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**PUBLIC SAFETY  
&  
DOMESTIC SECURITY  
POLICY COMMITTEE**

**TUESDAY, FEBRUARY 16, 2010  
10:15 A.M. – 12:00 P.M.  
404 HOB**

**ACTION PACKET**

Larry Cretul  
Speaker

Kevin C. Ambler  
Chair

**COMMITTEE MEETING REPORT**  
**Public Safety & Domestic Security Policy Committee**

**2/16/2010 10:15:00AM**

**Location:** 404 HOB

**Summary:**

**Public Safety & Domestic Security Policy Committee**

*Tuesday February 16, 2010 10:15 am*

HB 23 Not Considered

HB 119 Not Considered

HB 317 Favorable With Committee Substitute

Yeas: 12 Nays: 0

HB 319 Temporarily Deferred

HB 429 Temporarily Deferred

Committee meeting was reported out: Tuesday, February 16, 2010 2:15:56PM

**COMMITTEE MEETING REPORT**  
**Public Safety & Domestic Security Policy Committee**

**2/16/2010 10:15:00AM**

**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		
<b>Totals:</b>	<b>14</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Tuesday, February 16, 2010 2:15:56PM

**COMMITTEE MEETING REPORT**  
**Public Safety & Domestic Security Policy Committee**

**2/16/2010 10:15:00AM**

**Location:** 404 HOB

**HB 23 : Parole for Adolescent Offenders**

*Not Considered*

**Committee meeting was reported out: Tuesday, February 16, 2010 2:15:56PM**

**COMMITTEE MEETING REPORT**  
**Public Safety & Domestic Security Policy Committee**

**2/16/2010 10:15:00AM**

**Location:** 404 HOB

**HB 119 : Sexual Offenders and Predators**

*Not Considered*

**Committee meeting was reported out: Tuesday, February 16, 2010 2:15:56PM**

**COMMITTEE MEETING REPORT**  
**Public Safety & Domestic Security Policy Committee**  
**2/16/2010 10:15:00AM**

**Location:** 404 HOB

**HB 317 : Threats**

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		
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Tuesday, February 16, 2010 2:15:56PM

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) Adkins offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
 7 Section 1. Section 836.10, Florida Statutes, is amended to  
 8 read:

9 836.10 Written Threats to kill or do bodily injury;  
 10 punishment.--

11 ~~If a~~Any person who writes or composes and also sends or  
 12 procures the sending of any letter, ~~or~~ inscribed communication,  
 13 or electronic communication so written or composed, whether such  
 14 letter or communication be signed or anonymous, to any person,  
 15 containing a threat to kill or to do bodily injury to the person  
 16 to whom such letter or communication is sent, or a threat to  
 17 kill or do bodily injury to any member of the family of the  
 18 person to whom such letter or communication is sent commits, ~~the~~  
 19 ~~person so writing or composing and so sending or procuring the~~

Amendment No. 1

20 ~~sending of such letter or communication, shall be guilty of a~~  
21 ~~felony of the second degree, punishable as provided in s.~~  
22 ~~775.082, s. 775.083, or s. 775.084.~~

23 Section 2. This act shall take effect October 1, 2010.

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**T I T L E   A M E N D M E N T**

28

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Remove lines 3-6 and insert:

30

revising provisions relating



**COMMITTEE MEETING REPORT**  
**Public Safety & Domestic Security Policy Committee**

**2/16/2010 10:15:00AM**

**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

Jan Gurrle, Attorney (Lobbyist) - Opponent

Safety Net Hospital Alliance of Florida

401 E. Jackson Street

Tampa Florida

Phone: 813-222-8139

HB 319 by Hooper--Medical Expenses of Inmates paid by a County or Municipality

Ralph Glatfelter (Lobbyist) - Proponent

Florida Hospital Association

306 E. College

Tallahassee Florida 32312

Phone: 222-9800

HB 319 by Hooper--Medical Expenses of Inmates paid by a County or Municipality

Ron Book (Lobbyist) - Information Only

Miami Dade City/Jackson Health System

106 W. Jefferson Street

Tallahassee Florida 32301

HB 319 by Hooper--Medical Expenses of Inmates paid by a County or Municipality

Sherriff Jim Coats - Information Only

Florida Sherriffs

Committee meeting was reported out: Tuesday, February 16, 2010 2:15:56PM

**House of Representatives  
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

**Council/Committee:** Public Safety &  
Domestic Security  
Policy

**Bill Number:** HB 319 by Hooper  
and others

**Meeting Date:** 2/16/2010  
**Place:** 404 HOB

**Date Received:** \_\_\_\_\_  
**Date Reported:** \_\_\_\_\_

**Time:** 10:15 a.m – 12:00 p.m.

**Subject:** Medical Expenses  
of inmates Paid by  
a County or  
Municipality

**Council/Committee Action:**

- |   |   |
|---|---|
| <input type="checkbox"/> Favorable                                | <input type="checkbox"/> Retained for Reconsideration     |
| <input type="checkbox"/> Favorable w/ _____ amendments            | <input type="checkbox"/> Reconsidered                     |
| <input type="checkbox"/> Favorable w/Council/Committee Substitute | <input checked="" type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____                      | <input type="checkbox"/> Unfavorable                      |

Final Vote On Bill		MEMBERS	#1 Hooper		#2 Hooper		Yea	Nay	Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay				
		Rep. Adams				✓				
		Rep. Bernard				✓				
		Rep. Drake				✓				
		Rep. Evers				✓				
		<del>Rep. ...</del>								
		Rep. Heller				✓				
		Rep. Holder				✓				
		Rep. Hooper				✓				
		Rep. Ray				✓				
		Rep. Robaina				✓				
		Rep. Rouson				✓				
		Rep. Stargel				✓				
		Rep. Waldman							✓	
		Rep. Ambler, Chair								
		Rep. Garcia chr.				✓				

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 319 (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)
<b>WITHDRAWN</b>	<input checked="" type="checkbox"/>	(Y/N)
OTHER	___	

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

**Amendment (with title amendment)**

Remove lines 25-32 and insert:

7 ~~payment of such medical costs shall exist until such time as an~~  
 8 ~~arrested person is released from is limited to services provided~~  
 9 during the time the arrested person was in the custody of the  
 10 arresting agency. Absent a formal written agreement between a  
 11 county, municipality, or law enforcement entity and a provider,  
 12 any payments made from county or municipality general funds to  
 13 the provider under this section for medical care, treatment,  
 14 hospitalization, and transportation of an arrested person shall  
 15 be made at one hundred ten percent (110%) of the Medicare  
 16 allowable rate for such services. This maximum allowable rate  
 17 shall not apply to payments to emergency room physicians,  
 18 licensed under chapter 458 or 459, F.S., providing emergency  
 19 services within the emergency room.

Amendment No. 1

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**T I T L E   A M E N D M E N T**

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Remove line 6 and insert:

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be made at one hundred ten percent (110%) of the Medicare

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allowable rate; providing an

Amendment No. 2

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"/>

Y N  
11/1

**ADOPTED**

1 Council/Committee hearing bill: Public Safety & Domestic  
 2 Security Policy Committee  
 3 Representative(s) Hooper offered the following:  
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**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
 7 Section 1. Subsection (2) of section 901.35, Florida Statutes,  
 8 is amended to read:

9 901.35 Financial responsibility for medical expenses.-

10 (2) Upon a showing that reimbursement from the sources  
 11 listed in subsection (1) is not available, the costs of medical  
 12 care, treatment, hospitalization, and transportation shall be  
 13 paid:

14 (a) From the general fund of the county in which the  
 15 person was arrested, if the arrest was for violation of a state  
 16 law or county ordinance; or

17 (b) From the municipal general fund, if the arrest was for  
 18 violation of a municipal ordinance.  
 19

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 319 (2010)

Amendment No. 2

20 The responsibility of a county or municipality to pay for  
21 payment of such medical costs is limited to services provided  
22 during the time that the arrested person is in ~~shall exist until~~  
23 ~~such time as an arrested person is released from the custody of~~  
24 the arresting agency. Absent a formal written agreement between  
25 a county, municipality, or law enforcement entity and a  
26 provider, any payments made from county or municipal general  
27 funds to a provider under this section for medical care,  
28 treatment, hospitalization, and transportation of an arrested  
29 person shall be made at 110 percent of the Medicare allowable  
30 rate for such services. This maximum allowable cap does not  
31 apply to payments to emergency room physicians licensed under  
32 chapter 458 or chapter 459 who provide emergency services within  
33 the emergency room.

