody upon probable cause that such child has
121 committed any other violation of law, as the agency deems



Amendment No. 1

122 appropriate. Such fingerprint records and photographs shall be
123 retained by the law enforcement agency in a separate file, and
124 these records and all copies thereof must be marked "Juvenile
125 Confidential." These records are not available for public
126 disclosure and inspection under s. 119.07(1) except as provided
127 in ss. 943.053 and 985.04(2), but shall be available to other
128 law enforcement agencies, criminal justice agencies, state
129 attorneys, the courts, the child, the parents or legal
130 custodians of the child, their attorneys, and any other person
131 authorized by the court to have access to such records. In
132 addition, such records may be submitted to the Department of Law
133 Enforcement for inclusion in the state criminal history records
134 and used by criminal justice agencies for criminal justice
135 purposes. These records may, in the discretion of the court, be
136 open to inspection by anyone upon a showing of cause. The
137 fingerprint and photograph records shall be produced in the
138 court whenever directed by the court. Any photograph taken
139 pursuant to this section may be shown by a law enforcement
140 officer to any victim or witness of a crime for the purpose of
141 identifying the person who committed such crime.

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

144 -----
145 **T I T L E A M E N D M E N T**

146 Remove lines 3-6 and insert:



Amendment No. 1

147 s. 985.12, F.S.; authorizing a law enforcement officer to issue
148 a warning to a child who admits having committed a misdemeanor
149 or to inform the child's parent or guardian of the child's
150 infraction; requiring a law enforcement officer who does not
151 exercise one of these options to issue a civil citation or
152 require participation in a similar diversion program under
153 certain circumstances; providing that repeat misdemeanor
154 offenders may participate in the civil citation program or other
155 similar diversion program under certain circumstances; providing
156 that, in exceptional situations, a law enforcement officer may
157 arrest a first-time misdemeanor offender in the interest of
158 protecting public safety; requiring certain written
159 documentation if such arrest is made; reenacting ss.
160 943.051(3)(b) and 985.11(1)(b), F.S., relating to the issuance
161 of a civil citation, and the issuance of a civil citation or
162 other similar diversion program, respectively, to incorporate
163 the amendments made to s. 985.12, F.S., in references thereto;
164 providing an

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 443 : Violation of an Injunction for Protection Against Domestic Violence

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
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 443 Amendments

Amendment 664257

Adopted Without Objection

Appearances:

HB 443

Aronberg, Dave (State Employee) - Waive In Support
State Attorney, 15th Judicial Circuit
401 N Dixie Hwy
West Palm Beach FL
Phone: 561-355-7246

HB 443

Wiseman, Leisa (Lobbyist) - Waive In Support
Florida Coalition Against Domestic Violence
425 Office Plz 425 Office Plaza Dr
Tallahassee FL
Phone: 8504252749

Committee meeting was reported out: Wednesday, March 04, 2015 1:14:49PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N) 3/4/15
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Rodríguez, J. offered the following:

4

5 **Amendment (with title amendment)**

6 Between lines 65 and 66, insert:

7 Section 2. Section 784.047, Florida Statutes, is amended
 8 to read:

9 784.047 Penalties for violating protective injunction
 10 against violators.—

11 (1) A person who willfully violates an injunction for
 12 protection against repeat violence, sexual violence, or dating
 13 violence, issued pursuant to s. 784.046, or a foreign protection
 14 order accorded full faith and credit pursuant to s. 741.315 by:

15 (a)~~(1)~~ Refusing to vacate the dwelling that the parties
 16 share;



Amendment No. 1

17 ~~(b)(2)~~ Going to, or being within 500 feet of, the
18 petitioner's residence, school, place of employment, or a
19 specified place frequented regularly by the petitioner and any
20 named family or household member;

21 ~~(c)(3)~~ Committing an act of repeat violence, sexual
22 violence, or dating violence against the petitioner;

23 ~~(d)(4)~~ Committing any other violation of the injunction
24 through an intentional unlawful threat, word, or act to do
25 violence to the petitioner;

26 ~~(e)(5)~~ Telephoning, contacting, or otherwise communicating
27 with the petitioner directly or indirectly, unless the
28 injunction specifically allows indirect contact through a third
29 party;

30 ~~(f)(6)~~ Knowingly and intentionally coming within 100 feet
31 of the petitioner's motor vehicle, whether or not that vehicle
32 is occupied;

33 ~~(g)(7)~~ Defacing or destroying the petitioner's personal
34 property, including the petitioner's motor vehicle; or

35 ~~(h)(8)~~ Refusing to surrender firearms or ammunition if
36 ordered to do so by the court,

37
38 commits a misdemeanor of the first degree, punishable as
39 provided in s. 775.082 or s. 775.083, except as provided in
40 subsection (2).

41 (2) A person who has two or more prior convictions for
42 violation of an injunction and who commits any third or



Amendment No. 1

43 subsequent violation commits a felony of the third degree,
44 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
45 For purposes of this paragraph, the term "conviction" means a
46 determination of guilt that is the result of a plea or a trial,
47 regardless of whether adjudication is withheld or a plea of nolo
48 contendere is entered.

