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# **Criminal Justice Subcommittee**

**Tuesday, March 21, 2017**

**12:30 PM – 3:30 PM**

**404 HOB**

**Action Packet**

# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

**Location:** Sumner Hall (404 HOB)

### Summary:

#### Criminal Justice Subcommittee

*Tuesday March 21, 2017 12:30 pm*

HB 343	Favorable With Committee Substitute	Yeas: 8	Nays: 0
HB 457	Favorable	Yeas: 9	Nays: 0
CS/HB 807	Favorable	Yeas: 11	Nays: 0
HB 1031	Favorable	Yeas: 8	Nays: 0
HB 1201	Favorable With Committee Substitute	Yeas: 9	Nays: 0
	Amendment 410793 Adopted		
	Amendment 628857 Withdrawn		
HB 1203	Favorable	Yeas: 10	Nays: 0
HB 1385	Favorable	Yeas: 9	Nays: 0
HB 1429	Favorable With Committee Substitute	Yeas: 9	Nays: 0
	Amendment 336583 Adopted		
PCB CRJ 17-05	Favorable	Yeas: 8	Nays: 0

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM

# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

Location: Sumner Hall (404 HOB)

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Ross Spano (Chair)	X		
Ramon Alexander	X		
Thad Altman	X		
Dane Eagle	X		
Julio Gonzalez	X		
James Grant	X		
Gayle Harrell	X		
Chris Latvala	X		
Jared Moskowitz			X
Sharon Pritchett	X		
Daniel Raulerson	X		
David Richardson	X		
Bob Rommel	X		
Emily Slosberg	X		
Jennifer Sullivan	X		
<b>Totals:</b>	<b>14</b>	<b>0</b>	<b>1</b>

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM



**HOUSE OF REPRESENTATIVES  
COUNCIL/COMMITTEE ATTENDANCE ROLL CALL**

The Subcommittee on Criminal Justice Subcommittee

met at 12:30 o'clock on 3/21/17 with the following attendance:

<b>Member</b>	<b>Present</b>	<b>Absent*</b>	<b>Excused</b>
Chair Spano	✓		
Vice Chair Gonzalez	✓		
Democratic Ranking Member Pritchett	✓		
Rep. Alexander	✓		
Rep. Altman	✓		
Rep. Eagle	A		
Rep. Grant	A		
Rep. Harrell	A		
Rep. Latvala	A		
Rep. Moskowitz	✓		✓
Rep. Raulerson	✓		
Rep. Richardson	✓		
Rep. Rommel	✓		
Rep. Slosberg	✓		
Rep. Sullivan	A		

14

\_\_\_\_\_  
Chair

\*A member must be excused by Chair or Speaker. A member answering roll call is presumed "present" thereafter.

Rep. Harrel - voting w/ chair on all missed

# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

Location: Sumner Hall (404 HOB)

HB 343 : Payment Card Offenses

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ramon Alexander	X				
Thad Altman	X				
Dane Eagle	X				
Julio Gonzalez			X		
James Grant			X		
Gayle Harrell	X				
Chris Latvala			X		
Jared Moskowitz			X		
Sharon Pritchett				X	
Daniel Raulerson			X		
David Richardson			X		
Bob Rommel	X				
Emily Slosberg	X				
Jennifer Sullivan	X				
Ross Spano (Chair)	X				
<b>Total Yeas: 8</b>		<b>Total Nays: 0</b>			

### Appearances:

Barclay, John Andrew (General Public) - Proponent  
5981 SE 4th Pl  
Ocala FL 34472  
Phone: 352-777-6218

Dunagan, Matthew (Lobbyist) - Waive In Support  
Florida Sheriffs Association  
Deputy Director  
2617 Mahan Dr  
Tallahassee FL 32308  
Phone: (850) 878-2176

Padgett, Samantha (Lobbyist) - Proponent  
Florida Retail Federation  
Vice President & General Counsel  
227 South Adams St.  
Tallahassee FL 32301  
Phone: (850) 222-4082

Gilmore, Chief Argatha - Waive In Support  
The Florida Police Chiefs Association  
Chief of Police  
2636 Mitcham Drive  
Tallahassee FL 32308  
Phone: 850-219-3631

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM





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COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: Criminal Justice  
 2 Subcommittee

3 Representative Asencio offered the following:  
 4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 817.625, Florida Statutes, is amended  
 8 to read:

9 817.625 Use of scanning device, skimming device, or  
 10 reencoder to defraud; possession of skimming device; penalties.-

11 (1) As used in this section, the term:

12 (a) ~~(d)~~ "Merchant" means a person who receives from an  
 13 authorized user of a payment card, or someone the person  
 14 believes to be an authorized user, a payment card or information  
 15 from a payment card, or what the person believes to be a payment  
 16 card or information from a payment card, as the instrument for





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17 obtaining, purchasing, or receiving goods, services, money, or  
18 anything else of value from the person.

19 (b)~~(e)~~ "Payment card" means a credit card, charge card,  
20 debit card, or any other card that is issued to an authorized  
21 card user and that allows the user to obtain, purchase, or  
22 receive goods, services, money, or anything else of value from a  
23 merchant.

24 (c)~~(b)~~ "Reencoder" means an electronic device that places  
25 encoded information from the computer chip, magnetic strip or  
26 stripe, or other storage mechanism of a payment card onto the  
27 computer chip, magnetic strip or stripe, or other storage  
28 mechanism of a different payment card. The term does not include  
29 a skimming device.

30 (d)~~(a)~~ "Scanning device" means a scanner, reader, or any  
31 other electronic device that may be is used to access, read,  
32 scan, obtain, memorize, or store, temporarily or permanently,  
33 information encoded on the computer chip, magnetic strip or  
34 stripe, or other storage mechanism of a payment card or from  
35 another device that directly reads the information from a  
36 payment card. The term does not include a skimming device.

37 (e) "Skimming device" means a self-contained device that:  
38 1. Is designed to read and store in the device's internal  
39 memory information encoded on the computer chip, magnetic strip  
40 or stripe, or other storage mechanism of a payment card or from



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41 another device that directly reads the information from a  
42 payment card; and

43 2. Is incapable of processing the payment card information  
44 stored under subparagraph 1. for the purpose of obtaining,  
45 purchasing, or receiving goods, services, money, or anything  
46 else of value from a merchant.

47 (2)(a) It is a felony of the third degree, punishable as  
48 provided in s. 775.082, s. 775.083, or s. 775.084, for a person  
49 to use:

50 1. A scanning device or skimming device to access, read,  
51 obtain, memorize, or store, temporarily or permanently,  
52 information encoded on the computer chip, magnetic strip or  
53 stripe, or other storage mechanism of a payment card without the  
54 permission of the authorized user of the payment card and with  
55 the intent to defraud the authorized user, the issuer of the  
56 authorized user's payment card, or a merchant.

57 2. A reencoder to place information encoded on the  
58 computer chip, magnetic strip or stripe, or other storage  
59 mechanism of a payment card onto the computer chip, magnetic  
60 strip or stripe, or other storage mechanism of a different card  
61 without the permission of the authorized user of the card from  
62 which the information is being reencoded and with the intent to  
63 defraud the authorized user, the issuer of the authorized user's  
64 payment card, or a merchant.



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65 (b) A Any person who violates subparagraph (a)1. or  
66 subparagraph (a)2. a second or subsequent time commits a felony  
67 of the second degree, punishable as provided in s. 775.082, s.  
68 775.083, or s. 775.084.

