



Criminal Justice Subcommittee

**Tuesday 19th, 2013
9:00 AM**

404 HOB

Action Packet

**Will W. Weatherford
Speaker**

**Matt Gaetz
Chair**

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/19/2013 9:00:00AM

Location: 404 HOB

Summary:

Criminal Justice Subcommittee

Tuesday March 19, 2013 09:00 am

HB 49	Favorable With Committee Substitute Amendment 814481	Adopted Without Objection	Yeas: 13	Nays: 0
HB 731	Favorable With Committee Substitute Amendment 402229	Adopted Without Objection	Yeas: 12	Nays: 0
HB 797	Favorable		Yeas: 9	Nays: 4
HB 875	Favorable		Yeas: 12	Nays: 0
HB 915	Favorable With Committee Substitute Amendment 324683	Adopted Without Objection	Yeas: 13	Nays: 0
HB 1173	Favorable With Committee Substitute Amendment 834555	Adopted Without Objection	Yeas: 12	Nays: 0
HB 1221	Favorable		Yeas: 12	Nays: 0
HB 1325	Favorable With Committee Substitute Amendment 857803 Amendment 505733	Adopted Without Objection Adopted Without Objection	Yeas: 12	Nays: 0
HB 1327	Favorable		Yeas: 12	Nays: 0
HB 1355	Favorable With Committee Substitute Amendment 388843	Adopted Without Objection	Yeas: 13	Nays: 0

Committee meeting was reported out: Tuesday, March 19, 2013 1:23:21PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/19/2013 9:00:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Matt Gaetz (Chair)	X		
Randolph Bracy	X		
Michael Clelland	X		
Dane Eagle	X		
James Grant	X		
Gayle Harrell	X		
Charles Hood, Jr.	X		
Travis Hutson	X		
Dave Kerner	X		
Kionne McGhee	X		
Ray Pilon	X		
Irving Slosberg	X		
Charles Van Zant	X		
Totals:	13	0	0

Committee meeting was reported out: Tuesday, March 19, 2013 1:23:21PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/19/2013 9:00:00AM

Location: 404 HOB

HB 49 : Drug Paraphernalia

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 49 Amendments

Amendment 814481

Adopted Without Objection

Appearances:

Carroll, Sarah (Lobbyist) - Waive In Support
Assistant Executive Director, Florida Sheriffs Association

Hartley, Ronald (General Public) - Waive In Support
Major, Hillsborough County Sheriffs Office
2008 8th Avenue
Tampa FL 33701
Phone: (813) 247-0400

Cervone, Bill (State Employee) - Waive In Support
State Attorney, 8th Circuit
120 W. University Avenue
Gainesville FL 32601
Phone: (352) 374-3686

Lowrey, Thad (Lobbyist) - Waive In Support
Operation PAR
7720 Washington St.
Port Richey FL 34668
Phone: (727) 992-8508

Committee meeting was reported out: Tuesday, March 19, 2013 1:23:21PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

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Location: 404 HOB

HB 49 : Drug Paraphernalia (continued)

Appearances: (continued)

Fay, Andrew (Lobbyist) (State Employee) - Waive In Support
Attorney General's Office
PL 02 Plaza
Tallahassee FL 32301
Phone: (850) 245-0187

Committee meeting was reported out: Tuesday, March 19, 2013 1:23:21PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

FAVORABLE
3/19/13

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Rouson offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 569.0073, Florida Statutes, is amended
8 to read:

9 569.0073 Retail Sale of ~~Special provisions,~~ smoking pipes
10 and smoking devices; penalties.-

11 (1) It is unlawful for any person to offer for sale at
12 retail any of the following items: ~~listed in subsection (2)~~
13 ~~unless such person:~~

14 ~~(a) Has a retail tobacco products dealer permit under s.~~
15 ~~569.003. The provisions of this chapter apply to any person that~~
16 ~~offers for retail sale any of the items listed in subsection~~
17 ~~(2); and~~

18 ~~(b)1. Derives at least 75 percent of its annual gross~~
19 ~~revenues from the retail sale of cigarettes, cigars, and other~~
20 ~~tobacco products; or~~

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21 ~~2. Derives no more than 25 percent of its annual gross~~
22 ~~revenues from the retail sale of the items listed in subsection~~
23 ~~(2).~~

24 ~~(2) The following smoking pipes and smoking devices are~~
25 ~~subject to the provisions of this section:~~

26 (a) Metal, wooden, acrylic, glass, stone, plastic, or
27 ceramic smoking pipes, with or without screens, permanent
28 screens, or punctured metal bowls.

29 (b) Water pipes.

30 (c) Carburetion tubes and devices.

31 (d) Chamber pipes.

32 (e) Carburetor pipes.

33 (f) Electric pipes.

34 (g) Air-driven pipes.

35 (h) Chillums.

36 (i) Bonges.

37 (j) Ice pipes or chillers.

38 ~~(3)~~(2) Any person who violates this section commits a
39 misdemeanor of the first degree, punishable as provided in s.
40 775.082 or s. 775.083, and upon a second or subsequent
41 violation, commits a felony of the third degree, punishable as
42 provided in s. 775.082, s. 775.083, or s. 775.084.

43 Section 2. Section 569.006, Florida Statutes, is amended
44 to read:

45 569.006 Retail tobacco products dealers; administrative
46 penalties.—The division may suspend or revoke the permit of the
47 dealer upon sufficient cause appearing of the violation of any
48 of the provisions of this chapter or s. 893.147, by a dealer or

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49 | by a dealer's agent or employee. The division may also assess
50 | and accept administrative fines of up to \$1,000 against a dealer
51 | for each violation. The division shall deposit all fines
52 | collected into the General Revenue Fund as collected. An order
53 | imposing an administrative fine becomes effective 15 days after
54 | the date of the order. The division may suspend the imposition
55 | of a penalty against a dealer, conditioned upon the dealer's
56 | compliance with terms the division considers appropriate.

57 | Section 3. This act shall take effect October 1, 2013.

58 | -----

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

60 | Remove everything before the enacting clause and insert:
61 | An act relating to the retail sale of smoking devices; amending
62 | s. 569.0073, F.S.; prohibiting the retail sale of certain
63 | smoking pipes and devices; providing penalties; amending s.
64 | 569.006, F.S.; authorizing the imposition of administrative
65 | penalties upon retail tobacco products dealers who commit
66 | certain offenses related to drug paraphernalia; providing an
67 | effective date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/19/2013 9:00:00AM

Location: 404 HOB

HB 731 : Pub. Rec./Spouses & Children of Law Enforcement Personnel

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant			X		
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

HB 731 Amendments

Amendment 402229

Adopted Without Objection

Appearances:

Cervone, Bill (State Employee) - Waive In Support
State Attorney, 8th Circuit
120 W. University Avenue
Gainesville FL 32601
Phone: (352) 374-3686

Carroll, Sarah (Lobbyist) - Waive In Support
Assistant Executive Director, Florida Sheriffs Association

Gabbard, Jim (Lobbyist) - Waive In Support
Retired Police Chief, The Florida Police Chiefs Association
P.O Box 14038
Tallahassee FL 32317
Phone: (850) 219-3640

Committee meeting was reported out: Tuesday, March 19, 2013 1:23:21PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 731 (2013)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

