



**PUBLIC SAFETY
&
DOMESTIC SECURITY POLICY
COMMITTEE**

**TUESDAY, FEBRUARY 2, 2010
8:00 A.M. – 9:45 A.M.
404 HOB**

ACTION PACKET

Larry Cretul
Speaker

Kevin C. Ambler
Chair

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee
2/2/2010 8:00:00AM

Location: 404 HOB

Summary:

Public Safety & Domestic Security Policy Committee

Tuesday February 02, 2010 08:00 am

HB 319 Temporarily Deferred

HB 525 Favorable Yeas: 12 Nays: 0

HB 595 Favorable Yeas: 12 Nays: 0

HB 615 Favorable With Committee Substitute Yeas: 12 Nays: 0

HB 621 Favorable With Committee Substitute Yeas: 10 Nays: 0

Committee meeting was reported out: Tuesday, February 02, 2010 12:55:35PM

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

2/2/2010 8:00:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Kevin Ambler (Chair)	X		
Sandra Adams	X		
Mackenson Bernard	X		
Brad Drake			X
Greg Evers	X		
Luis Garcia	X		
Bill Heller	X		
Doug Holder	X		
Ed Hooper	X		
Lake Ray	X		
Julio Robaina	X		
Darryl Rouson	X		
Kelli Stargel	X		
James Waldman	X		
Totals:	13	0	1

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COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

2/2/2010 8:00:00AM

Location: 404 HOB

HB 319 : Medical Expenses of Inmates Paid by a County or Municipality

Temporarily Deferred

Appearances:

HB 319 by Hooper--Medical Expenses of Inmates paid by a County or Municipality
Sheriff Jim Coats - Proponent
Post Office Drawer 2500
Largo Florida

HB 319 by Hooper--Medical Expenses of Inmates paid by a County or Municipality
Jan Gurrie, Attorney - Opponent
Safety Net Hospital Alliance of Florida
401 E. Jackson Street
Tampa Florida 33602
Phone: 813-222-8139

HB 319 by Hooper--Medical Expenses of Inmates paid by a County or Municipality
Ralph Glatfilitre (Lobbyist) - Opponent
Florida Hospital Association
306 E. College
Tallahassee Florida 32312
Phone: 222-9800

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COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee
2/2/2010 8:00:00AM

Location: 404 HOB

HB 525 : Statutes of Limitation for Sexual Battery

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Mackenson Bernard	X				
Brad Drake			X		
Greg Evers	X				
Luis Garcia	X				
Bill Heller	X				
Doug Holder	X				
Ed Hooper	X				
Lake Ray	X				
Julio Robaina			X		
Darryl Rouson	X				
Kelli Stargel	X				
James Waldman	X				
Kevin Ambler (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

HB 525 by Dorworth--Statutes of Limitation for Sexual Battery

Michael Dolce - Proponent

Self

1010 Shoma Drive

Royal Palm Beach Florida 33414

Phone: 561-512-2104

HB 525 by Dorworth--Statutes of Limitation for Sexual Battery

Terri Poore, Director of Public Affairs (Lobbyist) - Proponent

Florida Council Against Sexual Violence

1820 E. Park Avenue, Suite 100

Tallahassee Florida 32301

Phone: 850-228-3428

HB 525 by Dorworth--Statutes of Limitation for Sexual Battery

Brian Pitts, Chair - Proponent

Justice 2 Jesus

1119 Newton Avenue S.

St. Petersburg Florida 33705

Phone: 727-897-9291

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COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

2/2/2010 8:00:00AM

Location: 404 HOB

HB 595 : Open House Parties

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Mackenson Bernard	X				
Brad Drake			X		
Greg Evers	X				
Luis Garcia	X				
Bill Heller	X				
Doug Holder	X				
Ed Hooper	X				
Lake Ray	X				
Julio Robaina			X		
Darryl Rouson	X				
Kelli Stargel	X				
James Waldman	X				
Kevin Ambler (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

HB 595 by Fitzgerald--Open House Parties
 Mark Fontaine, Executive Director (Lobbyist) - Proponent
 Florida Alcohol & Drug Abuse Assoc.
 2868 Mahan Drive
 Tallahassee Florida 32308
 Phone: 850-878-2196

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COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee
2/2/2010 8:00:00AM

Location: 404 HOB

HB 615 : Substantial Assistance

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Mackenson Bernard	X				
Brad Drake			X		
Greg Evers	X				
Luis Garcia	X				
Bill Heller	X				
Doug Holder	X				
Ed Hooper	X				
Lake Ray	X				
Julio Robaina			X		
Darryl Rouson	X				
Kelli Stargel	X				
James Waldman	X				
Kevin Ambler (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

HB 615 by Brandenburg--Substantial Assistance

Buddy Jacobs, General Counsel, Fla. Prosecuting Attorney's Assoc. (Lobbyist) - Proponent
 State Attorneys of Florida
 961687 Gateway Blvd.
 Fernandina Beach Florida 32034
 Phone: 904-261-3693

HB 615 by Brandenburg--Substantial Assistance

Brian Pitts, Chair (Lobbyist) - Proponent
 Justice 2 Jesus
 1119 Newton Avenue S.
 St. Petersburg Florida 33705
 Phone: 727-897-9291

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 615 (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

