



Criminal and Civil Justice Appropriations Committee

Friday, March 26, 2010

8:00 AM – 11:00 AM

102 HOB - Reed Hall

Action Packet

**Larry Cretul
Speaker**

**Sandra Adams
Chair**

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee
3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

Summary:

Criminal & Civil Justice Appropriations Committee

Friday March 26, 2010 08:00 am

CS/HB 23	Favorable	Yeas: 8	Nays: 3
HB 203	Favorable With Committee Substitute	Yeas: 11	Nays: 0
HB 229	Favorable With Committee Substitute	Yeas: 11	Nays: 0
HB 309	Favorable	Yeas: 10	Nays: 0
HB 445	Favorable With Committee Substitute	Yeas: 6	Nays: 5
HB 525	Favorable	Yeas: 11	Nays: 0
CS/HB 621	Favorable With Committee Substitute	Yeas: 9	Nays: 1
HB 811	Favorable	Yeas: 9	Nays: 2
HB 813	Favorable	Yeas: 10	Nays: 0
HB 917	Favorable	Yeas: 10	Nays: 0
HB 951	Favorable With Committee Substitute	Yeas: 11	Nays: 0
CS/HB 1005	Favorable	Yeas: 9	Nays: 0
HB 7161	Favorable With Committee Substitute	Yeas: 11	Nays: 0

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Sandra Adams (Chair)	X		
Eric Eisnaugle	X		
Bill Heller	X		
Doug Holder			X
Paige Kreegel			X
Charles McBurney	X		
Juan-Carlos Planas	X		
Ari Porth			X
Darryl Rouson	X		
William Snyder	X		
Darren Soto	X		
Perry Thurston	X		
John Tobia	X		
Juan Zapata	X		
Totals:	11	0	3

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 23 : Parole for Adolescent Offenders

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Eric Eisnaugle		X			
Bill Heller	X				
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney	X				
Juan-Carlos Planas	X				
Ari Porth			X		
Darryl Rouson	X				
William Snyder		X			
Darren Soto	X				
Perry Thurston	X				
John Tobia		X			
Juan Zapata	X				
Sandra Adams (Chair)	X				
Total Yeas: 8		Total Nays: 3			

Appearances:

Parole Commission

Fred Dunphy, Chairman (Lobbyist) - Proponent

Florida Parole Commission
 2601 Blair Stone Road
 Tallahassee Florida 32339
 Phone: 850-488-0476

Parole

Nancy Daniels (State Employee) - Proponent

Florida Public Defenders Association, Inc
 301 S. Monroe Street, #108
 Tallahassee Florida 32301
 Phone: 850-606-1010

Parole

Brittany Black (General Public) - Proponent

FSU College of Law
 1008-2 Holland Drive
 Tallahassee Florida 32301
 Phone: 850-832-9965

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

Amendment No. 1

COUNCIL/COMMITTEE ACTION

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

Withdrawn

1 Council/Committee hearing bill: Criminal & Civil Justice
2 Appropriations Committee
3 Representative(s) Weinstein offered the following:

Amendment (with title amendment)

Remove lines 121-124 and insert:

4
5
6
7 (f) Within 240 days prior to the initial eligibility
8 interview and at each reinterview thereafter, the commission
9 shall review the adolescent offenders in the department's
10 custody to determine which adolescent offenders meet the
11 criteria for parole consideration under this section but have
12 not obtained a General Educational Development (GED)
13 certificate. The commission shall notify the department of any
14 such offender and the department shall enroll the adolescent
15 offender in a GED program within a reasonable time based upon
16 program availability. The department may remove the adolescent
17 offender from the program if he or she:

Amendment No. 1

18 1. Becomes a serious management or disciplinary problem
19 resulting from serious or repeat violations of departmental
20 rules;

21 2. Refuses to participate in the program, or does not
22 actively participate in the program for reasons other than
23 actions by the department which would preclude participation; or

24 3. Requires services, such as medical or mental health
25 treatment, that no longer allows him or her to participate in
26 the program.

27

28

29

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

30

31

Remove lines 18-20 and insert:

32

offenders denied parole; providing that the commission notify

33

the department of adolescent offenders who need to be enrolled

34

in a GED program; providing that if the adolescent offender is

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

HB 203 : Community Corrections Assistance to Counties or County Consortiums

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Bill Heller	X				
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney	X				
Juan-Carlos Planas	X				
Ari Porth			X		
Darryl Rouson	X				
William Snyder	X				
Darren Soto	X				
Perry Thurston	X				
John Tobia	X				
Juan Zapata	X				
Sandra Adams (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM



Council/Committee/Subcommittee on _____

Date _____

*Approved
3/26/10*

Action _____

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY
(may be used in Council/Committee/Subcommittee, but not on House Floor)

Amendment No. _____ Bill No. 203

(For filing with the Clerk, Council, Committee and Member Amendments must be prepared by House Bill Drafting Services (Rule 12.1))

Representative(s)/The Council/Committee/Subcommittee on Eisenwage - CC5A

offered the following amendment:

Amendment to HB 203

on page 1, line(s) _____

Remove line 25 & insert:

5. Military style boot camps.

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

HB 229 : Rape Crisis Programs

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Bill Heller	X				
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney	X				
Juan-Carlos Planas	X				
Ari Porth			X		
Darryl Rouson	X				
William Snyder	X				
Darren Soto	X				
Perry Thurston	X				
John Tobia	X				
Juan Zapata	X				
Sandra Adams (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

Amendment No. |

COUNCIL/COMMITTEE ACTION

ADOPTED (Y) (N)

ADOPTED AS AMENDED (Y/N)

ADOPTED W/O OBJECTION (Y/N)

FAILED TO ADOPT (Y/N)

WITHDRAWN (Y/N)

OTHER

3-26-10

1 Council/Committee hearing bill: Criminal & Civil Justice
 2 Appropriations Committee
 3 Representative Jenne offered the following:

Amendment (with title amendment)

Between lines 44-45, insert:

Section 2. Section 938.08, Florida Statutes, is amended to read:

9 938.08 Additional cost to fund programs in domestic
 10 violence.—In addition to any sanction imposed for a violation of
 11 s. 784.011, s. 784.021, s. 784.03, s. 784.041, s. 784.045, s.
 12 784.048, s. 784.07, s. 784.08, s. 784.081, s. 784.082, s.
 13 784.083, s. 784.085, s. 787.06, s. 787.07, s. 794.011, s.
 14 825.102, s. 836.10, or for any offense of domestic violence
 15 described in s. 741.28, the court shall impose a surcharge of
 16 \$301 ~~\$201~~. Payment of the surcharge shall be a condition of
 17 probation, community control, or any other court-ordered
 18 supervision. The sum of \$185 ~~\$85~~ of the surcharge shall be
 19 deposited into the Domestic Violence Trust Fund established in

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 229 (2010)

Amendment No.