FAVORABLE
3/19/13

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

Amendment

4
5
6 Remove line 51 and insert:
7 former sworn or civilian law enforcement personnel and the other
8 specified agency personnel identified in
9

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/19/2013 9:00:00AM

Location: 404 HOB

HB 797 : Search and Seizure of Portable Electronic Device

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner		X			
Kionne McGhee	X				
Ray Pilon		X			
Irving Slosberg		X			
Charles Van Zant		X			
Matt Gaetz (Chair)	X				
Total Yeas: 9		Total Nays: 4			

Appearances:

Trammell, Robert (Lobbyist) (State Employee) - Waive In Support
General Counsel, Florida Public Defender Association, Inc
PO Box 11057
Tallahassee FL 32302
Phone: (850) 510-2187

Stanfield, Timothy (Lobbyist) - Opponent
Florida Police Chiefs Association
PO Box 1757
Tallahassee FL 32302-1757
Phone: (850) 701-3692

Bustle, Electra (Lobbyist) - Opponent
Southern Strategy Group, Inc
PO Box 10570
Tallahassee FL 32302
Phone: (850) 671-4401

Cervone, Bill (State Employee) - Opponent
State Attorney, 8th Circuit
120 W. University Avenue
Gainesville FL 32601
Phone: (325) 374-3686

Committee meeting was reported out: Tuesday, March 19, 2013 1:23:21PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/19/2013 9:00:00AM

Location: 404 HOB

HB 875 : Licensed Security Officers

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee			X		
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

Puckett, Matt (Lobbyist) - Waive In Support
Florida Police Benevolent Association
300 East Breward St
Tallahassee FL 32301

Poulin, KC (General Public) - Waive In Support
President, Florida Association of Security Companies
13777 Belcher Road South
Largo FL 33771
Phone: (727) 461-9417

Hodge, Burt (General Public) - Waive In Support
Florida Association of Licensed Investigators
842 E. Park Avenue
Tallahassee FL 32301
Phone: (850) 561-3990

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

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COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/19/2013 9:00:00AM

Location: 404 HOB

HB 915 : False Claims Against Real or Personal Property

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 915 Amendments

Amendment 324683

Adopted Without Objection

Appearances:

Carroll, Sarah - Waive In Support
Assistant Executive Director, Florida Sheriffs Association
Phone: (850) 877-2165

Mercer, Amy (Lobbyist) - Waive In Support
Executive Director, Florida Police Chiefs Association
924 N. Gadsden St.
Tallahassee FL 32301
Phone: (850) 219-3631

Kershner, Bruce (Lobbyist) - Waive In Support
National Assn of Credit Mgt-Improved Construction Practices Committee
231 West Bay Avenue
Longwood FL 32750
Phone: (407) 830-1882

Committee meeting was reported out: Tuesday, March 19, 2013 1:23:21PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 915 (2013)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

FAVORABLE.
3/19/13

1 Committee/Subcommittee hearing bill: Criminal Justice

2 Subcommittee

3 Representative Combee offered the following:

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

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 817.535, Florida Statutes, is created
8 to read:

9 817.535 Unlawful filing of false documents or records
10 against real or personal property.-

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

12 (a) "File" means to present an instrument for recording in
13 an official record or to cause an instrument to be presented for
14 recording in an official record.

15 (b) "Filer" means the person who presents an instrument for
16 recording in an official record, or causes an instrument to be
17 presented for recording in an official record.

18 (c) "Instrument" means any judgment, mortgage, assignment,
19 pledge, lien, financing statement, encumbrance, deed, lease,

324683 - h0915.strike.docx

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20 bill of sale, agreement, mortgage, notice of claim of lien,
21 notice of levy, promissory note, mortgage note, release, partial
22 release or satisfaction of any of the foregoing, or any other
23 document that relates to or attempts to restrict the ownership,
24 transfer, encumbrance of, or claim against real or personal
25 property, or any interest in real or personal property.

26 (d) "Official record" means the series of instruments,
27 regardless of how they are maintained, which a clerk of the
28 circuit court, or any person or entity designated by general
29 law, special law, or county charter, is required or authorized
30 by law to record. The term also includes a series of
31 instruments pertaining to the Uniform Commercial Code filed with
32 the Secretary of State or with any entity under contract with
33 the Secretary of State to maintain Uniform Commercial Code
34 records and a database of judgment liens maintained by the
35 Secretary of State.

36 (e) "Public officer or employee" means, but is not limited
37 to:

38 1. A person elected or appointed to a state or federal
39 office, including any person serving on an advisory body, board,
40 commission, committee, council, or authority;

41 2. An employee of a state, county, municipal, political
42 subdivision, school district, educational institution, or
43 special district agency or entity, including judges, attorneys,
44 law enforcement officers, deputy clerks of court, and marshals;

45 3. A state or federal executive, legislative, or judicial
46 officer, employee, or volunteer authorized to perform actions or

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Bill No. HB 915 (2013)

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47 services for any state or federal executive, legislative, or
48 judicial office, or agency;

49 4. A person who acts as a general or special magistrate,
50 auditor, arbitrator, umpire, referee, hearing officer, or
51 consultant to any state or local governmental entity; and

52 5. A person who is a candidate for public office or
53 judicial position.

54 (2) (a) A person who files or directs a filer to file, with
55 the intent to defraud or harass another, any instrument
56 containing a materially false, fictitious, or fraudulent
57 statement or representation that purports to affect an owner's
58 interest in the property described in the instrument commits a
59 felony of the third degree, punishable as provided in s.
60 775.082, s. 775.083, or s. 775.084.

61 (b) A person who violates paragraph (a) a second or
62 subsequent time commits a felony of the second degree,
63 punishable as provided in ss. 775.082, 775.083, or 775.084.

64 (3) If a person is convicted of violating subsection (2)
65 and the owner of the property subject to the false instrument is
66 a public officer or employee, the offense shall be reclassified
67 as follows:

68 (a) In the case of a felony of the third degree, to a
69 felony of the second degree, punishable as provided in ss.
70 775.082, 775.083, or 775.084.

71 (b) In the case of a felony of the second degree, to a
72 felony of the first degree, punishable as provided in ss.
73 775.082, 775.083, or 775.084.

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74 (4) (a) If a person is convicted of violating subsection (2)
75 and the person committed the offense while incarcerated in a
76 jail or correctional institution or while participating in a
77 pretrial diversion program under any form of pretrial release or
78 bond, on probation or parole, or under any postrelease
79 supervision, the offense shall be reclassified as follows:

80 1. In the case of a felony of the third degree, to a felony
81 of the second degree, punishable as provided in ss. 775.082,
82 775.083, or 775.084.

83 2. In the case of a felony of the second degree, to a
84 felony of the first degree, punishable as provided in ss.
85 775.082, 775.083, or 775.084.

86 (b) If a person's offense has been reclassified pursuant to
87 this subsection, the sentencing court shall issue a written
88 finding that the offense occurred while incarcerated in a jail
89 or correctional institution and direct that a copy of the
90 written finding and judgment of conviction be forwarded to the
91 appropriate state institution or county facility for
92 consideration of disciplinary action and forfeiture of all gain-
93 time or any early release credits accumulated up to the date of
94 the violation.