49 Section 3. Subsection (4) of section 784.0487, Florida
50 Statutes, is amended to read:

51 784.0487 Violation of an injunction for protection against
52 stalking or cyberstalking.—

53 (4) (a) A person who willfully violates an injunction for
54 protection against stalking or cyberstalking issued pursuant to
55 s. 784.0485, or a foreign protection order accorded full faith
56 and credit pursuant to s. 741.315, by:

57 1.(a) Going to, or being within 500 feet of, the
58 petitioner's residence, school, place of employment, or a
59 specified place frequented regularly by the petitioner and any
60 named family members or individuals closely associated with the
61 petitioner;

62 2.(b) Committing an act of stalking against the
63 petitioner;

64 3.(e) Committing any other violation of the injunction
65 through an intentional unlawful threat, word, or act to do
66 violence to the petitioner;

67 4.(d) Telephoning, contacting, or otherwise communicating
68 with the petitioner, directly or indirectly, unless the



Amendment No. 1

69 injunction specifically allows indirect contact through a third
70 party;

71 ~~5.(e)~~ Knowingly and intentionally coming within 100 feet
72 of the petitioner's motor vehicle, whether or not that vehicle
73 is occupied;

74 ~~6.(f)~~ Defacing or destroying the petitioner's personal
75 property, including the petitioner's motor vehicle; or

76 ~~7.(g)~~ Refusing to surrender firearms or ammunition if
77 ordered to do so by the court,

78

79 commits a misdemeanor of the first degree, punishable as
80 provided in s. 775.082 or s. 775.083, except as provided in
81 paragraph (b).

82 (b) A person who has two or more prior convictions for
83 violation of an injunction and who commits any third or
84 subsequent violation commits a felony of the third degree,
85 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
86 For purposes of this paragraph, the term "conviction" means a
87 determination of guilt that is the result of a plea or a trial,
88 regardless of whether adjudication is withheld or a plea of nolo
89 contendere is entered.

90

91

92

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

93

Remove everything before the enacting clause and insert:



Amendment No. 1

94 | An act relating to violation of an injunction for protection;
95 | amending ss. 741.31, 784.047, and 784.0487, F.S.; providing
96 | enhanced criminal penalties for a third or subsequent violation
97 | of an injunction for protection against specified acts of
98 | violence or a foreign protection order issued under specified
99 | provisions; providing an effective date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 493 : Carrying a Concealed Weapon or a Concealed Firearm

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: 9		Total Nays: 2			

HB 493 Amendments

Amendment 689063

Adopted Without Objection

Appearances:

HB 493

Gualtieri, Bob (General Public) - Proponent
Sheriff, Pinellas County
10750 Ulmerton Road
Largo FL 34677
Phone: 727-582-6200

HB 493

Hammer, Marion (Lobbyist) - Proponent
NRA and Unified Sportsmen of Florida
P.O Box 1387
Tallahassee FL 32302
Phone: 850-222-9518

Committee meeting was reported out: Wednesday, March 04, 2015 1:14:49PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)	
ADOPTED AS AMENDED	—	(Y/N)	
ADOPTED W/O OBJECTION	✓	(Y/N)	3/4/15
FAILED TO ADOPT	—	(Y/N)	
WITHDRAWN	—	(Y/N)	
OTHER	_____		

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Fitzenhagen offered the following:

4
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Amendment (with title amendment)

Between lines 34 and 35, insert:

As used in this subsection, the term "in the act of evacuating"
means the immediate and urgent movement of a person away from
the evacuation zone within 48 hours after a mandatory evacuation
is ordered. The 48 hours may be extended by an order issued by
the Governor.



Amendment No. 1

14
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T I T L E A M E N D M E N T

Remove line 7 and insert:
during a declared state of emergency; defining the term "in the
act of evacuating"; providing an

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 4023 : Slungshot

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 4023 Amendments

Amendment 190231

Adopted Without Objection

Appearances:

HB 4023

Hammer, Marion (Lobbyist) - Waive In Support

NRA and Unified Sportsmen of Florida

P.O Box 1387

Tallahassee FL 32302

Phone: 850-222-9518

Committee meeting was reported out: Wednesday, March 04, 2015 1:14:49PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 3/4/15
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Combee offered the following:

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

6 Between lines 16 and 17, insert:

7 Section 2. Paragraph (a) of subsection (3) of section
 8 790.001, Florida Statutes, is amended to read:

9 790.001 Definitions.—As used in this chapter, except where
 10 the context otherwise requires:

11 (3) (a) "Concealed weapon" means any dirk, metallic
 12 knuckles, ~~slungshot~~, billie, tear gas gun, chemical weapon or
 13 device, or other deadly weapon carried on or about a person in
 14 such a manner as to conceal the weapon from the ordinary sight
 15 of another person.

16 Section 3. Section 790.18, Florida Statutes, is amended to
 17 read:



Amendment No. 1

18 790.18 Sale or transfer of arms to minors by dealers.—It
19 is unlawful for any dealer in arms to sell or transfer to a
20 minor any firearm, pistol, Springfield rifle or other repeating
21 rifle, bowie knife or dirk knife, brass knuckles, ~~slungshot~~, or
22 electric weapon or device. A person who violates this section
23 commits a felony of the second degree, punishable as provided in
24 s. 775.082, s. 775.083, or s. 775.084.

25
26 -----
27 **T I T L E A M E N D M E N T**

28 Remove line 5 and insert:
29 slungshot; amending s. 790.001, F.S.; revising the definition of
30 "concealed weapon" to delete its inclusion of a slungshot;
31 amending s. 790.18, F.S.; deleting a provision prohibiting a
32 dealer in arms from selling or transferring a slungshot to a
33 minor; providing an effective date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

PCB CRJS 15-02 : Child Pornography

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
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			

Committee meeting was reported out: Wednesday, March 04, 2015 1:14:49PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

PCB CRJS 15-03 : Pub.Rec./Child Pornography

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
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: Wednesday, March 04, 2015 1:14:49PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/4/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

PCS for HB 439 : Department of Legal Affairs

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
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			

Appearances:

HB 439

Fay, Andrew (Lobbyist) (State Employee) - Waive In Support

Attorney General's Office

PL 02 Plaza

Tallahassee FL 32301

Phone: (850) 245-0187

Committee meeting was reported out: Wednesday, March 04, 2015 1:14:49PM