20 s. 741.01. The clerk of the court shall retain \$1 of each
21 surcharge that the clerk of the court collects as a service
22 charge of the clerk's office. The remainder of the surcharge
23 shall be provided to the governing board of the county and must
24 be used only to defray the costs of incarcerating persons
25 sentenced under s. 741.283 and provide additional training to
26 law enforcement personnel in combating domestic violence.
27

28 -----
29 **T I T L E A M E N D M E N T**

30 Remove lines 2-9 and insert:

31 An act relating to programs to prevent violence; amending
32 ss. 794.056, 938.08, and 938.085, F.S.; requiring that an
33 additional or increased court cost or surcharge be assessed
34 against a defendant who pleads guilty or nolo contendere
35 to, or is found guilty of, regardless of adjudication,
36 certain specified criminal offenses; providing for proceeds
37 of the additional court cost or surcharge to be deposited
38 into the Rape Crisis Program Trust Fund or the Domestic
39 Violence Trust Fund; reenacting s.

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

HB 309 : Violations of Injunctions for Protection

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Bill Heller	X				
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney	X				
Juan-Carlos Planas	X				
Ari Porth			X		
Darryl Rouson	X				
William Snyder	X				
Darren Soto	X				
Perry Thurston	X				
John Tobia			X		
Juan Zapata	X				
Sandra Adams (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

HB 445 : Pretrial Detention and Release

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Eric Eisnaugle	X				
Bill Heller		X			
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney	X				
Juan-Carlos Planas		X			
Ari Porth			X		
Darryl Rouson		X			
William Snyder	X				
Darren Soto	X				
Perry Thurston		X			
John Tobia	X				
Juan Zapata		X			
Sandra Adams (Chair)	X				
Total Yeas: 6		Total Nays: 5			

Appearances:

Pretrial

Don Bjoring (General Public) - Opponent
 Div Mgr-Orange County Corrections
 P. O. Box 4970
 Orlando Florida 32802
 Phone: 407-448-8369

Pretrial

Bill Proctor, Leon County Commissioner (General Public) - Opponent
 Leon County
 301 S. Monroe Street,
 Tallahassee Florida 32301
 Phone: 850-606-5300

Pretrial

David Krahl (General Public) - Proponent
 Bail Bond Industry
 2760 56th Lane, North
 St. Petersburg Florida 33710
 Phone: 726-656-4079

Pretrial

Deborah Jallard (General Public) - Proponent
 Bail Bond Industry
 4798 New Broad Street, #200
 Orlando Florida 32789
 Phone: 407-629-2131

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 445 (2010)

Amendment No. 1

COUNCIL/COMMITTEE 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 Council/Committee hearing bill: Criminal & Civil Justice
2 Appropriations Committee
3 Representative Dorworth offered the following:

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

6 Remove everything after the enacting clause and insert:
7 Section 1. Subsection (5) is added to section 907.041,
8 Florida Statutes, to read:

9 907.041 Pretrial detention and release.-

10 (5) (a) PRETRIAL RELEASE PROGRAMS.-A pretrial release
11 program established by ordinance of the county commission or by
12 administrative order of the court or by any other means, enacted
13 or established to facilitate the release of defendants from
14 pretrial custody is subject to the policies and restrictions
15 established in this subsection which supersedes and preempts all
16 local ordinances, orders or practices.

17 (b) A defendant is eligible to participate in a pretrial
18 release program only by order of a court if the defendant:

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 445 (2010)

Amendment No. 1

19 1. Is not charged with a capital, life or first degree
20 felony offense;

21 2. Has not willfully failed to appear at any court
22 proceeding;

23 3. Is not, at the time of the arrest, subject to or on
24 probation for another charge and is not facing charges for
25 another crime anywhere in this state;

26 4. Has no prior convictions involving violence;

27 5. Satisfies any other limitation upon eligibility for
28 release which is in addition to those in this subsection,
29 whether established by the board of county commissioners or the
30 court; and

31 6. Is indigent as defined in Rule 3.111, Florida Rules of
32 Criminal Procedure and s. 27.52.

33 (c) The pretrial release program must certify in writing to
34 the court that the defendant satisfies each requirement of
35 eligibility which is set forth in paragraph (b) before a
36 determination is made concerning the defendant's eligibility for
37 placement in the pretrial release program.

38 (d) If a defendant seeks to post a surety bond pursuant to
39 a bond schedule established by the administrative order, he or
40 she must do so without any interaction with, or restriction by,
41 the pretrial release program.

42 (e) The court shall determine whether the defendant is
43 eligible to participate in the pretrial release program after
44 the pretrial release program evaluates the defendant's
45 eligibility and certifies its findings to the court.

Amendment No. 1

46 (f) The pretrial release program shall notify every
47 defendant released under this subsection of the times and places
48 at which he or she is required to appear before the court.

49 (g) This subsection does not prohibit a court from
50 releasing a defendant on the defendant's own recognizance.

51 (h) This subsection does not prohibit a court from imposing
52 any reasonable conditions of release including but not limited
53 to, electronic monitoring, drug testing, substance abuse
54 treatment, and domestic violence counseling. A court may order
55 the defendant pay for any services ordered as a condition of
56 release.

57 (i) A pretrial release program may not charge a defendant
58 who is participating in the program any fees other than those
59 authorized by state law. However, a pretrial release program
60 may charge a defendant fees for electronic monitoring, drug
61 testing, substance abuse treatment, and other services that have
62 been ordered by the court as a condition of release prior to
63 trial.

64 (j) A court may order a defendant who does not meet the
65 eligibility criteria set forth in paragraph (b) to participate
66 in a pretrial release program if the defendant is eligible under
67 state law to participate in a drug court program, mental health
68 court program, or a prison diversion program established
69 pursuant to s. 921.00241.

70 Section 2. Subsection (3) of section 907.043, Florida
71 Statutes, is amended to read

72 907.043 Pretrial release; citizens' right to know.-

Amendment No. 1

73 (3) (a) Each pretrial release program must prepare a
74 register displaying information that is relevant to the
75 defendants released through such a program. A copy of the
76 register must be located at the office of the clerk of the
77 circuit court in the county where the program is located and
78 must be readily accessible to the public.