95 (5) If the person is convicted of violating subsection (2)
96 and the owner of property covered by the false instrument incurs
97 financial loss as a result of the instrument being recorded in
98 the official record, including costs and attorney fees incurred
99 in correcting, sealing, or removing the false instrument from
100 the official record as described herein, the offense shall be
101 reclassified as follows:

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102 (a) In the case of a felony of the third degree, to a
103 felony of the second degree, punishable as provided in ss.
104 775.082, 775.083, or 775.084.

105 (b) In the case of a felony of the second degree, to a
106 felony of the first degree, punishable as provided in ss.
107 775.082, 775.083, or 775.084.

108 (6) A person who fraudulently records a claim of lien in
109 the official records pursuant to part I of chapter 713 is
110 subject to the fraud provisions of s. 713.31 and not this
111 section.

112 (7) If a person is convicted of violating this section, the
113 sentencing court shall issue an order declaring the instrument
114 forming the basis of the conviction null and void and may enjoin
115 the person from filing any instrument in an official record
116 absent prior review and approval for filing by a circuit or
117 county court judge. The sentencing court may also order the
118 instrument forming the basis of the conviction sealed from the
119 official record and removed from any applicable electronic
120 database used for recording instruments in the official record.

121 (8) (a) Any person adversely affected by an instrument filed
122 in the official record which contains a materially false,
123 fictitious, or fraudulent statement or representation has a
124 civil cause of action under this section without regard to
125 whether criminal charges are pursued under subsection (2). A
126 notice of lis pendens in accord with s. 48.23 shall be filed
127 which specifically describes the instrument under challenge and
128 the real or personal property affected by the instrument.

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129 (b) Upon a finding that the instrument contains a
130 materially false, fictitious, or fraudulent statement or
131 representation such that the instrument does not establish a
132 legitimate property or lien interest in favor of another person:

133 1. The court shall determine whether the entire instrument
134 or certain parts thereof are null and void ab initio. If the
135 court finds the instrument void in its entirety, it may order
136 the instrument sealed from the official record and removed from
137 any electronic database used for indexing or locating
138 instruments in the official record. The court may also,
139 permanently or for a period of time, enjoin the defendant who
140 filed the instrument or who directed the filer to file the
141 instrument, from filing or directing a person to file an
142 instrument in the official records, without prior review and
143 approval for filing by a circuit or county court judge, provided
144 that as to third parties who may have given value for an
145 interest described or granted by any instrument filed in
146 violation of the injunction, the instrument shall be deemed
147 validly filed and provides constructive notice, notwithstanding
148 any failure to comply with the terms of the injunction.

149 2. Upon a finding of intent to defraud or harass, the court
150 or jury shall award actual damages and punitive damages, subject
151 to the criteria in s. 768.72, to the person adversely affected
152 by the instrument. The court may also levy a civil penalty of
153 \$2,500 for each instrument determined to be in violation of
154 subsection (2).

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155 3. The court may grant such other relief or remedy that the
156 court determines is just and proper within its sound judicial
157 discretion.

158 (c) The prevailing party in such a suit is entitled to
159 recover costs and reasonable attorney fees.

160 (d) The custodian of any official record shall, upon
161 payment of appropriate fees, provide a certified copy of the
162 sealed instrument to the party seeking relief under this section
163 for use in subsequent court proceedings, in addressing or
164 correcting adverse effects upon the person's credit or property
165 rights, or reporting the matter for investigation and
166 prosecution; or in response to a subpoena seeking the instrument
167 for criminal investigative or prosecution purposes.

168 (e) Upon request, the custodian of any official record
169 shall, upon payment of appropriate fees, provide a certified
170 copy of the sealed instrument to any federal, state, or local
171 law enforcement agency.

172 (f) If feasible, the custodian of the official record where
173 the instrument is recorded shall record any court order finding
174 that the instrument is null and void in its entirety or in
175 certain parts thereof.

176 (g) An instrument removed from an electronic database used
177 for recording instruments in the public record pursuant to this
178 section shall be maintained in a manner in which the instrument
179 can be reduced to paper form.

180 (9) A government agency may provide legal representation to
181 a public officer or employee if the instrument at issue appears
182 to have been filed to defraud or harass the public officer or

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 915 (2013)

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183 employee in their official capacity. If the public officer or
184 employee is the prevailing party, the award of reasonable
185 attorney fees shall be paid to the government agency that
186 provided the legal representation.

187 (10) This section does not apply to the procedures for
188 sealing or expunging criminal history records as provided in ss.
189 943.0585 and 943.059.

190 (11) If any section, subsection, sentence, clause, phrase,
191 or word of this statute is for any reason held or declared to be
192 unconstitutional, invalid, inoperative, ineffective,
193 inapplicable, or void, such invalidity or unconstitutionality
194 shall not affect the portions of this statute not so held to be
195 unconstitutional, void, invalid, or ineffective, or affect the
196 application of this statute to other circumstances not so held
197 to be invalid, it being the express legislative intent that any
198 such unconstitutional, illegal, invalid, ineffective,
199 inapplicable, or void portion or portions of this statute did
200 not induce its passage, and that without the inclusion of any
201 such unconstitutional, illegal, invalid, ineffective, or void
202 portions of this statute, the Legislature would have enacted the
203 valid and constitutional portions thereof.

204 Section 2. Section 843.0855, Florida Statutes, is amended
205 to read:

206 843.0855 Criminal actions under color of law or through
207 use of simulated legal process.—

208 (1) As used in this section:

209 (a) The term "legal process" means a document or order
210 issued by a court or filed or recorded with an official court of

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211 this state or the United States or with any official
212 governmental entity of this state or the United States for the
213 purpose of exercising jurisdiction or representing a claim
214 against a person or property, or for the purpose of directing a
215 person to appear before a court or tribunal, or to perform or
216 refrain from performing a specified act. "Legal process"
217 includes, but is not limited to, a summons, lien, complaint,
218 warrant, injunction, writ, notice, pleading, subpoena, or order.

219 (b) The term "person" means an individual, public or
220 private group incorporated or otherwise, legitimate or
221 illegitimate legal tribunal or entity, informal organization,
222 official or unofficial agency or body, or any assemblage of
223 individuals.

224 (c) The term "public officer or employee" includes, but is
225 not limited to:

226 1. A person elected or appointed to a state or federal
227 office, including a person serving on an advisory body, board,
228 commission, committee, council, or authority;

229 2. An employee of a state, county, municipal, political
230 subdivision, school district, educational institution, or
231 special district agency or entity, including all judges,
232 attorneys, law enforcement officers, deputy clerks of court, or
233 marshals;

234 3. A state or federal executive, legislative, or judicial
235 officer, employee, or volunteer authorized to perform actions or
236 services for any state or federal executive, legislative, or
237 judicial office, or agency;

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238 4. A person who acts as a general or special magistrate,
239 auditor, arbitrator, umpire, referee, hearing officer, or
240 consultant to any state or local governmental entity; and

241 5. A person who is a candidate for public office or
242 judicial position ~~means a public officer as defined by s.~~
243 ~~112.061.~~

244 ~~(d) The term "public employee" means a public employee as~~
245 ~~defined by s. 112.061.~~

246 (2) A Any person who deliberately impersonates or falsely
247 acts as a public officer or employee tribunal, public employee
248 or utility employee, including, but not limited to, marshals,
249 judges, prosecutors, sheriffs, deputies, court personnel, or any
250 law enforcement authority in connection with or relating to any
251 legal process affecting persons and property, or otherwise takes
252 any action under color of law against persons or property,
253 commits a felony of the third degree, punishable as provided in
254 s. 775.082, ~~or~~ s. 775.083 or s. 775.084. It is the intent of
255 the Legislature that this section applies if a person acts as an
256 officer or employee purporting to supersede or override any
257 legislation or statute of this state, or to supersede or
258 override any action of any court, of this state.