69 (c) It is a felony of the third degree, punishable as  
70 provided in s. 775.082, s. 775.083, or s. 775.084, for a person  
71 to knowingly possess, sell, or deliver a skimming device. This  
72 paragraph does not apply to the following individuals while  
73 acting within the scope of his or her official duties:

74 1. An employee, officer, or agent of:

75 a. A law enforcement agency or criminal prosecuting  
76 authority for the state or the federal government;

77 b. The state courts system as defined in s. 25.382 or the  
78 federal court system; or

79 c. An executive branch agency in this state.

80 2. A financial or retail security investigator employed by  
81 a merchant.

82 (d)(e) A Any person who commits a violation of this  
83 subsection violates subparagraph (a)1. or subparagraph (a)2.  
84 shall also be subject to the provisions of ss. 932.701-932.7062.

85 Section 2. Paragraphs (d) and (e) of subsection (3) of  
86 section 921.0022, Florida Statutes, are amended to read:

87 921.0022 Criminal Punishment Code; offense severity  
88 ranking chart.-

89 (3) OFFENSE SEVERITY RANKING CHART



Amendment No. 1

90 (d) LEVEL 4

91

Florida Statute	Felony Degree	Description
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92

316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
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93

499.0051(1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.
-------------	-----	---

94

499.0051(5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
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95

517.07(1)	3rd	Failure to register securities.
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96

517.12(1)	3rd	Failure of dealer, associated person, or issuer of securities
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to register.

97

784.07(2)(b) 3rd Battery of law enforcement  
officer, firefighter, etc.

98

784.074(1)(c) 3rd Battery of sexually violent  
predators facility staff.

99

784.075 3rd Battery on detention or  
commitment facility staff.

100

784.078 3rd Battery of facility employee by  
throwing, tossing, or expelling  
certain fluids or materials.

101

784.08(2)(c) 3rd Battery on a person 65 years of  
age or older.

102

784.081(3) 3rd Battery on specified official  
or employee.

103

784.082(3) 3rd Battery by detained person on  
visitor or other detainee.

104

784.083(3) 3rd Battery on code inspector.

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105	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
106	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
107	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
108	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
109	787.07	3rd	Human smuggling.
110	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.

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111	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
112	790.115(2)(c)	3rd	Possessing firearm on school property.
113	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
114	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
115	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
116	810.06	3rd	Burglary; possession of tools.
117	810.08(2)(c)	3rd	Trespass on property, armed

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with firearm or dangerous  
weapon.

118

812.014(2)(c)3. 3rd Grand theft, 3rd degree \$10,000  
or more but less than \$20,000.

119

812.014 3rd Grand theft, 3rd degree, a  
(2)(c)4.-10. will, firearm, motor vehicle,  
livestock, etc.

120

812.0195(2) 3rd Dealing in stolen property by  
use of the Internet; property  
stolen \$300 or more.

121

817.563(1) 3rd Sell or deliver substance other  
than controlled substance  
agreed upon, excluding s.  
893.03(5) drugs.

122

817.568(2)(a) 3rd Fraudulent use of personal  
identification information.

123

817.625(2)(a) 3rd Fraudulent use of scanning  
device, skimming device, or  
reencoder.





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124	<u>817.625(2)(c)</u>	<u>3rd</u>	<u>Possess, sell, or deliver</u> <u>skimming device.</u>
125	828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
126	837.02(1)	3rd	Perjury in official proceedings.
127	837.021(1)	3rd	Make contradictory statements in official proceedings.
128	838.022	3rd	Official misconduct.
129	839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
130	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Families.
131			

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132	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
133	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
34	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
135	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
136	874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.
	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).



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137	914.14(2)	3rd	Witnesses accepting bribes.
138	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
139	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
140	918.12	3rd	Tampering with jurors.
141	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
142			
143	(e)	LEVEL 5	
144			
	Florida	Felony	
	Statute	Degree	Description
145	316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.



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146	316.1935(4) (a)	2nd	Aggravated fleeing or eluding.
147	316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
148	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
149	327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
150	379.365(2) (c)1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or



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reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.

151

379.367(4) 3rd Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

152

379.407(5)(b)3. 3rd Possession of 100 or more undersized spiny lobsters.

153

381.0041(11)(b) 3rd Donate blood, plasma, or organs knowing HIV positive.

154

440.10(1)(g) 2nd Failure to obtain workers' compensation coverage.

155

440.105(5) 2nd Unlawful solicitation for the purpose of making workers' compensation claims.

156

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157	440.381(2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
	624.401(4)(b)2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
158	626.902(1)(c)	2nd	Representing an unauthorized insurer; repeat offender.
159	790.01(2)	3rd	Carrying a concealed firearm.
160	790.162	2nd	Threat to throw or discharge destructive device.
161	790.163(1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
162	790.221(1)	2nd	Possession of short-barreled

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shotgun or machine gun.

163

790.23                    2nd    Felons in possession of  
firearms, ammunition, or  
electronic weapons or devices.

164

796.05(1)                2nd    Live on earnings of a  
prostitute; 1st offense.

165

800.04(6)(c)            3rd    Lewd or lascivious conduct;  
offender less than 18 years of  
age.

166

800.04(7)(b)            2nd    Lewd or lascivious exhibition;  
offender 18 years of age or  
older.

167

806.111(1)              3rd    Possess, manufacture, or  
dispense fire bomb with intent  
to damage any structure or  
property.

168

812.0145(2)(b)         2nd    Theft from person 65 years of  
age or older; \$10,000 or more  
but less than \$50,000.



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169	812.015(8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
170	812.019(1)	2nd	Stolen property; dealing in or trafficking in.
171	812.131(2)(b)	3rd	Robbery by sudden snatching.
172	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
73	817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
174	817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
175	817.2341(1), (2)(a) & (3)(a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the





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solvency of an insuring entity.

176

817.568(2)(b) 2nd Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.

177

817.611(2)(a) 2nd Traffic in or possess 5 to 14 counterfeit credit cards or related documents.

178

817.625(2)(b) 2nd Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.

179

825.1025(4) 3rd Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

180

827.071(4) 2nd Possess with intent to promote

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any photographic material,  
motion picture, etc., which  
includes sexual conduct by a  
child.

181

827.071(5)                    3rd    Possess, control, or  
intentionally view any  
photographic material, motion  
picture, etc., which includes  
sexual conduct by a child.

182

839.13(2)(b)                2nd    Falsifying records of an  
individual in the care and  
custody of a state agency  
involving great bodily harm or  
death.

183

843.01                        3rd    Resist officer with violence to  
person; resist arrest with  
violence.

184

847.0135(5)(b)            2nd    Lewd or lascivious exhibition  
using computer; offender 18  
years or older.

185



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186	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
187	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
188	874.05(1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
189	874.05(2)(a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
190	893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
	893.13(1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1.,



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(2)(c)2., (2)(c)3., (2)(c)5.,  
(2)(c)6., (2)(c)7., (2)(c)8.,  
(2)(c)9., (3), or (4) drugs)  
within 1,000 feet of a child  
care facility, school, or  
state, county, or municipal  
park or publicly owned  
recreational facility or  
community center.

191

893.13(1)(d)1.            1st    Sell, manufacture, or deliver  
cocaine (or other s.  
893.03(1)(a), (1)(b), (1)(d),  
(2)(a), (2)(b), or (2)(c)4.  
drugs) within 1,000 feet of  
university.

192

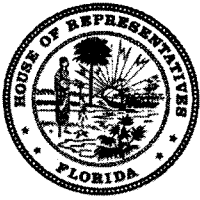
893.13(1)(e)2.            2nd    Sell, manufacture, or deliver  
cannabis or other drug  
prohibited under s.  
893.03(1)(c), (2)(c)1.,  
(2)(c)2., (2)(c)3., (2)(c)5.,  
(2)(c)6., (2)(c)7., (2)(c)8.,  
(2)(c)9., (3), or (4) within  
1,000 feet of property used for





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203 An act relating to payment card offenses; amending s.  
204 817.625, F.S.; revising definitions; revising  
205 terminology; revising the offenses of using a scanning  
206 device or reencoder with the intent to defraud;  
207 prohibiting the use of a skimming device with intent  
208 to defraud; prohibiting the possession, sale, or  
209 delivery of a skimming device; providing criminal  
210 penalties; amending s. 921.0022, F.S.; conforming  
211 provisions to changes made by the act; providing an  
212 effective date.



### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD



Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/>	Bill	<input type="checkbox"/>	Amendment
Bill/PCS/PCB Number: <u>343</u>			
Amendment Number: _____			

Name: John Andrew Barclay

Representing: Myself

Title: Mr.

Address: 5981 SE 4<sup>th</sup> Pl

City: Ocala State/Zip: FL 34472

Phone Number: 352-777-6218 Meeting Date: 3-20-17

Committee/Subcommittee: Criminal Justice Subcommittee

Presentation/Workshop Topic: Payment Card Offenses

Registered Lobbyist: YES  NO

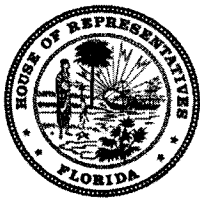
State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

WLS ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>343</u>	
Amendment Number: _____	

Name: Matt Dumagan

Representing: Florida Sheriffs Association

Title: Deputy Director

Address: 2617 Mahan Drive

City: Tallahassee State/Zip: FL 32308

Phone Number: 878-2176 Meeting Date: 3/21/17

Committee/Subcommittee: Criminal Justice

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

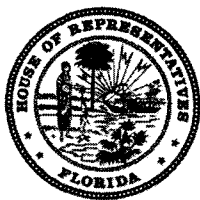
(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only







COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>343</u>	
Amendment Number: _____	

Name: Chief Argatha Gilmore

Representing: The Florida Police Chiefs Association

Title: Chief of Police

Address: 2636 Mitcham Drive

City: Tallahassee State/Zip: FL 32308

Phone Number: 850-219-3631 Meeting Date: March 21, 2017

Committee/Subcommittee: Criminal Justice

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

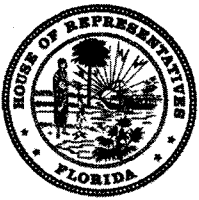
State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.



<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>343</u>	
Amendment Number: _____	

Name: Samantha Padgett

Representing: Florida Retail Federation

Title: VP & General Counsel

Address: 227 S. Adams St.

City: Tallahassee State/Zip: FL 32301

Phone Number: 227-4062 Meeting Date: 3/21/17

Committee/Subcommittee: Criminal Justice

Presentation/Workshop Topic: Payment Card Offenses

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only

# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

Location: Sumner Hall (404 HOB)

HB 457 : Terrorism and Terrorist Activities

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ramon Alexander	X				
Thad Altman	X				
Dane Eagle	X				
Julio Gonzalez	X				
James Grant			X		
Gayle Harrell				X	
Chris Latvala	X				
Jared Moskowitz			X		
Sharon Pritchett				X	
Daniel Raulerson			X		
David Richardson			X		
Bob Rommel	X				
Emily Slosberg	X				
Jennifer Sullivan	X				
Ross Spano (Chair)	X				
<b>Total Yeas: 9</b>		<b>Total Nays: 0</b>			

### Appearances:

Gilmore, Argatha - Waive In Support  
The Florida Police Chiefs Association  
Chief of Police  
2636 Mitcham Drive  
Tallahassee FL 32308  
Phone: 850-279-3631

Dunagan, Matthew (Lobbyist) - Waive In Support  
Florida Sheriffs Association  
Deputy Director  
2617 Mahan Dr  
Tallahassee FL 32308  
Phone: (850) 877-2165

Jones, Jason (Lobbyist) - Waive In Support  
Florida Department of Law Enforcement  
General Counsel  
PO Box 1489  
Tallahassee FL 32302-1489  
Phone: (850) 410-7676

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM





32950158

W/S ✓



### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee administrative assistant at the meeting.

<input checked="" type="checkbox"/> Bill <input type="checkbox"/> Amendment Bill Number: <b>HB 457 : Terrorism and Terrorist Activities</b> PCB/PCS/Amendment #: <b>N/A</b>
---

Name: **Dunagan, Matt**

---

Representing: **Florida Sheriffs Association**

---

Title: **Deputy Director**

---

Address: **2617 Mahan Drive**

---

City: **Tallahassee**                      State/Zip: **FL 32308**

---

Phone Number: **850-877-2165**                      Meeting Date: **Mar 21 2017 12:30PM**

---

Committee/Subcommittee: **Criminal Justice Subcommittee**

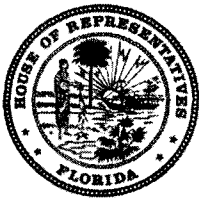
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Presentation/Workshop Topic: **N/A**

---

- Registered Lobbyist
- State Employee
- I Wish To Speak
- Appearing in response to subpoena
- Appearing in response to an inquiry for information made by member, committee or staff
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance Form Submitted

<u>Bill</u>
<b>Proponent</b>
<u>Amendment</u>
N/A



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/>	Bill	<input type="checkbox"/>	Amendment
Bill/PCS/PCB Number:		457	
Amendment Number:		_____	

Name: JASON JONES

Representing: FDLE

Title: GENERAL COUNSEL

Address: P.O. BOX 1489

City: TALLAHASSEE State/Zip: FL 32302

Phone Number: 850 410-7676 Meeting Date: 3/21/17

Committee/Subcommittee: CRIMINAL JUSTICE

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

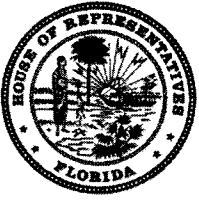
State Employee: YES  NO

- I wish to speak WAIVE
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>457</u>	
Amendment Number: _____	

Name: Chief Argatha Gilmore

Representing: The Florida Police Chiefs Association

Title: Chief of Police

Address: 2636 Mitcham Dr

City: Tallahassee State/Zip: FL 32308

Phone Number: 850-219-3631 Meeting Date: March 21, 2017

Committee/Subcommittee: Criminal Justice

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

Location: Sumner Hall (404 HOB)

CS/HB 807 : Marketing Practices for Substance Abuse Services

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ramon Alexander	X				
Thad Altman	X				
Dane Eagle	X				
Julio Gonzalez	X				
James Grant			X		
Gayle Harrell	X				
Chris Latvala	X				
Jared Moskowitz			X		
Sharon Pritchett	X				
Daniel Raulerson			X		
David Richardson	X				
Bob Rommel	X				
Emily Slosberg	X				
Jennifer Sullivan			X		
Ross Spano (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

### Appearances:

Fontaine, Mark (Lobbyist) - Proponent

Florida Alcohol  
Executive Director  
2868 Mahan Dr Ste 1  
Tallahassee FL 32308  
Phone: (850)878-2196

McGarry, Neal (Lobbyist) - Waive In Support

Florida Certification Board  
CEO  
1715 S Gadsden St  
Tallahassee FL 32301  
Phone: (850) 222-6314

Bishop, Barney (Lobbyist) - Waive In Support

Florida Smart Justice Alliance  
204 S Monroe St Ste 201  
Tallahassee FL 32301  
Phone: (850) 907-3436

Martin, Shannon - Proponent

City of Port St. Lucie  
Vice Mayor  
121 SW PSL Blvd.  
Port St. Lucie FL  
Phone: 772-871-5159