79 (b) The register must be updated monthly ~~weekly~~ and
80 display accurate data regarding the following information:

81 1. The name, location, and funding source of the pretrial
82 release program.

83 2. The number of defendants assessed and interviewed for
84 pretrial release.

85 3. The number of indigent defendants assessed and
86 interviewed for pretrial release.

87 4. The names and number of defendants accepted into the
88 pretrial release program.

89 5. The names and number of indigent defendants accepted
90 into the pretrial release program.

91 6. The charges filed against and the case numbers of
92 defendants accepted into the pretrial release program.

93 7. The nature of any prior criminal conviction of a
94 defendant accepted into the pretrial release program.

95 8. The court appearances required of defendants accepted
96 into the pretrial release program.

97 9. The date of each defendant's failure to appear for a
98 scheduled court appearance.

Amendment No. 1

99 10. The number of warrants, if any, which have been issued
100 for a defendant's arrest for failing to appear at a scheduled
101 court appearance.

102 11. The number and type of program noncompliance
103 infractions committed by a defendant in the pretrial release
104 program and whether the pretrial release program recommended
105 that the court revoke the defendant's release.

106 Section 3. This act shall take effect October 1, 2010.
107
108

109 -----
110 **T I T L E A M E N D M E N T**

111 Remove the entire title and insert:

112 A bill to be entitled

113 An act relating to pretrial detention and release; amending
114 s. 907.041, F.S.; requiring all pretrial release programs
115 established by an ordinance of county commission, by an
116 administrative order of a court, or by any other means to
117 facilitate the release of defendants from pretrial custody
118 to conform to the policies and restrictions established in
119 the act preempting local ordinances; requiring that the
120 defendant meet certain specified criteria in order to be
121 eligible for pretrial release; requiring that the pretrial
122 release program certify in writing that the defendant
123 satisfies each requirement for eligibility; requiring the
124 court to determine whether a defendant is eligible to
125 participate in the pretrial release program after reviewing
126 certain reports; requiring that the pretrial release

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 445 (2010)

Amendment No. 1

127 program notify each defendant of the time and place of each
128 required court appearance; providing that the act does not
129 prohibit a court from releasing a defendant on the
130 defendant's own recognizance; providing that the act does
131 not prohibit a court from imposing any other reasonable
132 condition of release; prohibiting a pretrial release
133 program from charging a defendant any administrative fees;
134 providing that a pretrial release program may charge a
135 defendant fees for services that have been ordered by the
136 court; providing that a defendant may participate in
137 pretrial release programs if the defendant qualifies for
138 drug court, mental health court, or other similar programs;
139 amending s. 907.043, F.S.; providing that pretrial release
140 program registers be updated monthly rather than weekly;
141 providing an effective date.

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 445 (2010)

Amendment No.

COUNCIL/COMMITTEE ACTION

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

Adopted

1 Council/Committee hearing bill: Criminal & Civil Justice
2 Appropriations Committee
3 Representative(s) Soto offered the following:

Amendment to Amendment (1) by Representative Dorworth

Remove lines 31-32

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 445 (2010)

Amendment No.

COUNCIL/COMMITTEE ACTION

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

Adopted

1 Council/Committee hearing bill: Criminal & Civil Justice
2 Appropriations Committee
3 Representative(s) Soto offered the following:

Amendment to Amendment (1) by Representative Dorworth

Remove lines 21-22 and insert:

7 2. Has not, within the past year, will fully failed to appear at
8 any court proceedings;

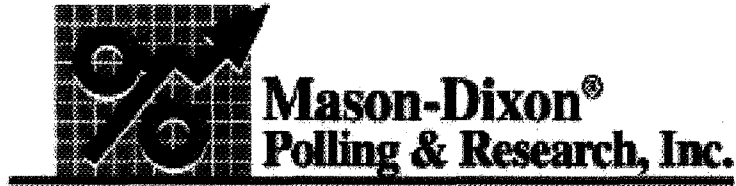
HB 445

PRETRIAL DETENTION AND RELEASE (DORWORTH)

REPRESENTATIVE JOHN TOBIA

**HOUSE CRIMINAL & CIVIL JUSTICE
APPROPRIATIONS COMMITTEE**

MARCH 26, 2010



SUMMARY

VOTERS OPPOSE USE OF TAX DOLLARS FOR BAIL

Florida voters strongly favor enacting a statewide law that would limit the use of their tax dollars to paying only for the release of indigent defendants who have been charged with a non-violent crime. Statewide, 71% supported limiting the use of tax dollars, while 22% were opposed and 7% were undecided.

Support for the measure cut across party lines, with 65% of Democrats, 77% of Republicans and 72% of independents favoring such a law.

Support for the measure was backed up by the fact that:

- 94% felt criminal defendants who have failed to appear in court on a previous offense should not be allowed to be released from jail using tax dollars.

- 87% felt that if a criminal defendant can afford to pay their own bail for release from jail, they should not be allowed to be released from jail using tax dollars.

- 86% felt a criminal defendant that has been previously convicted of a violent crime should not be allowed to be released from jail using tax dollars, even if the court rules that they are indigent.

Additionally, only 15% of state voters were aware that 28 Florida counties allow criminals to be released from jail using taxpayer dollars instead of paying for their own release while they await trial.

HOW THE POLL WAS CONDUCTED

This poll was conducted by Mason-Dixon Polling & Research, Inc. of Washington, D.C. from March 23 through March 25, 2010. A total of 625 registered voters were interviewed statewide by telephone. All stated they vote regularly in state elections.

Those interviewed were selected by the random variation of the last four digits of telephone numbers. A cross-section of exchanges was utilized and quotas were assigned to reflect voter turn-out by county.

The margin for error, according to standards customarily used by statisticians, is no more than plus or minus 4 percentage points. This means that there is a 95 percent probability that the "true" figure would fall within that range if all voters were surveyed. The margin for error is higher for any subgroup, such as a gender or party grouping.

POLL RESULTS

QUESTION: Were you aware or not aware that 28 Florida counties allow criminals to be released from jail using taxpayer dollars instead of paying for their own release while they await trial?

	<u>STATE</u>	<u>MEN</u>	<u>WOMEN</u>	<u>DEM</u>	<u>REP</u>	<u>IND</u>
AWARE	15%	14%	16%	16%	12%	19%
NOT AWARE	85%	86%	84%	84%	88%	81%

QUESTION: Would you support or oppose enacting a statewide law that would limit the use of your tax dollars to only pay for the release of indigent defendants who have been charged with a non-violent crime?