259 (3) A Any person who simulates legal process, including,
260 but not limited to, actions affecting title to real estate or
261 personal property, indictments, subpoenas, warrants,
262 injunctions, liens, orders, judgments, or any legal documents or
263 proceedings, knowing or having reason to know the contents of
264 any such documents or proceedings or the basis for any action to

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265 | be fraudulent, commits a felony of the third degree, punishable
 266 | as provided in s. 775.082, ~~or~~ s. 775.083 or s. 775.084.

267 | (4) ~~A~~ Any person who falsely under color of law attempts
 268 | in any way to influence, intimidate, harass, retaliate against,
 269 | or hinder a public officer or employee involving law enforcement
 270 | ~~officer in the~~ discharge of his or her official duties by means
 271 | of, but not limited to, threats of or actual physical abuse or
 272 | harassment, or through the use of simulated legal process,
 273 | commits a felony of the third degree, punishable as provided in
 274 | s. 775.082, ~~or~~ s. 775.083 or s. 775.084.

275 | (5) (a) ~~Nothing in~~ This section does not shall make
 276 | unlawful any act of any law enforcement officer or legal
 277 | tribunal which is performed under lawful authority.

278 | (b) ~~Nothing in~~ This section does not shall prohibit
 279 | individuals from assembling freely to express opinions or
 280 | designate group affiliation or association.

281 | (c) ~~Nothing in~~ This section does not shall prohibit or in
 282 | any way limit a person's lawful and legitimate access to the
 283 | courts or prevent a person from instituting or responding to
 284 | legitimate and lawful legal process.

285 | Section 3. Paragraphs (g), (h), and (i) of subsection (3)
 286 | of section 921.0022, Florida Statutes, are amended to read:

287 | 921.0022 Criminal Punishment Code; offense severity
 288 | ranking chart.—

289 | (3) OFFENSE SEVERITY RANKING CHART

290 | (g) LEVEL 7

291 |

Florida	Felony	Description
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	Amendment No. 1	Degree	
292	Statute		
	316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
293	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
294	316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; 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.
295	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
296	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
297	409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; \$10,000 or less.

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307	463.015(1)	3rd	Practicing optometry without a license.
308	464.016(1)	3rd	Practicing nursing without a license.
309	465.015(2)	3rd	Practicing pharmacy without a license.
310	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
311	467.201	3rd	Practicing midwifery without a license.
312	468.366	3rd	Delivering respiratory care services without a license.
313	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
314	483.901(9)	3rd	Practicing medical physics without a license.
315	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.

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316	484.053	3rd	Dispensing hearing aids without a license.
	494.0018(2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
317			
	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
318			
	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
319			
	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
320			
	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew

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driver's license or
identification card; other
registration violations.

321

775.21(10)(b) 3rd Sexual predator working where
children regularly congregate.

322

775.21(10)(g) 3rd Failure to report or providing
false information about a
sexual predator; harbor or
conceal a sexual predator.

323

782.051(3) 2nd Attempted felony murder of a
person by a person other than
the perpetrator or the
perpetrator of an attempted
felony.

324

782.07(1) 2nd Killing of a human being by the
act, procurement, or culpable
negligence of another
(manslaughter).

325

782.071 2nd Killing of a human being or
viable fetus by the operation
of a motor vehicle in a
reckless manner (vehicular
homicide).

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334

784.08(2)(a) 1st Aggravated battery on a person
65 years of age or older.

335

784.081(1) 1st Aggravated battery on specified
official or employee.

336

784.082(1) 1st Aggravated battery by detained
person on visitor or other
detainee.

337

784.083(1) 1st Aggravated battery on code
inspector.

338

787.06(3)(a) 1st Human trafficking using
coercion for labor and
services.

339

787.06(3)(e) 1st Human trafficking using
coercion for labor and services
by the transfer or transport of
any individual from outside
Florida to within the state.

340

790.07(4) 1st Specified weapons violation
subsequent to previous
conviction of s. 790.07(1) or
(2).

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341

790.16(1) 1st Discharge of a machine gun
under specified circumstances.

342

790.165(2) 2nd Manufacture, sell, possess, or
deliver hoax bomb.

343

790.165(3) 2nd Possessing, displaying, or
threatening to use any hoax
bomb while committing or
attempting to commit a felony.

344

790.166(3) 2nd Possessing, selling, using, or
attempting to use a hoax weapon
of mass destruction.

345

790.166(4) 2nd Possessing, displaying, or
threatening to use a hoax
weapon of mass destruction
while committing or attempting
to commit a felony.

346

790.23 1st,PBL Possession of a firearm by a
person who qualifies for the
penalty enhancements provided
for in s. 874.04.

347

794.08(4) 3rd Female genital mutilation;

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consent by a parent, guardian,
or a person in custodial
authority to a victim younger
than 18 years of age.

348

796.03 2nd Procuring any person under 16
years for prostitution.

349

800.04(5)(c)1. 2nd Lewd or lascivious molestation;
victim less than 12 years of
age; offender less than 18
years.

350

800.04(5)(c)2. 2nd Lewd or lascivious molestation;
victim 12 years of age or older
but less than 16 years;
offender 18 years or older.

351

806.01(2) 2nd Maliciously damage structure by
fire or explosive.

352

810.02(3)(a) 2nd Burglary of occupied dwelling;
unarmed; no assault or battery.

353

810.02(3)(b) 2nd Burglary of unoccupied
dwelling; unarmed; no assault
or battery.

354

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355	810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
356	810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
357	812.014(2)(a)1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
358	812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
359	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
360	812.014(2)(b)4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
	812.0145(2)(a)	1st	Theft from person 65 years of

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age or older; \$50,000 or more.

361

812.019(2) 1st Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

362

812.131(2)(a) 2nd Robbery by sudden snatching.

363

812.133(2)(b) 1st Carjacking; no firearm, deadly weapon, or other weapon.

364

817.234(8)(a) 2nd Solicitation of motor vehicle accident victims with intent to defraud.

365

817.234(9) 2nd Organizing, planning, or participating in an intentional motor vehicle collision.

366

817.234(11)(c) 1st Insurance fraud; property value \$100,000 or more.

367

817.2341 1st Making false entries of
(2)(b) & material fact or false
(3)(b) statements regarding property values relating to the solvency of an insuring entity which are

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a significant cause of the
insolvency of that entity.

368

817.535(2)(a) 3rd Filing false lien or other
unauthorized document.

369

825.102(3)(b) 2nd Neglecting an elderly person or
disabled adult causing great
bodily harm, disability, or
disfigurement.

370

825.103(2)(b) 2nd Exploiting an elderly person or
disabled adult and property is
valued at \$20,000 or more, but
less than \$100,000.

371

827.03(2)(b) 2nd Neglect of a child causing
great bodily harm, disability,
or disfigurement.

372

827.04(3) 3rd Impregnation of a child under
16 years of age by person 21
years of age or older.

373

837.05(2) 3rd Giving false information about
alleged capital felony to a law
enforcement officer.

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374

838.015 2nd Bribery.