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM

# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

**Location:** Sumner Hall (404 HOB)

**CS/HB 807 : Marketing Practices for Substance Abuse Services (continued)**

**Appearances: (continued)**

Hagan, Christopher (Lobbyist) - Waive In Support  
Association of Public Safety Communications Officials  
50 N Laura St Suite 3100  
Jacksonville FL 32202  
Phone: (904) 598-8631

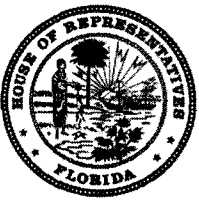
Aronberg, Dave (State Employee) - Proponent  
State Attorney, 15th Judicial Circuit  
401 N Dixie Hwy  
West Palm Beach FL 33401  
Phone: 561-355-4100

Johnson, Alan (Lobbyist) - Waive In Support  
State Attorney's Office 15th Circuit  
Chief Assistant  
401 N Dixie Hwy 401 North Dixie Highway  
West Palm Beach FL 33401  
Phone: (561) 355-7265

Glickstein, Cary - Proponent  
The City of Delray Beach  
Mayor  
City Hall 100 NW 1st Ave.  
Delray Beach FL 33444  
Phone: 561-243-7015

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM





COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: _____	807
Amendment Number: _____	

Name: MARK FONTAINE

Representing: FLORIDA ALCOHOL + DRUG ABUSE ASSOCIATION

Title: EXECUTIVE DIRECTOR

Address: 2868 MAHAM DRIVE

City: DALLOHASSEE State/Zip: 32308

Phone Number: 878-2196 Meeting Date: 3-21-17

Committee/Subcommittee: CRIMINAL JUSTICE

Presentation/Workshop Topic: MARKETING

Registered Lobbyist: YES  NO

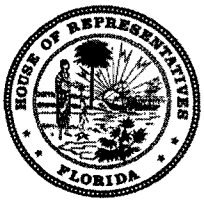
State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/>	Bill	<input type="checkbox"/>	Amendment
Bill/PCS/PCB Number: <u>HB 807</u>		Amendment Number: _____	

Name: Neal McGarry

Representing: Florida Certification Board

Title: CEO

Address: 1715 S. Gadsden

City: Tallahassee State/Zip: FL 32301

Phone Number: 222-6314 Meeting Date: \_\_\_\_\_

Committee/Subcommittee: \_\_\_\_\_

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

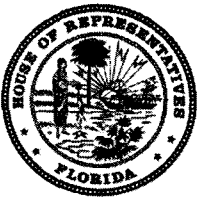
State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

**Bill:** Proponent  Opponent  Info only

**Amendment:** Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S



Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>807</u>	
Amendment Number: _____	

Name: Barney Bishop

Representing: Fla. Smart Justice Alliance

Title: Pres & CEO

Address: 204 S. Monroe

City: Tall State/Zip: FL 32301

Phone Number: 850.510.9922 Meeting Date: 21 Mch 17

Committee/Subcommittee: CJ

Presentation/Workshop Topic: Recovery Residences

Registered Lobbyist: YES  NO

State Employee: YES  NO

*Waive in support*

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>CS/HB 807</u>	
Amendment Number: <u>—</u>	

Name: Shannon Martin

Representing: City of Port St. Lucie

Title: Vice Mayor

Address: 121 SW PSC Blvd

City: Port St Lucie State/Zip: FL

Phone Number: 772 871-5159 Meeting Date: \_\_\_\_\_

Committee/Subcommittee: \_\_\_\_\_

Presentation/Workshop Topic: Sober Homes

Registered Lobbyist: YES  NO

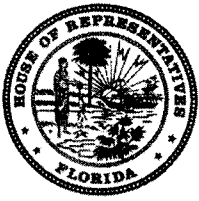
State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>HB 807</u>	
Amendment Number: _____	

Name: CHRIS HAGAN

Representing: CITY OF LAKE WORTH

Title: PUBLIC POLICY CONSULTANT

Address: 1060 E COLLEGE AVE.

City: TALAHASSEE State/Zip: FL

Phone Number: (850) 224-9634 Meeting Date: 3/21/17

Committee/Subcommittee: CRIMINAL JUSTICE SUBCOMMITTEE

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

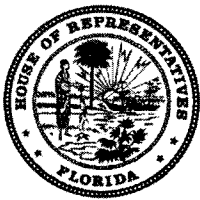
- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only





# COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD



Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

*Handwritten scribbles*

<input type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: _____	
Amendment Number: _____	

Name: Dave Aronberg

Representing: State Attorney's Office / FRAA

Title: State Attorney, 15<sup>th</sup> Judicial Circuit

Address: 401 N. Dixie Hwy

City: WPB State/Zip: FL/33401

Phone Number: 561-355-7246 Meeting Date: 3/21/17

Committee/Subcommittee: Criminal Justice Subcommittee

Presentation/Workshop Topic: HB 807

Registered Lobbyist: YES  NO

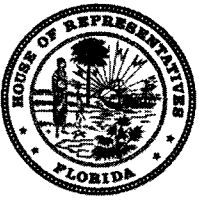
State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>HB 807</u>	
Amendment Number: _____	

Name: Alan Johnson

Representing: Office of the State Attorney 15<sup>th</sup> circuit

Title: Chief Assistant

Address: 401 N. Dixie HW

City: West Palm Beach State/Zip: FL 33401

Phone Number: 561 355 7268 Meeting Date: \_\_\_\_\_

Committee/Subcommittee: Criminal Justice

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



71186750



### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee administrative assistant at the meeting.

<input checked="" type="checkbox"/> Bill <input type="checkbox"/> Amendment Bill Number: <b>CS/HB 807 : Marketing Practices for Substance Abuse Services</b> PCB/PCS/Amendment #: <b>N/A</b>
--

Name: **Glickstein, Cary**

---

Representing: **The City of Delray Beach**

---

Title: **Mayor of Delray Beach**

---

Address: **City Hall, 100 N.W. 1st Ave.**

---

City: **Delray Beach** State/Zip: **FL 33444**

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Phone Number: **5612437015** Meeting Date: **Mar 21 2017 12:30PM**

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Committee/Subcommittee: **Criminal Justice Subcommittee**

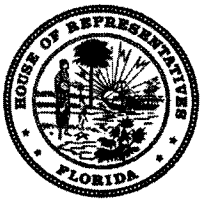
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Presentation/Workshop Topic: **N/A**

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- Registered Lobbyist
- State Employee
- I Wish To Speak
- Appearing in response to subpoena
- Appearing in response to an inquiry for information made by member, committee or staff
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance Form Submitted

<u>Bill</u>
<b>Proponent</b>
<u>Amendment</u>
<b>N/A</b>



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

NOT AT MTG

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>807</u>	
Amendment Number: _____	

Name: LISA HURLEY

Representing: FLORIDA ASSOC. OF COUNTIES

Title: \_\_\_\_\_

Address: 301 E. PARK AVE

City: TALLAHASSEE State/Zip: 32301

Phone Number: 850.224.5081 Meeting Date: 3/21/17

Committee/Subcommittee: CRIMINAL JUSTICE

Presentation/Workshop Topic: MARKETING PRACTICES FOR SUBSTANCE

Registered Lobbyist: YES  NO  APPOSE SERVICES

State Employee: YES  NO

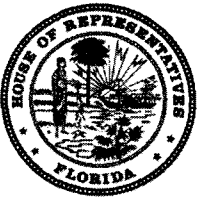
\*  I wish to speak WAIVE IN SUPPORT

- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

NOT AT MEETING

Bill       Amendment

Bill/PCS/PCB Number: 807 Sober Homes

Amendment Number: \_\_\_\_\_

Name: Rebecca DeLaRosa

Representing: Palm Beach County

Title: Legislative Affairs Director

Address: 301 N Olive Av., 1101

City: West Palm Beach      State/Zip: FL 33401

Phone Number: 850 284-7235      Meeting Date: \_\_\_\_\_

Committee/Subcommittee: Criminal Justice

Presentation/Workshop Topic: Marketing- Sober Homes

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only

# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

Location: Sumner Hall (404 HOB)