	<u>STATE</u>	<u>MEN</u>	<u>WOMEN</u>	<u>DEM</u>	<u>REP</u>	<u>IND</u>
SUPPORT	71%	77%	65%	65%	77%	72%
OPPOSE	22%	19%	25%	31%	12%	23%
UNDECIDED	7%	4%	10%	4%	11%	5%

QUESTION: If a criminal defendant can afford to pay their own bail for release from jail, do you feel they should or should not be allowed to be released from jail on your tax dollars?

	<u>STATE</u>	<u>MEN</u>	<u>WOMEN</u>	<u>DEM</u>	<u>REP</u>	<u>IND</u>
SHOULD	7%	6%	8%	9%	5%	9%
SHOULD NOT	87%	89%	85%	86%	88%	84%
NOT SURE	6%	5%	7%	5%	7%	7%

QUESTION: Do you feel criminal defendants who have failed to appear in court on a previous offense should or should not be allowed to be released from jail on your tax dollars?

	<u>STATE</u>	<u>MEN</u>	<u>WOMEN</u>	<u>DEM</u>	<u>REP</u>	<u>IND</u>
SHOULD	2%	1%	3%	3%	1%	2%
SHOULD NOT	94%	96%	92%	91%	98%	91%
NOT SURE	4%	3%	5%	6%	1%	7%

QUESTION: If a criminal defendant has been previously convicted of a violent crime, but the court finds that they are indigent, should they or should they not be allowed to be released from jail on your tax dollars?

	<u>STATE</u>	<u>MEN</u>	<u>WOMEN</u>	<u>DEM</u>	<u>REP</u>	<u>IND</u>
SHOULD	6%	3%	9%	9%	4%	5%
SHOULD NOT	86%	91%	81%	79%	93%	88%
NOT SURE	8%	6%	10%	12%	3%	7%

DEMOGRAPHICS:

PARTY REGISTRATION:

Democrat	269 (43%)
Republican	238 (38%)
Independent or Other	118 (19%)

AGE:	18-34	95 (15%)
	35-49	163 (26%)
	50-64	167 (27%)
	65+	197 (32%)
	Refused	3 -

RACE/ETHNICITY:

White/Caucasian	460 (74%)
Black/African American	76 (12%)
Hispanic or Cuban	74 (12%)
Other/Refused	15 (2%)

SEX:	Male	303 (48%)
	Female	322 (52%)

REGION:	North Florida	120 (19%)
	Central Florida	130 (21%)
	Tampa Bay	115 (18%)
	Southwest Florida	70 (11%)
	Southeast Florida	190 (30%)

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Bail vs. Government-Run PTR

Average cost of bail = \$2,000	Average cost of PTR = \$1,511.56*
Cost to defendant = \$200	Cost to defendant = SEE ATTACHED
Cost to taxpayers = \$0	Cost to taxpayers = \$26,582,463*

Average cost of bail = \$2,000	Average cost of PTR = \$1,511.56*
Cost to defendant = \$200	Average cost to defendant in Leon County = \$240
Cost to taxpayers = \$0	Cost to taxpayers = \$26,582,463*

**SOURCE: FS 907.044 January 2010 Report*

Presenter: Dennis Williams of Williams Consulting has over 30 years experience in the Florida Criminal Justice system. More than half of his experience is in jail management and jail regulation.

Florida's Pretrial Release Programs Fees Charged to Defendants

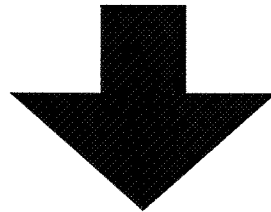
Alachua County	\$20 per week
Brevard County	\$10 per week
Charlotte County	\$50 application fee
Jackson County	\$25 per month
Leon County	\$40 per month
Orange County	\$19 every 90 days
Osceola County	\$10 per month
Palm Beach County	\$10 per week
Santa Rosa County	\$25 one-time fee

Note:

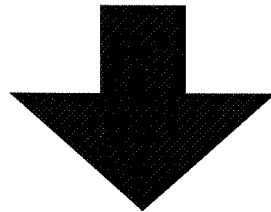
1. These fees are imposed for the release function alone; programs charge additional fees for other items such as electronic monitoring, alcohol/drug testing, etc.
2. This information is not published on the pretrial release programs' websites, nor is the information readily available to the public.
3. Many programs would not respond to requests for fee information; accordingly this data may be incomplete.

PTR By The Numbers

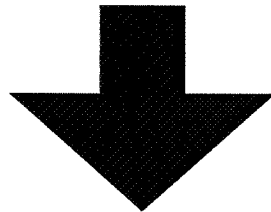
140,411 defendants were **interviewed** for PTR