1 Council/Committee hearing bill: Public Safety & Domestic
2 Security Policy Committee
3 Representative Brandenburg offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 921.186, Florida Statutes, is created
8 to read:

9 921.186 Substantial assistance.-Notwithstanding any other
10 law, the state attorney may move the sentencing court to reduce
11 or suspend the sentence of any person who is convicted of
12 violating any felony offense and who provides substantial
13 assistance in the identification, arrest, or conviction of any
14 of that person's accomplices, accessories, coconspirators, or
15 principals or of any other person engaged in criminal activity
16 that would constitute a felony. The arresting agency shall be
17 given an opportunity to be heard in aggravation or mitigation in
18 reference to any such motion. Upon good cause shown, the motion
19 may be filed and heard in camera. The judge hearing the motion

Amendment No. 1

20 may reduce or suspend the sentence if the judge finds that the
21 defendant rendered such substantial assistance.

22 Section 2. This act shall take effect July 1, 2010.

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

27

28 Remove the entire title and insert:

28

29 An act relating to substantial assistance; creating s.

29

30 921.186, F.S.; permitting the state attorney to request the

30

31 sentencing court to reduce or suspend the sentence of a

31

32 defendant who has been convicted of violating any felony

32

33 offense and who provides substantial assistance in the

33

34 identification, arrest, or conviction of any accomplice,

34

35 accessory, coconspirator, or principal of the defendant or

35

36 other felon; providing that the arresting agency shall be

36

37 given an opportunity to be heard in aggravation or

37

38 mitigation in reference to any such motion; providing that

38

39 the motion may be filed and heard in camera for good cause

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40 shown; providing that a judge may reduce or suspend the

40

41 sentence if the judge finds that the defendant rendered

41

42 substantial assistance; providing an effective date.

42

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

2/2/2010 8:00:00AM

Location: 404 HOB

HB 621 : Possession of Stolen Credit Cards

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Mackenson Bernard	X				
Brad Drake			X		
Greg Evers	X				
Luis Garcia			X		
Bill Heller	X				
Doug Holder	X				
Ed Hooper	X				
Lake Ray			X		
Julio Robaina			X		
Darryl Rouson	X				
Kelli Stargel	X				
James Waldman	X				
Kevin Ambler (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Appearances:

HB 621 by Brandenburg--Possession of Stolen Credit Cards
 Jack Gee, Detective - Proponent
 Florida Law Enforcement Property Recovery Unit
 1300 W. Broward
 Fort Lauderdale Florida 33312
 Phone: 954-557-1227

HB 621 by Brandenburg--Possession of Stolen Credit Cards
 Brian Pitts, Chair - Proponent
 Justice 2 Jesus
 1119 Newton Avenue S.
 St. Petersburg Florida 33705
 Phone: 727-897-9291

Committee meeting was reported out: Tuesday, February 02, 2010 12:55:35PM

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

1 Council/Committee hearing bill: Public Safety & Domestic
 2 Security Policy Committee
 3 Representative(s) Brandenburg offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
 7 Section 1. Subsection (1) of section 817.60, Florida
 8 Statutes, is amended to read:

9 817.60 Theft; obtaining credit card through fraudulent
 10 means.—

11 (1) THEFT BY TAKING OR RETAINING POSSESSION OF CARD
 12 TAKEN.—A person who takes a credit card from the person,
 13 possession, custody, or control of another without the
 14 cardholder's consent; ~~or~~ who possesses, receives, or retains
 15 custody of the card, with knowledge that it has been so taken;
 16 or who, receives the credit card with intent to use it, to sell
 17 it, or to transfer it to a person other than the issuer or the
 18 cardholder commits ~~is guilty of~~ credit card theft and is subject
 19 to the penalties set forth in s. 817.67(2) ~~s. 817.67~~ (1).

Amendment No. 1

20 Taking a credit card without consent includes obtaining it by
21 conduct defined or known as statutory larceny, common-law
22 larceny by trespassory taking, common-law larceny by trick or
23 embezzlement or obtaining property by false pretense, false
24 promise or extortion. Proof of possession of a credit card that
25 has been recently stolen or possession of a credit card in the
26 name of a person other than that of the possessor, unless
27 satisfactorily explained, gives rise to an inference that the
28 person in possession of the credit card knew or should have
29 known that the credit card had been stolen.

30 Section 2. This act shall take effect July 1, 2010.

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

35 Remove the entire title and insert:

36 An act relating to fraudulently taking or using a credit
37 card; amending s. 817.60, F.S.; providing that a person
38 who takes a credit card from the possession, custody, or
39 control of another without the cardholder's consent, who
40 possesses, receives, or retains custody of the credit card
41 with the knowledge that it has been taken, or who receives
42 the credit card with the intent to use it, to sell it, or
43 to transfer it to a person other than the issuer or the
44 cardholder commits a felony of the third degree rather
45 than a misdemeanor of the first degree; providing
46 increased criminal penalties; providing for an inference
47 that the person in possession of a credit card knew or

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 621 (2010)

Amendment No. 1

48 | should have known that the credit card had been stolen in
49 | certain circumstances; providing an effective date.

50

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

2/2/2010 8:00:00AM

Location: 404 HOB

Workshop

HB 119:

Committee meeting was reported out: Tuesday, February 02, 2010 12:55:35PM