375

838.016 2nd Unlawful compensation or reward
for official behavior.

376

838.021(3)(a) 2nd Unlawful harm to a public
servant.

377

838.22 2nd Bid tampering.

378

843.0855(2) 3rd Impersonation of public officer
or employee.

379

843.0855(3) 3rd Unlawful simulation of legal
process.

380

843.0855(4) 3rd Intimidation of public officer
or employee.

381

847.0135(3) 3rd Solicitation of a child, via a
computer service, to commit an
unlawful sex act.

382

847.0135(4) 2nd Traveling to meet a minor to
commit an unlawful sex act.

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387

893.13(4)(a) 1st Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).

388

893.135(1)(a)1. 1st Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

389

893.135(1)(b)1.a. 1st Trafficking in cocaine, more than 28 grams, less than 200 grams.

390

893.135(1)(c)1.a. 1st Trafficking in illegal drugs, more than 4 grams, less than 14 grams.

391

893.135(1)(d)1. 1st Trafficking in phencyclidine, more than 28 grams, less than 200 grams.

392

893.135(1)(e)1. 1st Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.

393

893.135(1)(f)1. 1st Trafficking in amphetamine, more than 14 grams, less than

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			28 grams.
394	893.135 (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
395	893.135 (1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
396	893.135 (1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
397	893.135 (1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
398	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
399	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
400	896.104(4)(a)1.	3rd	Structuring transactions to

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			evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
401	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
402	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
403	943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
404	943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
405	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.

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406

944.607(9) 3rd Sexual offender; failure to
comply with reporting
requirements.

407

944.607(10) (a) 3rd Sexual offender; failure to
submit to the taking of a
digitized photograph.

408

944.607(12) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

409

944.607(13) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification.

410

985.4815(10) 3rd Sexual offender; failure to
submit to the taking of a
digitized photograph.

411

985.4815(12) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

412

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985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

413

414 (h) LEVEL 8

415

Florida Statute	Felony Degree	Description
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416

316.193 (3)(c)3.a.	2nd	DUI manslaughter.
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417

316.1935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
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418

327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
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419

499.0051(7)	1st	Knowing trafficking in contraband prescription drugs.
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420

499.0051(8)	1st	Knowing forgery of prescription labels or prescription drug labels.
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421

560.123(8)(b)2.	2nd	Failure to report currency or payment instruments totaling or
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			exceeding \$20,000, but less than \$100,000 by money transmitter.
422	560.125(5)(b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
423	655.50(10)(b)2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
424	777.03(2)(a)	1st	Accessory after the fact, capital felony.
425	782.04(4)	2nd	Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.

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426

782.051(2) 1st Attempted felony murder while
perpetrating or attempting to
perpetrate a felony not
enumerated in s. 782.04(3).

427

782.071(1)(b) 1st Committing vehicular homicide
and failing to render aid or
give information.

428

782.072(2) 1st Committing vessel homicide and
failing to render aid or give
information.

429

787.06(3)(b) 1st Human trafficking using
coercion for commercial sexual
activity.

430

787.06(3)(c) 1st Human trafficking using
coercion for labor and services
of an unauthorized alien.

431

787.06(3)(f) 1st Human trafficking using
coercion for commercial sexual
activity by the transfer or
transport of any individual
from outside Florida to within
the state.

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432

790.161(3) 1st Discharging a destructive device which results in bodily harm or property damage.

433

794.011(5) 2nd Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.

434

794.08(3) 2nd Female genital mutilation, removal of a victim younger than 18 years of age from this state.

435

800.04(4) 2nd Lewd or lascivious battery.

436

806.01(1) 1st Maliciously damage dwelling or structure by fire or explosive, believing person in structure.

437

810.02(2)(a) 1st,PBL Burglary with assault or battery.

438

810.02(2)(b) 1st,PBL Burglary; armed with explosives or dangerous weapon.

439

810.02(2)(c) 1st Burglary of a dwelling or

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structure causing structural
damage or \$1,000 or more
property damage.

440

812.014(2)(a)2. 1st Property stolen; cargo valued
at \$50,000 or more, grand theft
in 1st degree.

441

812.13(2)(b) 1st Robbery with a weapon.

442

812.135(2)(c) 1st Home-invasion robbery, no
firearm, deadly weapon, or
other weapon.

443

817.535(2)(b) 2nd Second or subsequent offense
filing false lien or other
unauthorized document.

444

817.535(3)(a) 2nd Filing false lien or other
unauthorized document; property
owner is public officer or
employee.

445

446

817.535(4)(a) 2nd Filing false lien or other
unauthorized document;

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defendant is incarcerated or
under supervision.

447

817.535(5)(a) 2nd Filing false lien or other
unauthorized document; owner of
property incurs financial loss
as a result of the false
instrument.

448

817.568(6) 2nd Fraudulent use of personal
identification information of
an individual under the age of
18.

449

825.102(2) 1st Aggravated abuse of an elderly
person or disabled adult.

450

825.1025(2) 2nd Lewd or lascivious battery upon
an elderly person or disabled
adult.

451

825.103(2)(a) 1st Exploiting an elderly person or
disabled adult and property is
valued at \$100,000 or more.

452

837.02(2) 2nd Perjury in official proceedings
relating to prosecution of a

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453			capital felony.
454	837.021(2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
455	860.121(2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
456	860.16	1st	Aircraft piracy.
457	893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
458	893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
459	893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
	893.135(1)(a)2.	1st	Trafficking in cannabis, more

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			than 2,000 lbs., less than 10,000 lbs.
460	893.135 (1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
461	893.135 (1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
462	893.135 (1)(d)1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
463	893.135 (1)(e)1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
464	893.135 (1)(f)1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
465	893.135 (1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
466	893.135	1st	Trafficking in gamma-

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- | | | | |
|-----|-------------------------|-----|--|
| 467 | (1) (h) 1.b. | | hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms. |
| 468 | 893.135
(1) (j) 1.b. | 1st | Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms. |
| 469 | 893.135
(1) (k) 2.b. | 1st | Trafficking in Phenethylamines, 200 grams or more, less than 400 grams. |
| 470 | 893.1351(3) | 1st | Possession of a place used to manufacture controlled substance when minor is present or resides there. |
| 471 | 895.03(1) | 1st | Use or invest proceeds derived from pattern of racketeering activity. |
| 472 | 895.03(2) | 1st | Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property. |
| 472 | 895.03(3) | 1st | Conduct or participate in any enterprise through pattern of |

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racketeering activity.

473

896.101(5)(b) 2nd Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.

474

896.104(4)(a)2. 2nd Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.

475

476 (i) LEVEL 9

477

Florida	Felony	Description
Statute	Degree	

478

316.193	1st	DUI manslaughter; failing to render aid or give information.
(3)(c)3.b.		

479

327.35(3)(c)3.b.	1st	BUI manslaughter; failing to render aid or give information.
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480

409.920	1st	Medicaid provider fraud;
(2)(b)1.c.		\$50,000 or more.

481

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482	499.0051(9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
483	560.123(8)(b)3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
484	560.125(5)(c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
485	655.50(10)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
486	775.0844	1st	Aggravated white collar crime.
487	782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
	782.04(3)	1st, PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding

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with serious bodily injury or death, and other specified felonies.

488

782.051(1) 1st Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).

489

782.07(2) 1st Aggravated manslaughter of an elderly person or disabled adult.

