



Justice Appropriations Subcommittee

Action Packet

**March 30, 2015
12:30 p.m. – 2:30 p.m.
Morris Hall**

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee
3/30/2015 12:30:00PM

Location: Morris Hall (17 HOB)

Summary:

Justice Appropriations Subcommittee

Monday March 30, 2015 12:30 pm

CS/HB 99	Favorable With Committee Substitute	Yeas: 11	Nays: 1
	Amendment 086049 Adopted Without Objection		
CS/HB 235	Favorable	Yeas: 12	Nays: 0
HB 7105	Favorable With Committee Substitute	Yeas: 12	Nays: 0
	Amendment 695757 Adopted Without Objection		

Committee meeting was reported out: Monday, March 30, 2015 2:55:39PM

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee
3/30/2015 12:30:00PM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Larry Metz (Chair)	X		
Larry Ahern	X		
Daniel Burgess, Jr.	X		
Eric Eisnaugle	X		
Chris Latvala	X		
Kionne McGhee			X
Mike Miller	X		
Kathleen Peters	X		
Sharon Pritchett	X		
José Rodríguez	X		
Darryl Rouson	X		
Ross Spano	X		
Carlos Trujillo	X		
Totals:	12	0	1

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COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee
3/30/2015 12:30:00PM

Location: Morris Hall (17 HOB)

CS/HB 99 : Juvenile Civil Citations

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Daniel Burgess, Jr.	X				
Eric Eisnaugle		X			
Chris Latvala	X				
Kionne McGhee			X		
Mike Miller	X				
Kathleen Peters	X				
Sharon Pritchett	X				
José Rodríguez	X				
Darryl Rouson	X				
Ross Spano	X				
Carlos Trujillo	X				
Larry Metz (Chair)	X				
Total Yeas: 11		Total Nays: 1			

CS/HB 99 Amendments

Amendment 086049

Adopted Without Objection

Appearances:

Amendment #1

Howard, Bernadette (Lobbyist) (General Public) - Waive In Support
 Florida Police Chiefs Association
 PO Box 14038
 Tallahassee FL
 Phone: 850-219-3631

Dungan, Matt (Lobbyist) - Waive In Support
 Florida Sheriffs Associations
 Assistant Executive Director
 2617 Mahan Drive
 Tallahassee FL 32308
 Phone: 850-274-3599

Maclutyne, Monica (General Public) - Proponent
 FAITH Organization/Our Lady of Lourdes Catholic Church
 100 Pleasant Valley Drive
 Daytona Beach FL 32114
 Phone: 386-248-8282

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COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee
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Location: Morris Hall (17 HOB)

CS/HB 99 : Juvenile Civil Citations (continued)

Appearances: (continued)

Gay, Derrell (General Public) - Proponent

FAITH
336 Palmetto Avenue
Daytona Beach FL 32114
Phone: 386-631-0098

Bergeron, Fred (General Public) - Proponent

Faith/Prince of Peach Catholic Church
Realtor
436 S. Nova Rd. Lot 96
Ormond Beach FL 32174
Phone: 386-405-4455

Barnes, Edward (General Public) - Proponent

FAITH/Allen Chapel AME Church
343 North Street
Daytona Beach FL 32114
Phone: 386-523-6308

Padgett, Samantha (Lobbyist) - Opponent

Florida Retail Federation
227 South Adams St.
Tallahassee FL 32301
Phone: 850-222-4082

Craig-Myers, Cathy (Lobbyist) - Waive In Support

Florida Juvenile Justice Association
Executive Director
3333 W. Pensacola St.
Tallahassee FL 32311
Phone: 850-671-3442

Delgado, Ingrid (Lobbyist) - Waive In Support

Florida Conference of Catholic Bishops
Associate for Social Concerns & Respect Life
201 W. Park Avenue
Tallahassee FL

Cassini, Marty (Lobbyist) - Waive In Support

Broward County
Legislative Counsel
115 S. Andrews Avenue
Fort Lauderdale FL 33301
Phone: 954-357-7575

Daniels, Nancy (State Employee) (General Public) - Proponent

Public Defender, 2nd circuit
Public Defender
Leon County Courthouse 301 S Monroe Street
Tallahassee FL 32301
Phone: 850-606-1010

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COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee
3/30/2015 12:30:00PM

Location: Morris Hall (17 HOB)

CS/HB 99 : Juvenile Civil Citations (continued)