HB 1031 : Marine Turtle Protection

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ramon Alexander	X				
Thad Altman	X				
Dane Eagle	X				
Julio Gonzalez			X		
James Grant			X		
Gayle Harrell	X				
Chris Latvala			X		
Jared Moskowitz			X		
Sharon Pritchett				X	
Daniel Raulerson			X		
David Richardson			X		
Bob Rommel	X				
Emily Slosberg	X				
Jennifer Sullivan	X				
Ross Spano (Chair)	X				
	<b>Total Yeas: 8</b>	<b>Total Nays: 0</b>			

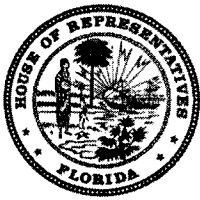
### Appearances:

Crawford, Jessica (Lobbyist) - Waive In Support  
Florida Fish and Wildlife Conservation Commission  
620 S Meridian St  
Tallahassee FL 32399-6543  
Phone: (850) 487-3795

Moore, Travis (Lobbyist) - Waive In Support  
Defenders of Wildlife  
P.O. Box 2020  
St Petersburg FL 33731-2020  
Phone: (727) 421-6902

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM





COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

WIS

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/>	Bill	<input type="checkbox"/>	Amendment
Bill/PCS/PCB Number: <u>1031</u>		Amendment Number: _____	

Name: Jessica Crawford

Representing: Fish & Wildlife Conservation Commission

Title: Legislative Affairs Director

Address: 620 S. Meridian Street

City: Tallahassee State/Zip: FL/32399

Phone Number: 850-251-2734 Meeting Date: 3/21/17

Committee/Subcommittee: Criminal Justice Subcommittee

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

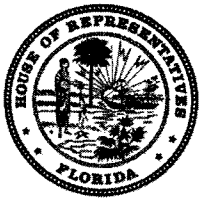
- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only





COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>1031</u>	
Amendment Number: _____	

Name: TRAVIS Moore

Representing: Defenders of Wildlife and Animal Legal Defense Fund

Title: \_\_\_\_\_

Address: P.O. Box 2020

City: St. Petersburg State/Zip: FL 33731

Phone Number: 727.421-6902 Meeting Date: 3/21/17

Committee/Subcommittee: Criminal Justice

Presentation/Workshop Topic: marine Turtles

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only

# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

Location: Sumner Hall (404 HOB)

HB 1201 : Department of Corrections

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ramon Alexander	X				
Thad Altman	X				
Dane Eagle	X				
Julio Gonzalez	X				
James Grant			X		
Gayle Harrell				X	
Chris Latvala	X				
Jared Moskowitz			X		
Sharon Pritchett				X	
Daniel Raulerson			X		
David Richardson			X		
Bob Rommel	X				
Emily Slosberg	X				
Jennifer Sullivan	X				
Ross Spano (Chair)	X				
<b>Total Yeas: 9</b>		<b>Total Nays: 0</b>			

### HB 1201 Amendments

#### Amendment 410793

Adopted

#### Amendment 628857

Withdrawn

### Appearances:

Jones, Jason (Lobbyist) (State Employee) - Waive In Support  
Florida Department of Law Enforcement  
General Counsel  
PO Box 1489  
Tallahassee FL 32302-1489  
Phone: (850) 410-7676

Torres, Jared (Lobbyist) (State Employee) - Proponent  
Department of Corrections  
Legislative Affairs Director  
501 S. Calhoun Street  
Tallahassee FL 32399  
Phone: (850) 717-3045

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM

# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

**Location:** Sumner Hall (404 HOB)

**HB 1201 : Department of Corrections (continued)**

**Appearances: (continued)**

Walters, Wansley (Lobbyist) - Waive In Support

G4 S Secure Solutions

403 E Park Ave

Tallahassee FL 32301

Phone: (850) 577-0444

Bishop, Barney (Lobbyist) - Waive In Support

Florida Smart Justice Alliance

204 S Monroe St Ste 201

Tallahassee FL 32301

Phone: (850) 907-3436

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM





Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Criminal Justice  
 2 Subcommittee

3 Representative Gonzalez offered the following:

4

5 **Amendment (with title amendment)**

6 Remove line 305 and insert:

7 educational attainment pursuant to this section. An inmate who  
 8 is subject to subparagraph (b)3. may not earn or receive gain-  
 9 time under this paragraph or any other type of gain-time in an  
 10 amount that would cause a sentence to expire, end, or terminate,  
 11 or that would result in a prisoner's release, prior to serving a  
 12 minimum of 85 percent of the sentence imposed.

13

14

15

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

16

Remove line 31 and insert:

628857 - h1201-line 305.docx

Published On: 3/20/2017 3:57:34 PM



Amendment No. 1

17 | incentive gain-time by the department; providing that gain-time  
18 | may not result in a prisoner serving less than 85 percent of his  
19 | or her sentence; amending s.



Amendment No. 2

<u>COMMITTEE/SUBCOMMITTEE ACTION</u>	
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 Committee/Subcommittee hearing bill: Criminal Justice  
 2 Subcommittee

3 Representative Gonzalez offered the following:

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

6 Remove lines 292-305 and insert:

7 Section 5. Paragraphs (b) and (d) of subsection (4) of  
 8 section 944.275, Florida Statutes, are amended, and paragraph  
 9 (f) of subsection (4) is added, to read:

10 944.275 Gain-time.—

11 (4)

12 (b) For each month in which an inmate works diligently,  
 13 participates in training, uses time constructively, or otherwise  
 14 engages in positive activities, the department may grant  
 15 incentive gain-time in accordance with this paragraph. The rate  
 16 of incentive gain-time in effect on the date the inmate



Amendment No. 2

17 committed the offense which resulted in his or her incarceration  
18 shall be the inmate's rate of eligibility to earn incentive  
19 gain-time throughout the period of incarceration and shall not  
20 be altered by a subsequent change in the severity level of the  
21 offense for which the inmate was sentenced.

22 1. For sentences imposed for offenses committed prior to  
23 January 1, 1994, up to 20 days of incentive gain-time may be  
24 granted. If granted, such gain-time shall be credited and  
25 applied monthly.

26 2. For sentences imposed for offenses committed on or after  
27 January 1, 1994, and before October 1, 1995:

28 a. For offenses ranked in offense severity levels 1 through  
29 7, under former s. 921.0012 or former s. 921.0013, up to 25 days  
30 of incentive gain-time may be granted. If granted, such gain-  
31 time shall be credited and applied monthly.

32 b. For offenses ranked in offense severity levels 8, 9, and  
33 10, under former s. 921.0012 or former s. 921.0013, up to 20  
34 days of incentive gain-time may be granted. If granted, such  
35 gain-time shall be credited and applied monthly.