490

787.01(1)(a)1. 1st,PBL Kidnapping; hold for ransom or reward or as a shield or hostage.

491

787.01(1)(a)2. 1st,PBL Kidnapping with intent to commit or facilitate commission of any felony.

492

787.01(1)(a)4. 1st,PBL Kidnapping with intent to interfere with performance of any governmental or political function.

493

787.02(3)(a) 1st False imprisonment; child under age 13; perpetrator also

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commits aggravated child abuse,
sexual battery, or lewd or
lascivious battery,
molestation, conduct, or
exhibition.

494

787.06(3)(d) 1st Human trafficking using
coercion for commercial sexual
activity of an unauthorized
alien.

495

787.06(3)(g) 1st,PBL Human trafficking for
commercial sexual activity of a
child under the age of 18.

496

787.06(4) 1st Selling or buying of minors
into human trafficking.

497

790.161 1st Attempted capital destructive
device offense.

498

790.166(2) 1st,PBL Possessing, selling, using, or
attempting to use a weapon of
mass destruction.

499

794.011(2) 1st Attempted sexual battery;
victim less than 12 years of
age.

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500

794.011(2) Life Sexual battery; offender
younger than 18 years and
commits sexual battery on a
person less than 12 years.

501

794.011(4) 1st Sexual battery; victim 12 years
or older, certain
circumstances.

502

794.011(8) (b) 1st Sexual battery; engage in
sexual conduct with minor 12 to
18 years by person in familial
or custodial authority.

503

794.08(2) 1st Female genital mutilation;
victim younger than 18 years of
age.

504

796.035 1st Selling or buying of minors
into prostitution.

505

800.04(5) (b) Life Lewd or lascivious molestation;
victim less than 12 years;
offender 18 years or older.

506

812.13(2) (a) 1st, PBL Robbery with firearm or other
deadly weapon.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 915 (2013)

Amendment No. 1

507

812.133(2) (a) 1st, PBL Carjacking; firearm or other
deadly weapon.

508

812.135(2) (b) 1st Home-invasion robbery with
weapon.

509

817.535(3) (b) 1st Second or subsequent offense,
filing false lien or other
unauthorized document; property
owner is public officer or
employee.

510

817.535(4) (b) 1st Second or subsequent offense,
filing false lien or other
unauthorized document;
defendant is incarcerated or
under supervision.

511

817.535(5) (b) 1st Second or subsequent offense,
Filing false lien or other
unauthorized document; owner of
property incurs financial loss
as a result of the false
instrument.

512

817.568(7) 2nd, Fraudulent use of personal
PBL identification information of

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 915 (2013)

Amendment No. 1

an individual under the age of
18 by his or her parent, legal
guardian, or person exercising
custodial authority.

513

827.03(2)(a) 1st Aggravated child abuse.

514

847.0145(1) 1st Selling, or otherwise
transferring custody or
control, of a minor.

515

847.0145(2) 1st Purchasing, or otherwise
obtaining custody or control,
of a minor.

516

859.01 1st Poisoning or introducing
bacteria, radioactive
materials, viruses, or chemical
compounds into food, drink,
medicine, or water with intent
to kill or injure another
person.

517

893.135 1st Attempted capital trafficking
offense.

518

893.135(1)(a)3. 1st Trafficking in cannabis, more
than 10,000 lbs.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 915 (2013)

Amendment No. 1

519

893.135 1st Trafficking in cocaine, more
(1) (b) 1.c. than 400 grams, less than 150
kilograms.

520

893.135 1st Trafficking in illegal drugs,
(1) (c) 1.c. more than 28 grams, less than
30 kilograms.

521

893.135 1st Trafficking in phencyclidine,
(1) (d) 1.c. more than 400 grams.

522

893.135 1st Trafficking in methaqualone,
(1) (e) 1.c. more than 25 kilograms.

523

893.135 1st Trafficking in amphetamine,
(1) (f) 1.c. more than 200 grams.

524

893.135 1st Trafficking in gamma-
(1) (h) 1.c. hydroxybutyric acid (GHB), 10
kilograms or more.

525

893.135 1st Trafficking in 1,4-Butanediol,
(1) (j) 1.c. 10 kilograms or more.

526

893.135 1st Trafficking in Phenethylamines,
(1) (k) 2.c. 400 grams or more.

527

Amendment No. 1

896.101(5)(c) 1st Money laundering, financial instruments totaling or exceeding \$100,000.

528

896.104(4)(a)3. 1st Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.

529

530

531

532

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

533

Remove everything before the enacting clause and insert:

534

A bill to be entitled

535

An act relating to filing false documents against real or personal property; creating s. 817.535, F.S.; defining terms; prohibiting a person from filing or causing to be filed, with intent to defraud another, a document relating to the ownership, transfer, or encumbrance of, or claim against real or personal property, or any interest in real or personal property; providing criminal penalties; establishing reclassified penalties for persons who commit the specified offenses a second or subsequent times, when the person is a convicted offender who commits the specified offenses while incarcerated in a jail or

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 915 (2013)

Amendment No. 1

548 participating in community correctional programs, and
549 when the victim of the offense is a public officer or
550 employee under certain circumstances; authorizing the
551 court to issue injunction; authorizing a court to seal
552 specified public or private records under certain
553 circumstances; providing that the subject of the false
554 statements has a civil cause of action against the
555 perpetrator; providing for actual and punitive
556 damages; providing that the prevailing party is
557 entitled to costs and reasonable attorney fees;
558 providing duties of the custodian of the official
559 record; providing applicability; requiring that
560 attorney fees be paid to the government agency that
561 provides legal representation, under certain
562 circumstances; providing a severability clause;
563 amending s. 843.0855, F.S.; revising definitions;
564 defining the term "public officer or employee";
565 amending s. 921.0022, F.S.; revising provisions of the
566 offense severity ranking chart of the Criminal
567 Punishment Code to conform to changes made by the act;
568 adding all subsections of s. 817.535 to the offense
569 severity ranking chart; adding all subsections of s.
570 843.0855 to the offense severity ranking chart;
571 providing an effective date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/19/2013 9:00:00AM

Location: 404 HOB

HB 1173 : Florida Communications Fraud Act

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant			X		
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

HB 1173 Amendments

Amendment 834555

Adopted Without Objection

Appearances:

Rogers, John (Lobbyist) - Waive In Support
FL. Retail Federation
227 S. Adams St
Tallahassee FL 32301
Phone: (850) 222-4082

Fay, Andrew (Lobbyist) (State Employee) - Waive In Support
Attorney General's Office
PL 02 Plaza
Tallahassee FL 32301
Phone: (850) 245-0187

Committee meeting was reported out: Tuesday, March 19, 2013 1:23:21PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1173 (2013)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

FAVORABLE
3/19/13

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

4
 5 **Amendment (with title amendment)**
 6 Remove lines 33-42 and insert:
 7 otherwise applicable by more than 1 year.