57,514 defendants were **declared indigent**



19,181 were **recommended** for PTR

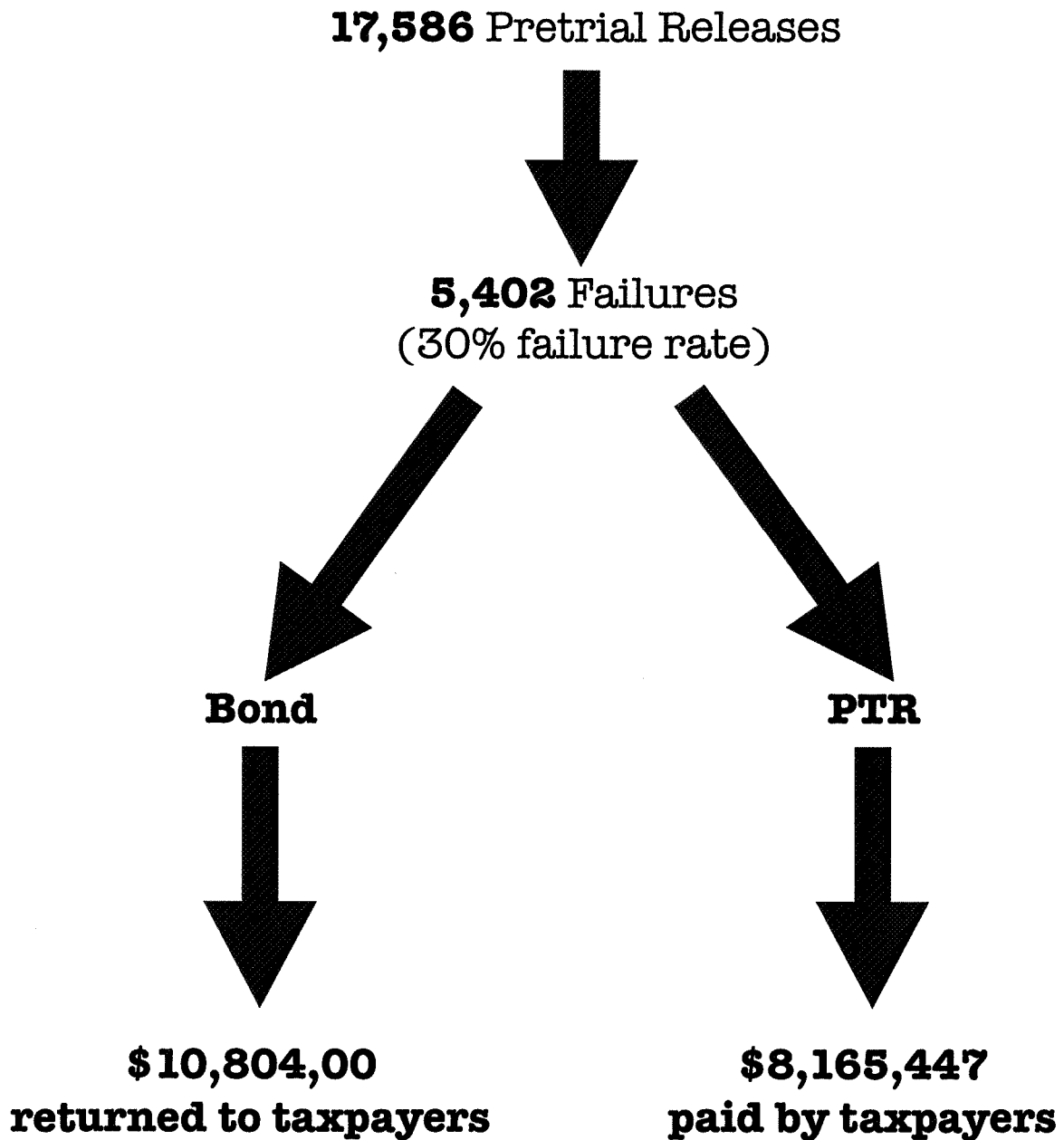


17,586 were **granted** PTR

**SOURCE: FS 907.044 January 2010 Report*

*Presenter: Dennis Williams of Williams Consulting has over 30 years experience in the Florida Criminal Justice system.
More than half of his experience is in jail management and jail regulation.*

Cost to Taxpayers

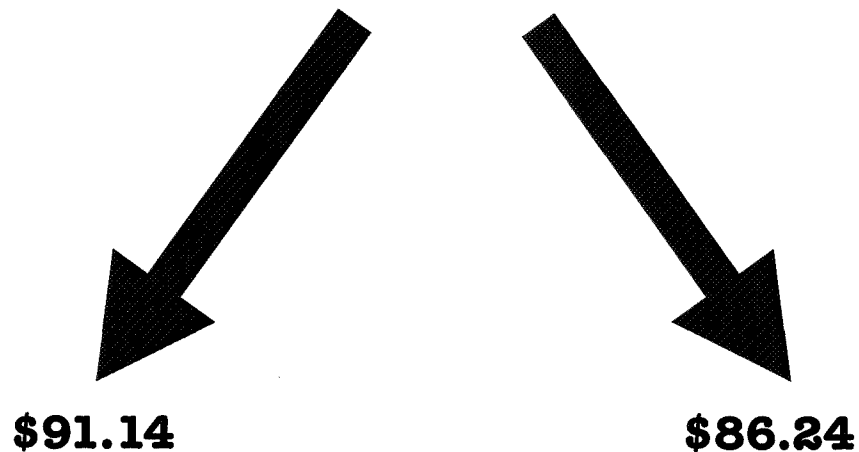


**SOURCE: FS 907.044 January 2010 Report*

*Presenter: Dennis Williams of Williams Consulting has over 30 years experience in the Florida Criminal Justice system.
More than half of his experience is in jail management and jail regulation.*

Average Cost of Detention Per Capita

PTR Counties vs. Non-PTR Counties

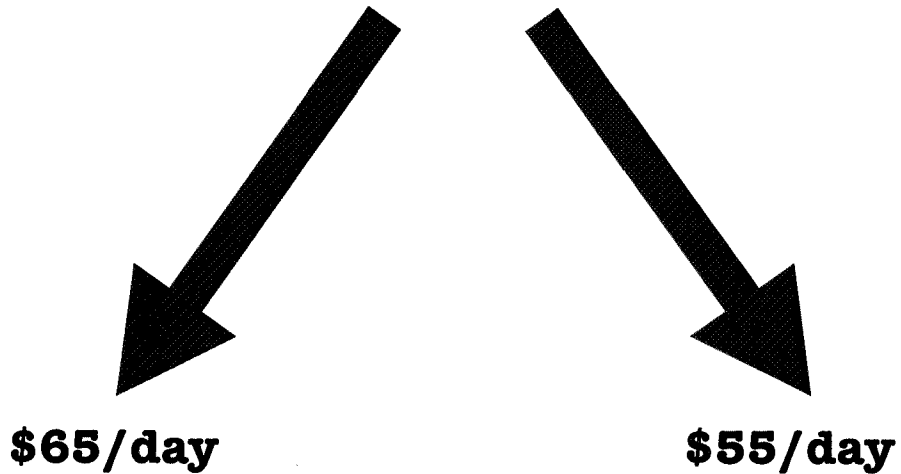


SOURCE: Florida's 67 Sheriffs' Offices

Presenter: David Eric Krahl, Ph.D. has 35 years of experience in both the criminal justice system and teaching at the collegiate level in the fields of criminology and criminal justice.

Per Diem Costs

PTR Counties vs. Non-PTR Counties



SOURCE: Florida's 67 Sheriffs' Offices

Presenter: David Eric Krahl, Ph.D. has 35 years of experience in both the criminal justice system and teaching at the collegiate level in the fields of criminology and criminal justice.

Case Study: Pasco County

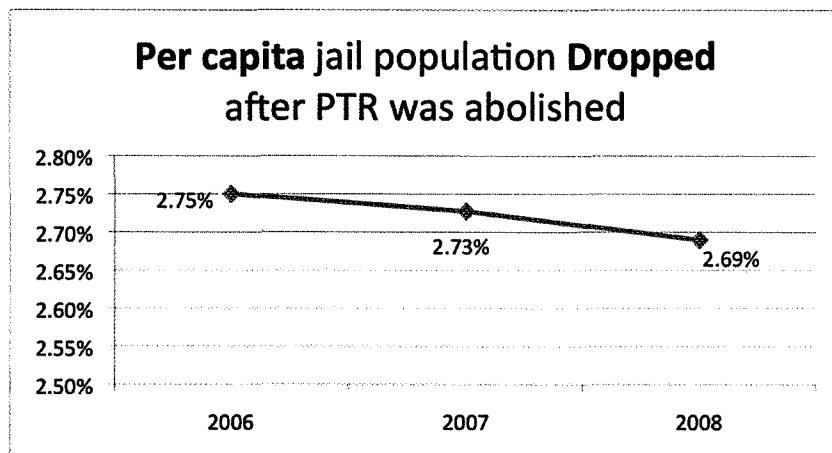
Pasco County Eliminates Pretrial Release

Overview

SB 782 (Thrasher) and HB 445 (Dorworth) put modest limits on who is eligible for government funded pretrial release (PTR) programs. Opponents of this bill have said that these limits would increase the county jail population. This is not true.