Appearances: (continued)

Bishop, Barney (Lobbyist) - Proponent
Florida Smart Justice Alliance
President and CEO
201 S Monroe St
Tallahassee FL 32301
Phone: 850-577-3032

Sexton, Samantha (Lobbyist) - Waive In Support
PACE Center for Girls
Associate Director of Government Affairs
One W. Adams Street, #301
Jacksonville FL 32202
Phone: 904-383-9403

Roshaven, Craig (General Public) - Proponent
Reverend
4 Ligartrun Circle
Ormond Beach FL 32176
Phone: 817-697-2976

Fellman, Laura (General Public) - Waive In Support
Florida PTA
Florida PTA Legislative Committee Member
7654 Soliman Circle
Boca Raton FL 33433
Phone: 561-445-4000

Kato, Natalie (Lobbyist) - Waive In Support
Florida Association Criminal Defense Lawyers
Policy Advocate

Pitts, Brian (General Public) - Waive In Support
Justice-2-Jesus
Trustee
1119 Newton Ave. S.
St. Petersburg FL 33705
Phone: 727-897-9291

Pound, Grey (General Public) - Information Only
Families
Father
9166 Sunrise Drive
Largo FL 33773

Committee meeting was reported out: Monday, March 30, 2015 2:55:39PM

Amendment No. 1

*Adopted
3/30/15*

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Justice Appropriations
 2 Subcommittee

3 Representative Clarke-Reed offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 30-71 and insert:

7 (1) There is established a juvenile civil citation process
 8 for the purpose of providing an efficient and innovative
 9 alternative to custody by the Department of Juvenile Justice for
 10 children who commit nonserious delinquent acts and to ensure
 11 swift and appropriate consequences. The department shall
 12 encourage and assist in the implementation and improvement of
 13 civil citation programs or other similar diversion programs
 14 around the state. The civil citation or similar diversion
 15 program shall be established at the local level with the
 16 concurrence of the chief judge of the circuit, state attorney,

Amendment No. 1

17 public defender, and the head of each local law enforcement
18 agency involved. The program may be operated by an entity such
19 as a law enforcement agency, the department, a juvenile
20 assessment center, the county or municipality, or another ~~some~~
21 ~~other~~ entity selected by the county or municipality. An entity
22 operating the civil citation or similar diversion program must
23 do so in consultation and agreement with the state attorney and
24 local law enforcement agencies. Under such a juvenile civil
25 citation or similar diversion program, a any law enforcement
26 officer, upon making contact with a juvenile who admits having
27 committed a misdemeanor, may choose to issue a simple warning or
28 inform the child's guardian or parent of the child's infraction,
29 or may issue a civil citation or require participation in a
30 similar diversion program, and assess up to ~~not more than~~ 50
31 community service hours, and require participation in
32 intervention services as indicated by an assessment of the needs
33 of the juvenile, including family counseling, urinalysis
34 monitoring, and substance abuse and mental health treatment
35 services. A copy of each citation issued under this section
36 shall be provided to the department, and the department shall
37 enter appropriate information into the juvenile offender
38 information system. Use of the civil citation or similar
39 diversion program is not limited to first-time misdemeanors and
40 may be used in a second or subsequent misdemeanor. If an arrest
41 is made, a law enforcement officer must provide written

Amendment No. 1

42 documentation as to why an arrest was warranted. Only first-time
43 ~~misdemeanor offenders are eligible for the civil citation or~~
44 ~~similar diversion program.~~ At the conclusion of a juvenile's
45 civil citation program or similar diversion program, the agency
46 operating the

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

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Remove lines 5-22 and insert:

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committed a misdemeanor or to inform the child's parent or
52 guardian of the child's infraction; allowing a law enforcement
53 officer who does not exercise one of these options to issue a
54 civil citation or require participation in a similar diversion
55 program; requiring a law enforcement officer to provide written
56 documentation in certain circumstances; providing that repeat
57 misdemeanor offenders may participate in the civil citation
58 program or a similar diversion program under certain
59 circumstances; reenacting ss. 943.051(3)(b) and 985.11(1)(b),
60 F.S., relating to the issuance of a civil citation, and the
61 issuance of a civil citation or similar diversion program,
62 respectively, to incorporate the amendments made to s. 985.12,
63 F.S., in

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee
3/30/2015 12:30:00PM

Location: Morris Hall (17 HOB)