8
 9 -----
 10 **T I T L E A M E N D M E N T**
 11 Remove lines 10-13 and insert:
 12 amending s. 921.0022, F.S.; reclassifying
 13

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/19/2013 9:00:00AM

Location: 404 HOB

HB 1221 : Murder of a Child 17 Years of Age or Younger

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Cielland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell				X	
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

Daniels, Nancy (State Employee) - Information Only
Public Defender, 2nd circuit
Leon County Courthouse 301 S Monroe Street
Tallahassee FL 32301
Phone: (850) 606-1010

Dillinger, Bob (State Employee) - Opponent
6th Judicial Circuit
103 N. Gadsden St
Tallahassee FL 32301
Phone: (850) 488-6850

Trammell, Robert (Lobbyist) (State Employee) - Waive In Opposition
Florida Public Defender Association, Inc
PO Box 11057
Tallahassee FL 32302
Phone: (850) 510-2187

Committee meeting was reported out: Tuesday, March 19, 2013 1:23:21PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/19/2013 9:00:00AM

Location: 404 HOB

HB 1325 : Victims of Human Trafficking

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant			X		
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

HB 1325 Amendments

Amendment 857803

Adopted Without Objection

Amendment 505733

Adopted Without Objection

Appearances:

Cervone, Bill (State Employee) - Waive In Support
State Attorney, 8th Circuit
120 W. University Avenue
Gainesville FL 32601
Phone: (352) 374-3686

Diaz, Nelson (Lobbyist) - Waive In Support
President, Kristi House
121 Alhambra Plaza
Coral Gables FL 33134
Phone: 305-490-3414

Sekula, Adrianna (Lobbyist) - Waive In Support
PACE Center for Girls, Inc.
Phone: (904) 553-7850

Committee meeting was reported out: Tuesday, March 19, 2013 1:23:21PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1325 (2013)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

FAVORABLE
3/19/13

1 Committee/Subcommittee hearing bill: Criminal Justice

2 Subcommittee

3 Representative Pilon offered the following:

4

5 **Amendment**

6 Remove lines 57-62 and insert:

7 (c) "Victim of human trafficking" means a person subjected
8 to coercion, as defined in s. 787.06, for the purpose of being
9 used in human trafficking, a child under 18 years of age
10 subjected to human trafficking, or an individual subjected to
11 human trafficking as defined by federal law.

12

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

FAVORABLE
3/19/13

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Eagle offered the following:

Amendment (with title amendment)

6 Between lines 374 and 375, insert:

7 Section 6. Paragraph (a) of subsection (23) of section
8 90.803, Florida Statutes, is amended to read:

9 90.803 Hearsay exceptions; availability of declarant
10 immaterial.—The provision of s. 90.802 to the contrary
11 notwithstanding, the following are not inadmissible as evidence,
12 even though the declarant is available as a witness:

13 (23) HEARSAY EXCEPTION; STATEMENT OF CHILD VICTIM.—

14 (a) Unless the source of information or the method or
15 circumstances by which the statement is reported indicates a
16 lack of trustworthiness, an out-of-court statement made by a
17 child victim with a physical, mental, emotional, or
18 developmental age of 16 ~~14~~ or less describing any act of child
19 abuse or neglect, any act of sexual abuse against a child, the
20 offense of child abuse, the offense of aggravated child abuse,

Amendment No. 2

21 or any offense involving an unlawful sexual act, contact,
22 intrusion, or penetration performed in the presence of, with,
23 by, or on the declarant child, not otherwise admissible, is
24 admissible in evidence in any civil or criminal proceeding if:

25 1. The court finds in a hearing conducted outside the
26 presence of the jury that the time, content, and circumstances
27 of the statement provide sufficient safeguards of reliability.
28 In making its determination, the court may consider the mental
29 and physical age and maturity of the child, the nature and
30 duration of the abuse or offense, the relationship of the child
31 to the offender, the reliability of the assertion, the
32 reliability of the child victim, and any other factor deemed
33 appropriate; and

34 2. The child either:

35 a. Testifies; or

36 b. Is unavailable as a witness, provided that there is
37 other corroborative evidence of the abuse or offense.

38 Unavailability shall include a finding by the court that the
39 child's participation in the trial or proceeding would result in
40 a substantial likelihood of severe emotional or mental harm, in
41 addition to findings pursuant to s. 90.804(1).
42

43 -----
44 **T I T L E A M E N D M E N T**

45 Remove line 29 and insert:

46 conforming provisions to changes made by the act; amending s.
47 90.803, F.S.; providing that an out-of-court statement by a
48 child victim with a physical, mental, emotional, or

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1325 (2013)

Amendment No. 2

49 developmental age of 16 or less rather than 11 or less
50 describing specified criminal acts is admissible in evidence in
51 certain instances;

52

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/19/2013 9:00:00AM

Location: 404 HOB

HB 1327 : Pub. Rec./Crim. Hist./Human Trafficking Victims

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant			X		
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 19, 2013 1:23:21PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/19/2013 9:00:00AM

Location: 404 HOB

HB 1355 : Purchase of Firearms by Mentally Ill Persons

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 1355 Amendments

Amendment 388843

Adopted Without Objection

Appearances:

Leifman, Steven (General Public) - Information Only
Judge, 11th Judicial Circuit
1351 NW 12th Street
Miami FL 33125
Phone: (305) 548-5394

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

Committee meeting was reported out: Tuesday, March 19, 2013 1:23:21PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

FAVORABLE
3/19/13

1 Committee/Subcommittee hearing bill: Criminal Justice

2 Subcommittee

3 Representative Watson, B. offered the following:

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

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (a) of subsection (2) of section
 8 790.065, Florida Statutes, is amended to read:

9 790.065 Sale and delivery of firearms.-

10 (2) Upon receipt of a request for a criminal history
 11 record check, the Department of Law Enforcement shall, during
 12 the licensee's call or by return call, forthwith:

13 (a) Review any records available to determine if the
 14 potential buyer or transferee:

15 1. Has been convicted of a felony and is prohibited from
 16 receipt or possession of a firearm pursuant to s. 790.23;

17 2. Has been convicted of a misdemeanor crime of domestic
 18 violence, and therefore is prohibited from purchasing a firearm;

19 3. Has had adjudication of guilt withheld or imposition of
 20 sentence suspended on any felony or misdemeanor crime of

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1355 (2013)

Amendment No. 1

21 domestic violence unless 3 years have elapsed since probation or
22 any other conditions set by the court have been fulfilled or
23 expunction has occurred; or

24 4. Has been adjudicated mentally defective or has been
25 committed to a mental institution by a court and as a result is
26 prohibited by federal law from purchasing a firearm.

27 a. As used in this subparagraph, "adjudicated mentally
28 defective" means a determination by a court that a person, as a
29 result of marked subnormal intelligence, or mental illness,
30 incompetency, condition, or disease, is a danger to himself or
31 herself or to others or lacks the mental capacity to contract or
32 manage his or her own affairs. The phrase includes a judicial
33 finding of incapacity under s. 744.331(6)(a), an acquittal by
34 reason of insanity of a person charged with a criminal offense,
35 and a judicial finding that a criminal defendant is not
36 competent to stand trial.