Pasco County Findings

Due to budget constraints, in 2007 Pasco County **completely eliminated** its government run PTR program, **saving taxpayers \$348,000 per year**. In 2008, the county's jail population increase was a negligible 5 bed days per year (an increase from 1,262 to 1,267)...a less than 0.4% increase. However, when considering the population growth of the county during that same time, there was a **net decrease of 2.2% in per capita bed days. Per capita occupancy went DOWN, not up!**



Sources: Florida Department of Corrections, Index to Statistics and Publication; US Census population estimates.

“Due to budget cuts, we completely cut out the pretrial release program in Pasco County. As a result, we saved taxpayers nearly \$350,000 last year and haven’t seen any noticeable change in our jail population. I have had great success in doing away with the pretrial release program.”

--Pasco County Sheriff Bob White

“We have had great success with the Pre-trial Program being eliminated in Pasco County.”

--Pasco County Commissioner Michael Cox

Conclusion

The complete elimination of the taxpayer financed pretrial release program in Pasco County **had no significant impact on jail population**. If any impact must be drawn, one could conclude that eliminating the program **actually reduced the per capita jail population** while saving taxpayers nearly \$350,000 per year.



PASCO COUNTY, FLORIDA

"Bringing Opportunities Home"

- 37918 Meridian Avenue - Dade City, Florida 33525
(352) 521-4111 - FAX (352) 521-4105
- 7530 Little Road - New Port Richey, Florida 34654
(727) 847-8100 - FAX (727) 847-8969

Pat Mulleri, Ed.D.
Chairman
Michael Cox, CFP
Vice-Chairman
Ted Schrader
Ann Hildebrand
Jack Mariano

March 24, 2010

Honorable Sandra Adams, Chairman and Members of the
House Criminal and Civil Justice Appropriations Committee

Honorable Paula Dockery, Chairman and Members of the
Senate Criminal Justice Committee

Re: HB 445 and SB 782

Ladies and Gentlemen:

I am writing to convey the circumstances that I have witnessed in Pasco County regarding the pretrial supervision program.

Last year facing the need to put more deputies on the street fighting crime Sheriff Bob White eliminated the supervisory program in our jail system. Initially, I was concerned because of the perceived assumption of jail overcrowding. As you know some have offered that taxpayer funded pretrial release programs save money by reducing jail population. It is our experience that this is simply not the case. **The reality is that we have seen no measurable increases in jail population.**

If a defendant has a means of leaving jail, they will. Judges have the option to release a defendant on one's own recognizance (ROR) or they can post bail. I believe the intent of the ROR program is to not unjustly burden an indigent non-violent defendant. Many of the defendants that are being released on ROR hire legal representation. If the ROR program is designed to allow indigent individuals to leave jail, how can many of them afford private legal counsel?

Sheriff White has implemented a volunteer group who call defendants that have been released on ROR reminding them of their obligations to appear. The commercial/private surety industry has a financial incentive to assure court appearances. Again our experience in Pasco County has shown that defendants appear in court at higher rates if they are under the supervision of a surety agent.

March 24, 2010
Re: HB 445 and SB 782
Page Two

The bottom line is that our Sheriff eliminated an unneeded program that has not caused the negative reaction that many people projected. What it did do is allow Pasco County to have four (4) additional deputies on the street.

I personally would encourage you to support HB 445 or SB 782.

Sincerely,

A handwritten signature in black ink that reads "Mike".

Michael Cox, CFP®
District 4
MC:lp



PASCO COUNTY, FLORIDA

"Bringing Opportunities Home"

- 37918 Meridian Avenue - Dade City, Florida 33525
(352) 521-4111 - FAX (352) 521-4105
- 7530 Little Road - New Port Richey, Florida 34654
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Pat Mulieri, Ed.D.

Chairman

Michael Cox, CFP®

Vice-Chairman

Ted Schrader

Ann Hildebrand

Jack Mariano

March 24, 2010

Dear Legislators:

I am a current County Commissioner in Pasco County and I am writing in support of the bills by Senator Thrasher and Representative Dorworth (HB45/SB782).

Our experience in Pasco County may shed some light on the arguments being waged by both sides of this debate.

In Pasco County, due to budget cuts, we decided to eliminate altogether our pretrial release program. Some said it would cause jail overcrowding. It did not.

Not only did we save \$348,000.00 in the first year, our per capita occupancy went down, not up. Further, I believe our streets are safer because those out on release (via bail) had to pay their own way out and are, in my opinion, more responsible for their own conduct. I, for one, would rather have the private industry tracking down defendants than have to use precious county resources to do so. This allows our Sheriff to have more boots on the street and has kept Pasco County safer, as a result.

I appreciate your positive consideration of these good bills.

Sincerely,

Jack Mariano
County Commissioner
District 5

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

HB 525 : Statutes of Limitation for Sexual Battery

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Eric Eisnaugle	X				
Bill Heller	X				
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney	X				
Juan-Carlos Planas	X				
Ari Porth			X		
Darryl Rouson	X				
William Snyder	X				
Darren Soto	X				
Perry Thurston	X				
John Tobia	X				
Juan Zapata	X				
Sandra Adams (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

Statutes of Limitations for Sexual Battery
 Col Greg Brown (General Public) - Proponent
 1238 Tech Blvd
 Tampa Florida 33619
 Phone: 813-363-0375

Statutes of Limitations for Sexual Battery
 Corey Mathews (General Public) - Proponent
 1401 N Duval Street
 Tallahassee Florida 32303
 Phone: 850-294-3776

Statutes of Limitations for Sexual Battery
 Michael Dolce (General Public) - Proponent
 1010 Shoma Dr
 Royal Palm Beach Florida 33414
 Phone: 561-512-2104

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 621 : Fraudulently Taking or Using a Credit Card