36 3. For sentences imposed for offenses committed on or after  
37 October 1, 1995, the department may grant up to 10 days per  
38 month of incentive gain-time, ~~except that no prisoner is~~  
39 ~~eligible to earn any type of gain-time in an amount that would~~  
40 ~~cause a sentence to expire, end, or terminate, or that would~~  
41 ~~result in a prisoner's release, prior to serving a minimum of 85~~  
42 ~~percent of the sentence imposed. For purposes of this~~





Amendment No. 2

43 ~~subparagraph, credits awarded by the court for time physically~~  
44 ~~incarcerated shall be credited toward satisfaction of 85 percent~~  
45 ~~of the sentence imposed. Except as provided by this section, a~~  
46 ~~prisoner shall not accumulate further gain-time awards at any~~  
47 ~~point when the tentative release date is the same as that date~~  
48 ~~at which the prisoner will have served 85 percent of the~~  
49 ~~sentence imposed. State prisoners sentenced to life imprisonment~~  
50 ~~shall be incarcerated for the rest of their natural lives,~~  
51 ~~unless granted pardon or clemency.~~

52 (d) Notwithstanding the monthly maximum awards of incentive  
53 gain-time under subparagraphs (b)1., and 2., and 3., the  
54 education program manager shall recommend, and the Department of  
55 Corrections may grant, a one-time award of 60 additional days of  
56 incentive gain-time to an inmate who is otherwise eligible and  
57 who successfully completes requirements for and is, or has been  
58 during the current commitment, awarded a high school equivalency  
59 diploma or vocational certificate. Under no circumstances may an  
60 inmate receive more than 60 days for educational attainment  
61 pursuant to this section.

62 (f) An inmate who is subject to subparagraph (b)3., is not  
63 eligible to earn or receive gain-time under paragraph (a), (b),  
64 (c), or (d) or any other type of gain-time in an amount that  
65 would cause a sentence to expire, end, or terminate, or that  
66 would result in a prisoner's release, prior to serving a minimum  
67 of 85 percent of the sentence imposed. For purposes of this  
68 paragraph, credits awarded by the court for time physically



Amendment No. 2

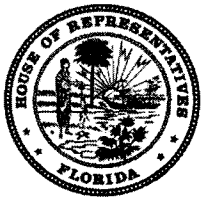
69 incarcerated shall be credited toward satisfaction of 85 percent  
70 of the sentence imposed. Except as provided by this section, a  
71 prisoner shall not accumulate further gain-time awards at any  
72 point when the tentative release date is the same as that date  
73 at which the prisoner will have served 85 percent of the  
74 sentence imposed. State prisoners sentenced to life imprisonment  
75 shall be incarcerated for the rest of their natural lives,  
76 unless granted pardon or clemency.  
77

78 -----

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

80 Remove line 31 and insert:

81 incentive gain-time by the department; clarifying when gain-time  
82 can be earned; amending s.



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

w/s ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>1201</u>	
Amendment Number: _____	

Name: JASON JONES

Representing: FDLE

Title: GENERAL COUNSEL

Address: P.O. BOX 1489

City: TALLAHASSEE State/Zip: FL 32302

Phone Number: 850 410-7676 Meeting Date: 3/21/17

Committee/Subcommittee: CRIMINAL JUSTICE

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

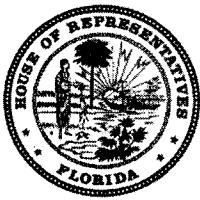
State Employee: YES  NO

- I wish to speak WAIVE
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD



Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>HB 1201</u>	
Amendment Number: _____	

Name: Jared Torres

Representing: Department of Corrections

Title: Legislative Affairs ~~Director~~ Director

Address: 501 S. Calhoun St

City: Tall State/Zip: FL 32399

Phone Number: 777-3045 Meeting Date: 3/21

Committee/Subcommittee: House Criminal Justice Subcom.

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

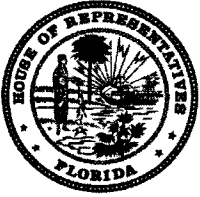
State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



W/S ✓

### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee Administrative Assistant at the meeting.

Type or Print Clearly

Bill Number: 1201 Meeting Date: 3/21/17

Fill in appropriate information:  
PCB/PCS/Amendment # or  
Presentation/Workshop Topic: Dep of Corrections  
~~Criminal Justice Sub~~

Committee/Subcommittee: Criminal Justice Sub.

Name: Wansley Walters

Title: \_\_\_\_\_

Address: 403 E Park Avenue

City: Tallahassee State/Zip: FL 32301

Phone Number: 577-0444

Representing: G4S Secure Solutions

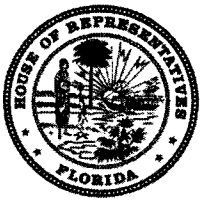
Registered Lobbyist: YES  NO

State Employee: YES  NO

I Wish To Speak: YES  NO

I Have Been Requested to Speak: YES  NO

Bill		Amendment	
Proponent <input checked="" type="checkbox"/>	Opponent <input type="checkbox"/>	Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>
Info Only <input type="checkbox"/>		Info Only <input type="checkbox"/>	



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill       Amendment

Bill/PCS/PCB Number: 1201

Amendment Number: \_\_\_\_\_

Name: Barney Bishop

Representing: Fla. Smart Justice Alliance

Title: Pres & CEO

Address: 204 S. Monroe

City: Tall      State/Zip: FL 32301

Phone Number: 850.510.9922      Meeting Date: 21 Mch 17

Committee/Subcommittee: CJ

Presentation/Workshop Topic: Dept. of Corrections

Registered Lobbyist: YES  NO

State Employee: YES  NO

*Waive in support*

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only

# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

Location: Sumner Hall (404 HOB)

HB 1203 : Pub. Rec./DOC/Health Information

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ramon Alexander	X				
Thad Altman	X				
Dane Eagle	X				
Julio Gonzalez	X				
James Grant			X		
Gayle Harrell				X	
Chris Latvala	X				
Jared Moskowitz			X		
Sharon Pritchett				X	
Daniel Raulerson			X		
David Richardson	X				
Bob Rommel	X				
Emily Slosberg	X				
Jennifer Sullivan	X				
Ross Spano (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

### Appearances:

Torres, Jared (Lobbyist) (State Employee) - Waive In Support  
Department of Corrections  
Legislative Affairs Director  
501 S. Calhoun St.  
Tallahassee FL 32399  
Phone: 850-717-3045

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

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM







COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

(Waive IN support.)

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>HB 1203</u>	
Amendment Number: _____	

Name: Jared Torres

Representing: Department of Corrections

Title: Legislative Affairs Director

Address: 501 S. Calhoun St

City: Tall. State/Zip: FL 32399

Phone Number: 77-3045 Meeting Date: 3/23

Committee/Subcommittee: House Criminal Justice Subcom

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>1203</u>	
Amendment Number: _____	

Name: Barney Bishop

Representing: Fla. Smart Justice Alliance

Title: Pres & CEO

Address: 204 S. Monroe

City: Tall State/Zip: FL 32301

Phone Number: 850.510.9922 Meeting Date: 21 Mch 17

Committee/Subcommittee: Public Records - Dept. of Corrections

Presentation/Workshop Topic: CJ

Registered Lobbyist: YES  NO

State Employee: YES  NO

Waiver in Support

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

**Bill:** Proponent  Opponent  Info only

**Amendment:** Proponent  Opponent  Info only

# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

Location: Sumner Hall (404 HOB)

HB 1385 : Domestic Violence

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ramon Alexander	X				
Thad Altman	X				
Dane Eagle	X				
Julio Gonzalez	X				
James Grant			X		
Gayle Harrell				X	
Chris Latvala	X				
Jared Moskowitz			X		
Sharon Pritchett	X				
Daniel Raulerson			X		
David Richardson			X		
Bob Rommel	X				
Emily Slosberg	X				
Jennifer Sullivan			X		
Ross Spano (Chair)	X				
<b>Total Yeas: 9</b>		<b>Total Nays: 0</b>			

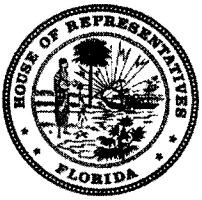
### Appearances:

Wiseman, Leisa (Lobbyist) - Waive In Support  
Florida Coalition Against Domestic Violence  
425 Office Plz 425 Office Plaza Dr  
Tallahassee FL 32301-2756  
Phone: (850) 425-2749