37 b. As used in this subparagraph, "committed to a mental
38 institution" means:

39 (I) Involuntary ~~involuntary~~ commitment, commitment for
40 mental defectiveness or mental illness, and commitment for
41 substance abuse. The phrase includes involuntary inpatient
42 placement as defined in s. 394.467, involuntary outpatient
43 placement as defined in s. 394.4655, involuntary assessment and
44 stabilization under s. 397.6818, and involuntary substance abuse
45 treatment under s. 397.6957, but does not include a person in a
46 mental institution for observation or discharged from a mental
47 institution based upon the initial review by the physician or a
48 voluntary admission to a mental institution; or-

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1355 (2013)

Amendment No. 1

49 (II) Notwithstanding (I), voluntary admission to a mental
50 institution for outpatient or inpatient treatment of a person
51 who had an involuntary examination under s. 394.463, and:

52 (A) The examining physician found that the person is an
53 imminent danger to himself or herself or others;

54 (B) The examining physician certified that if the person
55 did not agree to voluntary treatment, a petition for involuntary
56 outpatient or inpatient treatment would have been filed under s.
57 394.463(2)(i)4.;

58 (C) Before agreeing to voluntary treatment, the person
59 received written notice of that finding and certification, and
60 written notice that as a result of such finding, he or she may
61 be prohibited from purchasing a firearm, and may not be eligible
62 to apply for or retain a concealed weapon or firearms license
63 under s. 790.06 and the person acknowledged such notice in
64 writing, in substantially the following form:

65
66 "I understand that the doctor who examined me believes
67 I am a danger to myself or to others. I understand
68 that if I do not agree to voluntary treatment, the
69 doctor will file a petition in court to require me to
70 receive involuntary treatment. I understand that if
71 that petition is filed, I have the right to contest
72 it. I understand that by agreeing to voluntary
73 treatment in this situation, I may be prohibited from
74 buying firearms and from applying for or retaining a
75 concealed weapons or firearms license until I apply
76 for and receive relief from that restriction under

Amendment No. 1

77 Florida law."; and

78
79 (D) A judge or a magistrate has, pursuant to sub-sub-
80 subparagraph c.(II), reviewed the record of the finding,
81 certification, notice, and written acknowledgement classifying
82 the person as an imminent danger to himself or herself or
83 others, and approved such record for submittal to the
84 department.

85 c. In order to check for these conditions, the department
86 shall compile and maintain an automated database of persons who
87 are prohibited from purchasing a firearm based on court records
88 of adjudications of mental defectiveness or commitments to
89 mental institutions.

90 (I) Except as provided in sub-sub-subparagraph (II), clerks
91 Clerks of court shall submit these records to the department
92 within 1 month after the rendition of the adjudication or
93 commitment. Reports shall be submitted in an automated format.
94 The reports must, at a minimum, include the name, along with any
95 known alias or former name, the sex, and the date of birth of
96 the subject.

97 (II) For persons committed to a mental institution pursuant
98 to sub-sub-subparagraph 4.b.(II), within 24 hours after the
99 person's agreement to voluntary admission, a record of the
100 finding, certification, notice, and written acknowledgement must
101 be filed with the clerk of the court for the county in which the
102 involuntary examination under s. 394.463 occurred. The clerk
103 must present the records to a judge or magistrate within 24
104 hours after receipt of the records. A judge or magistrate is

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1355 (2013)

Amendment No. 1

105 required and has the lawful authority to review the records and,
106 if the judge or magistrate determines that the record supports
107 the classifying of the person as an imminent danger to himself
108 or herself or others, to approve the record for submittal to the
109 department. If a judge or magistrate approves the submittal of
110 the record to the department, the record must be submitted to
111 the department within 24 hours.

112 d. A person who has been adjudicated mentally defective or
113 committed to a mental institution, as those terms are defined in
114 this paragraph, may petition the circuit court that made the
115 adjudication or commitment, or the court that approved the
116 record for submittal to the department pursuant to sub-sub-
117 subparagraph c.(II), for relief from the firearm disabilities
118 imposed by such adjudication or commitment. A copy of the
119 petition shall be served on the state attorney for the county in
120 which the person was adjudicated or committed. The state
121 attorney may object to and present evidence relevant to the
122 relief sought by the petition. The hearing on the petition may
123 be open or closed as the petitioner may choose. The petitioner
124 may present evidence and subpoena witnesses to appear at the
125 hearing on the petition. The petitioner may confront and cross-
126 examine witnesses called by the state attorney. A record of the
127 hearing shall be made by a certified court reporter or by court-
128 approved electronic means. The court shall make written findings
129 of fact and conclusions of law on the issues before it and issue
130 a final order. The court shall grant the relief requested in the
131 petition if the court finds, based on the evidence presented
132 with respect to the petitioner's reputation, the petitioner's

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1355 (2013)

Amendment No. 1

133 | mental health record and, if applicable, criminal history
134 | record, the circumstances surrounding the firearm disability,
135 | and any other evidence in the record, that the petitioner will
136 | not be likely to act in a manner that is dangerous to public
137 | safety and that granting the relief would not be contrary to the
138 | public interest. If the final order denies relief, the
139 | petitioner may not petition again for relief from firearm
140 | disabilities until 1 year after the date of the final order. The
141 | petitioner may seek judicial review of a final order denying
142 | relief in the district court of appeal having jurisdiction over
143 | the court that issued the order. The review shall be conducted
144 | de novo. Relief from a firearm disability granted under this
145 | sub-subparagraph has no effect on the loss of civil rights,
146 | including firearm rights, for any reason other than the
147 | particular adjudication of mental defectiveness or commitment to
148 | a mental institution from which relief is granted.

149 | e. Upon receipt of proper notice of relief from firearm
150 | disabilities granted under sub-subparagraph d., the department
151 | shall delete any mental health record of the person granted
152 | relief from the automated database of persons who are prohibited
153 | from purchasing a firearm based on court records of
154 | adjudications of mental defectiveness or commitments to mental
155 | institutions.

156 | f. The department is authorized to disclose ~~the data~~
157 | collected pursuant to this subparagraph ~~data~~ to agencies of the
158 | Federal Government and other states for use exclusively in
159 | determining the lawfulness of a firearm sale or transfer. The
160 | department is also authorized to disclose this ~~any collected~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1355 (2013)

Amendment No. 1

161 data to the Department of Agriculture and Consumer Services for
162 purposes of determining eligibility for issuance of a concealed
163 weapons or concealed firearms license and for determining
164 whether a basis exists for revoking or suspending a previously
165 issued license pursuant to s. 790.06(10). When a potential buyer
166 or transferee appeals a nonapproval based on these records, the
167 clerks of court and mental institutions shall, upon request by
168 the department, provide information to help determine whether
169 the potential buyer or transferee is the same person as the
170 subject of the record. Photographs and any other data that could
171 confirm or negate identity must be made available to the
172 department for such purposes, notwithstanding any other
173 provision of state law to the contrary. Any such information
174 that is made confidential or exempt from disclosure by law shall
175 retain such confidential or exempt status when transferred to
176 the department.

177 Section 2. This act shall take effect July 1, 2013.

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181

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

182

Remove everything before the enacting clause and insert:

183

An act relating to the purchase of firearms by mentally ill

184

persons; amending s. 790.065, F.S.; providing conditions under

185

which a person who has been voluntarily admitted to a mental

186

institution for treatment and has undergone an involuntary

187

examination under the Baker Act may be prohibited from

188

purchasing a firearm; providing requirements for the examining

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1355 (2013)

Amendment No. 1

189 physician; providing for judicial review of certain findings;
190 providing specified notice requirements; providing form and
191 contents of notice; providing requirements with respect to the
192 filing of specified records with the court and presentation of
193 such records to a judge or magistrate; providing lawful
194 authority of a judge or magistrate to review specified records
195 and submit such records to the Department of Law Enforcement;
196 providing a timeframe for submission of records to the
197 department upon approval of a record by a judge or magistrate;
198 providing an effective date.