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Bill Heller	X				
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney	X				
Juan-Carlos Planas	X				
Ari Porth			X		
Darryl Rouson	X				
William Snyder	X				
Darren Soto	X				
Perry Thurston		X			
John Tobia			X		
Juan Zapata	X				
Sandra Adams (Chair)	X				
Total Yeas: 9		Total Nays: 1			

Appearances:

Credit cards

David Duncan (General Public) - Proponent
 FI Law Enforcement Property Recovery Unit
 600 Banyan Blvd
 W.P.B. Florida 33405
 Phone: 561-644-7039

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

Amendment No. 1

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)

ADOPTED AS AMENDED (Y/N)

ADOPTED W/O OBJECTION (Y/N)

FAILED TO ADOPT (Y/N)

WITHDRAWN (Y/N)

OTHER

*Adopted
3-26-10*

1 Council/Committee hearing bill: Criminal & Civil Justice

2 Appropriations Committee

3 Representative Brandenburg offered the following:

Amendment (with directory and title amendments)

Between lines 41 and 42, insert:

7 (8) RETAILER EXCEPTION.—A retailer who in good faith

8 takes, accepts, retains, or processes a stolen credit card

9 without knowledge that the card is stolen does not commit a

10 violation of this section.

D I R E C T O R Y A M E N D M E N T

Remove line 20 and insert:

15 Statutes, is amended, and subsection (8) is added to that

16 section, to read:

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

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 621 (2010)

Amendment No.

20 Remove line 15 and insert:
21 certain circumstances; providing that a retailer who in good
22 faith takes, accepts, retains, or processes a stolen credit card
23 without knowledge that the card is stolen does not commit a
24 violation; providing an effective date.

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

HB 811 : Faith- and Character-Based Correctional Institution Programs

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Eric Eisnaugle		X			
Bill Heller	X				
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney		X			
Juan-Carlos Planas	X				
Ari Porth			X		
Darryl Rouson	X				
William Snyder	X				
Darren Soto	X				
Perry Thurston	X				
John Tobia	X				
Juan Zapata	X				
Sandra Adams (Chair)	X				
Total Yeas: 9		Total Nays: 2			

Appearances:

Faith & Character
 Hugh McMillan (General Public) - Proponent
 2022 Old Fort Drive
 Tallahassee Florida 32301
 Phone: 850-321-7071

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

HB 813 : Juvenile Justice Facilities and Programs

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Bill Heller	X				
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney	X				
Juan-Carlos Planas	X				
Ari Porth			X		
Darryl Rouson	X				
William Snyder	X				
Darren Soto	X				
Perry Thurston	X				
John Tobia			X		
Juan Zapata	X				
Sandra Adams (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

HB 917 : Domestic Violence

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Bill Heller	X				
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney	X				
Juan-Carlos Planas	X				
Ari Porth			X		
Darryl Rouson				X	
William Snyder	X				
Darren Soto	X				
Perry Thurston	X				
John Tobia	X				
Juan Zapata	X				
Sandra Adams (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

HB 951 : Public Safety

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Bill Heller	X				
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney	X				
Juan-Carlos Planas	X				
Ari Porth			X		
Darryl Rouson	X				
William Snyder	X				
Darren Soto	X				
Perry Thurston	X				
John Tobia	X				
Juan Zapata	X				
Sandra Adams (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 951 (2010)

Amendment No. 1

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Criminal and Civil Justice
2 Appropriations
3 Representative(s) Snyder offered the following:

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

6 Remove lines 315-328
7
8
9

10 -----
11 **T I T L E A M E N D M E N T**

12 Remove lines 32-35 and insert:
13 recruit training program; amending

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 951 (2010)

Amendment No. 2

COUNCIL/COMMITTEE 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 Council/Committee hearing bill: Criminal & Civil Justice
2 Appropriations Committee
3 Representative(s) Snyder offered the following:
4

5 **Amendment (with title amendment)**

6 Remove lines 169-224 and insert:

7 Section 2. Paragraphs (g) and (h) of subsection (2) of
8 section 943.05, Florida Statutes, are amended, and subsection
9 (4) is added to that section, to read:

10 943.05 Criminal Justice Information Program; duties; crime
11 reports.—

12 (2) The program shall:

13 (g) Upon official written request, and subject to the
14 department having sufficient funds and equipment to participate
15 in such a request, from the agency executive director or
16 secretary, or from his or her designee, or from qualified
17 entities participating in the volunteer and employee criminal
18 history screening system under s. 943.0542, or as otherwise
19 required ~~As authorized~~ by law, retain fingerprints submitted by

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 951 (2010)

Amendment No.

20 criminal and noncriminal justice agencies to the department for
21 a criminal history background screening in a manner provided by
22 rule and enter the fingerprints in the statewide automated
23 fingerprint identification system authorized by paragraph (b).
24 Such fingerprints shall thereafter be available for all purposes
25 and uses authorized for arrest fingerprint submissions ~~cards~~
26 entered into the statewide automated fingerprint identification
27 system pursuant to s. 943.051.

28 (h)~~1~~. For each agency or qualified entity that officially
29 requests retention of fingerprints or for which retention is
30 otherwise required ~~As authorized~~ by law, search all arrest
31 fingerprint submissions ~~cards~~ received under s. 943.051 against
32 the fingerprints retained in the statewide automated fingerprint
33 identification system under paragraph (g).

34 1. Any arrest record that is identified with the retained
35 fingerprints of a person subject to background screening as
36 provided in paragraph (g) shall be reported to the appropriate
37 agency or qualified entity.

38 2. ~~To Agencies may~~ participate in this search process,
39 agencies or qualified entities must notify each person
40 fingerprinted that his or her fingerprints will be retained, pay
41 ~~by payment of~~ an annual fee to the department, and inform by
42 ~~informing~~ the department of any change in the affiliation,
43 employment, or contractual status ~~or place of affiliation,~~
44 ~~employment, or contracting~~ of each person ~~the persons~~ whose
45 fingerprints are retained under paragraph (g) when such change
46 removes or eliminates the agency or qualified entity's basis or
47 need for receiving reports of any arrest of that person, so that

Amendment No.

48 the agency or qualified entity will not be obligated to pay the
49 upcoming annual fee for the retention and searching of that
50 person's fingerprints to the department. The department shall
51 adopt a rule setting the amount of the annual fee to be imposed
52 upon each participating agency or qualified entity for
53 performing these searches and establishing the procedures for
54 the retention of fingerprints and the dissemination of search
55 results. The fee may be borne by the agency, qualified entity,
56 or person subject to fingerprint retention or as otherwise
57 provided by law. ~~Fees may be waived or reduced by the executive~~
58 ~~director for good cause shown.~~ Consistent with the recognition
59 of criminal justice agencies expressed in s. 943.053(3), these
60 services will be provided to criminal justice agencies for
61 criminal justice purposes free of charge.