34 Section 2. Section 901.29, Florida Statutes, is amended to  
35 read:

36 901.29 Authorization to take person to medical facility.--

37 (1) Even though a notice to appear is issued, a law  
38 enforcement officer shall be authorized to take a person to a  
39 medical facility for such care as appropriate.

40 (2) If an arrestee is taken to a medical facility for  
41 treatment, a law enforcement officer employed by the arresting  
42 law enforcement agency must remain with the arrestee until the  
43 arrestee is discharged or otherwise released from the medical  
44 facility.

45 Section 3. This act shall take effect July 1, 2010.  
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Amendment No. 2

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**T I T L E   A M E N D M E N T**

Remove line 6 and insert:

be made at a certain percentage of the Medicare allowable rate;  
providing that this maximum allowable cap does not apply to  
payments for emergency services provided by emergency room  
physicians; amending 901.29, F.S.; requiring that a law  
enforcement officer employed by the arresting law enforcement  
agency remain with an arrestee until the arrestee is discharged  
or otherwise released from a medical facility when receiving  
medical treatment; providing an

**COMMITTEE MEETING REPORT**  
**Public Safety & Domestic Security Policy Committee**  
**2/16/2010 10:15:00AM**

**Location:** 404 HOB

**HB 429 : Sexual Offenses Involving the Internet**

*Temporarily Deferred*

**Appearances:**

HB 429 by Fetterman--Sexual Offenders Involving the Internet

Shari Britton, Chief Bureau of Probation, Parole Field Services (State Employee) - Information Only

Florida Department of Corrections

2001 Blair Stone Road

Tallahassee Florida 32399

Phone: 410-4319

HB 429 by Fetterman--Sexual Offenders Involving the Internet

Courtenay Strickland, Director of Public Policy, ACLU-FL (Lobbyist) - Opponent

ACLU of FL

4500 Biscayne Blvd., #340

Miami Florida 33137

Phone: 305-457-5422

Committee meeting was reported out: Tuesday, February 16, 2010 2:15:56PM



COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 429 (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 Fetterman offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
7 Section 1. Subsection (4) is added to section 948.30,  
8 Florida Statutes, to read:

9 948.30 Additional terms and conditions of probation or  
10 community control for certain sex offenses.—Conditions imposed  
11 pursuant to this section do not require oral pronouncement at  
12 the time of sentencing and shall be considered standard  
13 conditions of probation or community control for offenders  
14 specified in this section.

15 (4) Effective for a probationer or community controllee  
16 whose crime was committed on or after October 1, 2010, and who  
17 is placed on probation or community control for a violation of  
18 an offense:

Amendment No. 1

19 (a) That requires the offender to register as a sexual  
20 predator pursuant to s. 775.21 or a sexual offender pursuant to  
21 ss. 943.0435 or 944.607;

22 (b) That involved a victim 18 years of age or younger; and

23 (c) Where the court made a written finding that a computer  
24 or any other device with Internet capability was used to  
25 facilitate the commission of the offense,

26  
27 the court shall, in addition to any other provision of this  
28 section, impose a condition prohibiting the offender from  
29 accessing the Internet except for purposes relating to  
30 employment, educational courses, and application for public  
31 benefits.

32 Section 2. Nothing in this act shall be construed to impose  
33 upon an interactive computer service, as defined in s. 668.602;  
34 a provider of communications services, as defined in s. 202.11;  
35 or a provider of a mobile service, as defined in 47 USC 153; any  
36 responsibility for enforcing s. 948.30(4), or any liability for  
37 a probationer or community controllee's violation of s.  
38 948.30(4).

39 Section 3. This act shall take effect October 1, 2010.

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41 -----

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

43 Remove the entire title and insert:  
44 An act relating to sexual offenses involving the internet;  
45 amending s. 948.30, F.S.; requiring the court to impose a  
46 condition of supervision on certain probationers and community

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 429 (2010)

Amendment No. 1

47 | controllees that prohibits the offender from accessing the  
48 | Internet except for purposes relating to employment, education  
49 | courses, and application for public benefits; specifying that  
50 | certain entities are not responsible or liable for certain acts;  
51 | providing an effective date.