McCarty, Jess (Lobbyist) - Waive In Support  
Miami-Dade County  
Assistant County Attorney  
111 NW First St Ste 2800  
Miami FL 33128-1930  
Phone: (305) 375-1634

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM





COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>1385</u>	
Amendment Number: _____	

Name: Leisa Wiseman

Representing: Florida Coalition Against Domestic Violence

Title: Director, Communications & Government Affairs

Address: 425 office Plaza Drive

City: Tallahassee State/Zip: FL/32301

Phone Number: 850/425-2749 Meeting Date: 3/21/17

Committee/Subcommittee: Criminal Justice Subcommittee

Presentation/Workshop Topic: Domestic Violence

Registered Lobbyist: YES  NO

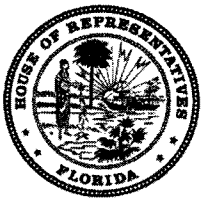
State Employee: YES  NO

- I wish to speak gain in support
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

w/s ✓

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>1385</u>	
Amendment Number: _____	

Name: JESS McCARTY

Representing: MIAMI-DADE COUNTY

Title: ASSISTANT COUNTY ATTORNEY

Address: 111 NW 1<sup>ST</sup> ST 2810

City: MIAMI

State/Zip: 33128

Phone Number: 305-979-7110

Meeting Date: 3-21-17

Committee/Subcommittee: \_\_\_\_\_

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only

# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

Location: Sumner Hall (404 HOB)

### HB 1429 : Child Predators

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ramon Alexander	X				
Thad Altman	X				
Dane Eagle	X				
Julio Gonzalez			X		
James Grant			X		
Gayle Harrell	X				
Chris Latvala	X				
Jared Moskowitz			X		
Sharon Pritchett				X	
Daniel Raulerson			X		
David Richardson			X		
Bob Rommel	X				
Emily Slosberg	X				
Jennifer Sullivan	X				
Ross Spano (Chair)	X				
<b>Total Yeas: 9</b>		<b>Total Nays: 0</b>			

### HB 1429 Amendments

#### Amendment 336583

Adopted

### Appearances:

Johnson, CJ - Proponent  
Community Champions  
Deputy General Counsel  
2725 Center Pl.  
Melbourne FL 32940  
Phone: 321-501-9903

Bishop, Barney (Lobbyist) - Information Only  
Florida Smart Justice Alliance  
204 S Monroe St Ste 201  
Tallahassee FL 32301  
Phone: (850) 907-3436

Lt. Vitaliano & Agent Spadafora - Proponent  
Brevard County Sheriffs Office  
Lt. & Agent  
700 S. Park Ave.  
Titusville FL 32780  
Phone: 321-264-5201

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM







Amendment No. 1

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: Criminal Justice

2 Subcommittee

3 Representative Harrison offered the following:

4  
5 **Amendment**

6 Remove lines 28-208 and insert:

7 (a) "Child" means a person who is less than 18 years of  
8 age.

9 (b) "Criminal justice agency" means a law enforcement  
10 agency, court, or prosecutor in this state.

11 (c) "Sexual exploitation or abuse of a child" means a  
12 criminal offense based on any conduct described in s. 39.01(70).

13 (d) "Sexual offender" means a person who meets the  
14 criteria provided in s. 943.0435(1)(h)1.a.(I) and was convicted  
15 of at least one qualifying offense that involved a victim who  
16 was a child at the time of the offense.



Amendment No. 1

- 17        (2) (a) AUTHORIZATION.—In any investigation of:  
18        1. An offense involving the sexual exploitation or abuse  
19 of a child;  
20        2. A sexual offense allegedly committed by a sexual  
21 offender who has not registered as required under s. 775.21; or  
22        3. An offense under chapter 847 involving a child victim  
23 which is not otherwise included in subparagraph 1. or  
24 subparagraph 2.,  
25  
26 a criminal justice agency may issue in writing and cause to be  
27 served a subpoena requiring the production of any record,  
28 object, or other information or testimony described in paragraph  
29 (b).  
30        (b) A subpoena issued under this section may require:  
31        1. The production of any record, object, or other  
32 information relevant to the investigation.  
33        2. Testimony by the custodian of the record, object, or  
34 other information concerning its production and authenticity.  
35        (c) A subpoena issued under this section with respect to a  
36 provider of electronic communications services or remote  
37 computing services shall not extend beyond:  
38        1. Requiring the provider to disclose any record, object,  
39 or other information that may be relevant to the investigation;  
40 or  
41        2. Requiring a custodian of the record, object, or other

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Published On: 3/20/2017 5:23:03 PM



Amendment No. 1

42 information of such provider to testify concerning its  
43 production and authenticity.

44 (3) CONTENTS OF SUBPOENAS.—A subpoena issued under this  
45 section shall describe any record, object, or other information  
46 required to be produced and prescribe a reasonable return date  
47 within which the record, object, or other information can be  
48 assembled and made available.

49 (4) WITNESS EXPENSES.—Witnesses subpoenaed under this  
50 section shall be reimbursed for fees and mileage at the same  
51 rate at which witnesses in the courts of this state are  
52 reimbursed.

53 (5) PETITIONS BEFORE RETURN DATE.—At any time before the  
54 return date specified in the subpoena, the person or entity  
55 summoned may, in the circuit court of the county in which that  
56 person or entity conducts business or resides, petition for an  
57 order modifying or setting aside the subpoena or the requirement  
58 for nondisclosure of certain information under subsection (6).

59 (6) NONDISCLOSURE.—

60 (a)1. If a subpoena issued under this section is  
61 accompanied by a written certification under subparagraph 2. and  
62 notice under paragraph (c), the recipient of the subpoena shall  
63 not disclose, for a period of 180 days, to any person the  
64 existence or contents of the subpoena.

65 2. The requirement in subparagraph 1. applies if the  
66 criminal justice agency that issued the subpoena certifies in



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67 writing that the disclosure may result in one or more of the  
68 following circumstances:

- 69 a. Endangering a person's life or physical safety;  
70 b. Encouraging a person's flight from prosecution;  
71 c. Destruction of or tampering with evidence;  
72 d. Intimidation of potential witnesses; or  
73 e. Otherwise seriously jeopardizing an investigation or  
74 unduly delaying a trial.

75 (b)1. A recipient of a subpoena may disclose information  
76 subject to the nondisclosure requirement in subparagraph (a)1.  
77 to:

- 78 a. A person to whom disclosure is necessary in order to  
79 comply with the subpoena;  
80 b. An attorney in order to obtain legal advice or  
81 assistance regarding the subpoena; or  
82 c. Any other person as authorized by the criminal justice  
83 agency that issued the subpoena.

84 2. A recipient of a subpoena who discloses to a person  
85 described in subparagraph 1. information subject to the  
86 nondisclosure requirement shall notify such person of the  
87 nondisclosure requirement by providing the person with a copy of  
88 the subpoena. A person to whom information is disclosed under  
89 subparagraph 1. is subject to the nondisclosure requirement in  
90 subparagraph (a)1.

91 3. At the request of the criminal justice agency that



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92 issued the subpoena, a recipient of a subpoena who discloses or  
93 intends to disclose to a person described in sub-subparagraph  
94 1.a. or sub-subparagraph 1.b. information subject to the  
95 nondisclosure requirement shall provide to the criminal justice  
96 agency the identity of the person to whom such disclosure was or  
97 will be made.

98 (c)1. The nondisclosure requirement imposed under  
99 paragraph (a) is subject to judicial review under subsection  
100 (13).

101 2. A subpoena issued under this section, in connection  
102 with which a nondisclosure requirement under paragraph (a) is  
103 imposed, shall include:

104 a. Notice of the nondisclosure requirement and  
105 availability of judicial review.