62 3. Agencies that participate in the fingerprint retention
63 and search process may adopt rules pursuant to ss. 120.536(1)
64 and 120.54 to require employers to keep the agency informed of
65 any change in the affiliation, employment, or contractual status
66 of each person whose fingerprints are retained under paragraph
67 (g) when such change removes or eliminates the agency's basis or
68 need for receiving reports of any arrest of that person, so that
69 the agency will not be obligated to pay the upcoming annual fee
70 for the retention and searching of that person's fingerprints to
71 the department.

72 (4) Upon notification that a federal fingerprint retention
73 program is in effect, and subject to the department being funded
74 and equipped to participate in such a program, the department
75 shall, when state and national criminal history records checks

Amendment No.

76 and retention of submitted prints are authorized or required by
77 law, retain the fingerprints as provided in paragraphs (2) (g)
78 and (h) and advise the Federal Bureau of Investigation to retain
79 the fingerprints at the national level for searching against
80 arrest fingerprint submissions received at the national level.

81 Section 3. Subsections (6) and (11) of section 943.053,
82 Florida Statutes, are amended to read:

83 943.053 Dissemination of criminal justice information;
84 fees.—

85 (6) Notwithstanding any other provision of law, the
86 department shall provide to the ~~Florida~~ Department of Revenue
87 ~~Child Support Enforcement~~ access to Florida criminal history
88 records which are not exempt from disclosure under chapter 119,
89 and to such information as may be lawfully available from other
90 states via the National Law Enforcement Telecommunications
91 System, for the purpose of locating subjects who owe or
92 potentially owe support, as defined in s. 409.2554, or to whom
93 such obligation is owed pursuant to Title IV-D of the Social
94 Security Act. Such information may be provided to child support
95 enforcement authorities in other states for these specific
96 purposes.

97 (11) A criminal justice agency that is authorized under
98 federal rules or law to conduct a criminal history background
99 check on an agency employee who is not certified by the Criminal
100 Justice Standards and Training Commission under s. 943.12 may
101 submit to the department the fingerprints of the noncertified
102 employee to obtain state and national criminal history
103 information. ~~Effective January 15, 2007,~~ The fingerprints

Amendment No.

104 submitted shall be retained and entered in the statewide
105 automated fingerprint identification system authorized by s.
106 943.05 and shall be available for all purposes and uses
107 authorized for arrest fingerprint submissions ~~cards~~ entered in
108 the statewide automated fingerprint identification system
109 pursuant to s. 943.051. The department shall search all arrest
110 fingerprint submissions ~~cards~~ received pursuant to s. 943.051
111 against the fingerprints retained in the statewide automated
112 fingerprint identification system pursuant to this section. In
113 addition to all purposes and uses authorized for arrest
114 fingerprint submissions ~~cards~~ for which submitted fingerprints
115 may be used, any arrest record that is identified with the
116 retained employee fingerprints must be reported to the
117 submitting employing agency.

118

119

120

121

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

122

Remove lines 13-15 and insert:

123

124 provisions relating to the Criminal Justice Information Program
125 under the Department of Law Enforcement; authorizing agencies to
126 request the retention of certain fingerprints by the department;
127 providing for rulemaking to require employers to keep the
128 agencies informed of any change in the affiliation, employment,
129 or contractual status of each person whose fingerprints are
130 retained in certain circumstances; providing departmental duties
131 upon notification that a federal fingerprint retention program

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 951 (2010)

Amendment No.

132 is in effect; amending s. 943.053, F.S.; removing obsolete
133 references relating to the dissemination of criminal justice
134 information; amending s. 943.12,

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 1005 : Corrections

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Bill Heller	X				
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney	X				
Juan-Carlos Planas	X				
Ari Porth			X		
Darryl Rouson	X				
William Snyder	X				
Darren Soto	X				
Perry Thurston				X	
John Tobia			X		
Juan Zapata	X				
Sandra Adams (Chair)	X				
Total Yeas: 9		Total Nays: 0			

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

HB 7161 : Court-Appointed Counsel in Civil Cases

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Bill Heller	X				
Doug Holder			X		
Paige Kreegel			X		
Charles McBurney	X				
Juan-Carlos Planas	X				
Ari Porth			X		
Darryl Rouson	X				
William Snyder	X				
Darren Soto	X				
Perry Thurston	X				
John Tobia	X				
Juan Zapata	X				
Sandra Adams (Chair)	X				
Total Yeas: 11 Total Nays: 0					

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

COMMITTEE MEETING REPORT
Criminal & Civil Justice Appropriations Committee

3/26/2010 8:00:00AM

Location: Reed Hall (102 HOB)

Other Business Appearance:

Missile Defense
Ambassador Cooper (General Public) - Information Only
High Frontier
18277 Mullfield Terrace
Leesburg Va 20176
Phone: 703-231-3521

Missile Defense
Dr. Fine (General Public) - Information Only

Committee meeting was reported out: Friday, March 26, 2010 6:16:04PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7161 (2010)

Amendment No. 1

COUNCIL/COMMITTEE ACTION

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

*Adopted
3/26/10
AH*

1 Council/Committee hearing bill: Criminal & Civil Justice
2 Appropriations Committee
3 Representative(s) Adams offered the following:
4

5 **Amendment (with title amendment)**

6 Between lines 17 and 18, insert:

7 Section 1. Paragraph (b) of subsection (2) of section
8 938.29, Florida Statutes, is amended to read:

9 938.29 Legal assistance; lien for payment of attorney's
10 fees or costs.—

11 (2)

12 (b) A judgment showing the name and residence of the
13 defendant-recipient or parent shall be recorded in the public
14 record, without cost, by the clerk of the circuit court in the
15 county where the defendant-recipient or parent resides and in
16 each county in which such defendant-recipient or parent then
17 owns or later acquires any property. Such judgments shall be
18 enforced on behalf of the state by the clerk of the circuit
19 court of the county in which assistance was rendered. The lien

Amendment No. 1

20 against a parent shall remain in force notwithstanding the child
21 becoming emancipated or the child reaching the age of majority.

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

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Remove line 2 and insert:

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An act relating to court-appointed counsel; amending s. 938.29,

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F.S.; specifying that a lien for the cost of court-appointed

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counsel against a parent for services provided to a child does

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not expire upon the emancipation of the child or upon the child

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reaching the age of majority;