106 b. Notice that the nondisclosure requirement may subject  
107 the recipient or any person to whom the subpoena is disclosed  
108 under subparagraph 1. to contempt of court under subsection (11)  
109 for a violation of the requirement.

110 (d) The nondisclosure requirement in (a) may be extended  
111 under subsection (13).

112 (7) EXCEPTIONS TO PRODUCTION.-A subpoena issued under this  
113 section shall not require the production of anything that is  
114 protected from production under the standards applicable to a  
115 subpoena duces tecum issued by a court of this state.

116 (8) RETURN OF RECORDS AND OBJECTS.-If a case or proceeding



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117 resulting from the production of any record, object, or other  
118 information under this section does not arise within a  
119 reasonable period of time after such production, the criminal  
120 justice agency to which it was delivered shall, upon written  
121 demand made by the person producing it, return the record,  
122 object, or other information to such person, unless the record  
123 was a copy and not an original.

124 (9) TIME OF PRODUCTION.—A subpoena issued under this  
125 section may require production of any record, object, or other  
126 information as soon as possible, but the recipient of the  
127 subpoena must have at least 24 hours after he or she is served  
128 to produce the record, object, or other information.

129 (10) SERVICE.—A subpoena issued under this section may be  
130 served as provided in chapter 48.

131 (11) ENFORCEMENT.—

132 (a) If a recipient of a subpoena under this section  
133 refuses to comply with the subpoena, the criminal justice agency  
134 may invoke the aid of any circuit court described in subsection  
135 (5) or in the circuit court of the county in which the  
136 authorized investigation is being conducted. Such court may  
137 issue an order requiring the recipient of a subpoena to appear  
138 before the criminal justice agency that issued the subpoena to  
139 produce any record, object, or other information or to testify  
140 concerning the production and authenticity of the record,  
141 object, or other information.



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142           (b) Any failure to comply with an order under paragraph  
143 (a) or with a nondisclosure requirement under subsection (6) may  
144 be punished by the court as a contempt of court. All process in  
145 any such case may be served in any county in which such person  
146 may be found.

147           (12) IMMUNITY.—Notwithstanding any other law, any person,  
148 including any officer, agent, or employee, receiving a subpoena  
149 under this section who complies in good faith with the subpoena  
150 and produces any record, object, or other information sought is  
151 not liable in any court in this state to any customer or other  
152 person for such production or disclosure.

153           (13) JUDICIAL REVIEW OF NONDISCLOSURE REQUIREMENT.—

54           (a)1.a. If a recipient of a subpoena under this section  
155 wishes to have a court review a nondisclosure requirement under  
156 subsection (6), the recipient may notify the criminal justice  
157 agency issuing the subpoena or file a petition for judicial  
158 review in the circuit court described in subsection (5).

159           b. Within 30 days after the date on which the criminal  
160 justice agency receives the notification under sub-subparagraph  
161 a., the criminal justice agency shall apply for an order  
162 prohibiting the disclosure of the existence or contents of the  
163 subpoena. An application under this sub-subparagraph may be  
164 filed in the circuit court described in subsection (5) or in the  
165 circuit court of the county in which the authorized  
166 investigation is being conducted.



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167 c. The nondisclosure requirement shall remain in effect  
168 during the pendency of proceedings relating to the requirement.

169 d. A circuit court that receives a petition under sub-  
170 subparagraph a. or an application under sub-subparagraph b.  
171 shall rule on such petition or application as expeditiously as  
172 possible.

173 2. An application for a nondisclosure order or extension  
174 thereof or a response to a petition filed under this paragraph  
175 must include a certification from the state criminal justice  
176 agency that issued the subpoena indicating that the disclosure  
177 of such information may result in one or more of the  
178 circumstances described in subparagraph (6)(a)2.

179 3. A circuit court shall issue a nondisclosure order or  
180 extension thereof under this paragraph if it determines that  
181 there is reason to believe that disclosure of such information  
182 may result in one or more of the circumstances described in  
183 subparagraph (6)(a)2.

184 4. Upon a showing that any of the circumstances described  
185 in subparagraph (6)(a)2. continue to exist, a circuit court may  
186 issue an ex parte order extending a nondisclosure order imposed  
187 under this section for an additional 180 days. There is no limit  
188 on the number of nondisclosure extensions that may be granted  
189 under this subparagraph.

190 (b) In all proceedings under this subsection, subject to  
191 any right to an open hearing in a contempt proceeding, a circuit





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192 court must close any hearing to the extent necessary to prevent  
193 the unauthorized disclosure of a request for records, objects,  
194



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.



<input checked="" type="checkbox"/>	Bill	<input type="checkbox"/>	Amendment
Bill/PCS/PCB Number: <u>1429</u>			
Amendment Number: _____			

Name: CJ Johnson

Representing: Community Champions

Title: Deputy General Counsel

Address: 2725 Center Pl.

City: Melbourne State/Zip: FL 32940

Phone Number: 321-501-9903 Meeting Date: 3/21/17

Committee/Subcommittee: Criminal Justice Subcommittee

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

**Bill:** Proponent  Opponent  Info only

**Amendment:** Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill       Amendment

Bill/PCS/PCB Number: 1929

Amendment Number: \_\_\_\_\_

Name: Barnay Bishop

Representing: Fla. Smart Justice Alliance

Title: Pres & CEO

Address: 204 S. Monroe

City: Tall      State/Zip: FL 32301

Phone Number: 850.510.9922      Meeting Date: 21 Mch 17

Committee/Subcommittee: CJ

Presentation/Workshop Topic: Child Predators

Registered Lobbyist: YES  NO

State Employee: YES  NO

Waive  
in  
support

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
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Amendment: Proponent  Opponent  Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.



<input checked="" type="checkbox"/>	Bill	<input type="checkbox"/>	Amendment
Bill/PCS/PCB Number: <u>1429</u>			
Amendment Number: _____			

Name: Lt. Vitaliano & Agent Spadafora

Representing: Brevard County Sheriff's office

Title: Lt. & Agent

Address: 700 S. Park Ave.

City: Titusville, State/Zip: FL, 32780

Phone Number: (321)-264-5201 Meeting Date: 03/21/17

Committee/Subcommittee: Criminal Justice Subcommittee

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
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Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only

# COMMITTEE MEETING REPORT

## Criminal Justice Subcommittee

3/21/2017 12:30PM

Location: Sumner Hall (404 HOB)

PCB CRJ 17-05 : Probation and Community Control

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ramon Alexander	X				
Thad Altman	X				
Dane Eagle	X				
Julio Gonzalez			X		
James Grant			X		
Gayle Harrell	X				
Chris Latvala			X		
Jared Moskowitz			X		
Sharon Pritchett				X	
Daniel Raulerson			X		
David Richardson			X		
Bob Rommel	X				
Emily Slosberg	X				
Jennifer Sullivan	X				
Ross Spano (Chair)	X				
<b>Total Yeas: 8</b>		<b>Total Nays: 0</b>			

### Appearances:

Torres, Jared (Lobbyist) - Proponent  
Department of Corrections  
501 S. Calhoun Street  
Tallahassee FL 32399  
Phone: (850) 717-3045

Committee meeting was reported out: Tuesday, March 21, 2017 3:54PM





COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/>	Bill	<input type="checkbox"/>	Amendment
Bill/PCS/PCB Number: <u>PCB CRJ 17-05.</u>			
Amendment Number: _____			

Name: Jared Torres

Representing: Department of Corrections

Title: Legislative Affairs Director

Address: 501 S. Calhoun St

City: Tall. State/Zip: FL 32311

Phone Number: 717-3045 Meeting Date: 3/23

Committee/Subcommittee: House Criminal Justice Subcom.

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
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(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only