CS/HB 235 : Restitution for Juvenile Offenses

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Daniel Burgess, Jr.	X				
Eric Eisnaugle	X				
Chris Latvala	X				
Kionne McGhee			X		
Mike Miller	X				
Kathleen Peters	X				
Sharon Pritchett	X				
José Rodríguez	X				
Darryl Rouson	X				
Ross Spano	X				
Carlos Trujillo	X				
Larry Metz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

Wylie, James (Lobbyist) - Waive In Support
 Florida Association Christian Child Caring Agencies
 Lobbyist
 5359 Pembridge Pl.
 Tallahassee FL 32309
 Phone: 850-567-1705

Padgett, Samantha (Lobbyist) - Waive In Support
 Florida Retail Federation
 General Counsel
 227 South Adams St.
 Tallahassee FL 32311
 Phone: 850-222-4082

Pitts, Brian (General Public) - Information Only
 Justice-2-Jesus
 Trustee
 1119 Newton Avenue South
 S. Petersburg Florida 33705
 Phone: 727-897-9291

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee
3/30/2015 12:30:00PM

Location: Morris Hall (17 HOB)

HB 7105 : Expunging and Sealing Criminal History Records

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Daniel Burgess, Jr.	X				
Eric Eisnaugle	X				
Chris Latvala	X				
Kionne McGhee			X		
Mike Miller	X				
Kathleen Peters	X				
Sharon Pritchett	X				
José Rodríguez	X				
Darryl Rouson	X				
Ross Spano	X				
Carlos Trujillo	X				
Larry Metz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

HB 7105 Amendments

Amendment 695757

Adopted Without Objection

Appearances:

Nuzzo, Sal (General Public) - Waive In Support
 The James Jadison Institute
 VP of Policy
 100 Duval St.
 Tallahassee FL 32301
 Phone: 850-322-9941

Miller, Roy (Lobbyist) - Waive In Support
 The Children's Campaign
 President
 111 S. Magnolia Dr.
 Tallahassee FL 32301
 Phone: 850-425-2600

Craig-Myers, Cathy (Lobbyist) - Waive In Support
 Florida Juvenile Justice Association
 Executive Director
 3333 W. Pensacola St.
 Tallahassee FL 32311
 Phone: 850-671-3442

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Location: Morris Hall (17 HOB)

HB 7105 : Expunging and Sealing Criminal History Records (continued)

Appearances: (continued)

Daniels, Nancy (State Employee) (General Public) - Waive In Support
Public Defender, 2nd Circuit
Public Defender, 2nd Circuit
Leon County Courthouse 301 S Monroe Street
Tallahassee FL 32301
Phone: 850-606-1010

Schaeffer, Charles (State Employee) - Information Only
FDLE
Director
2331 Phillips Rd
Tallahassee FL 32308
Phone: 850-410-7100

Bishop, Barney (Lobbyist) - Waive In Support
Florida Smart Justice Alliance
President and CEO
204 S Monroe St, Suite 201
Tallahassee FL 32301
Phone: 850-577-3032

Sexton, Samantha (Lobbyist) - Waive In Support
Pace Center for Girls
Assoc. Dir. of Gov. Affairs,
One West Adams St., #301
Jacksonville FL 32202
Phone: 904-383-9403

Pitts, Brian (General Public) - Waive In Support
Justice-2-Jesus
Trustee
1119 Newton Ave. S.
St. Petersburg FL 33705
Phone: 727-897-9291

Spudeas, Christina (Lobbyist) - Waive In Support
Florida's Children First
Advocate
201 W. Park Avenue
Tallahassee FL 32301

Kato, Natalie (Lobbyist) - Waive In Support
Florida Association Criminal Defense Lawyers
Lobbyist
201 W. Park Avenue
Tallahassee FL 32301

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/30/2015 12:30:00PM

Location: Morris Hall (17 HOB)

HB 7105 : Expunging and Sealing Criminal History Records (continued)

Appearances: (continued)

Kato, Natalie (Lobbyist) - Waive In Support

Human Rights Watch

Lobbyist

201 W. Park Avenue

Tallahassee FL 32301

Pound, Grey (General Public) - Information Only

Florida Families

9166 Sunrise Drive

Largo FL 33773

Ragbeer, Diana (Lobbyist) - Waive In Support

The Children's Trust

Director Public Policy

3150 SW 3rd Avenue

Miami FL 33129

Phone: 305-571-5700

Committee meeting was reported out: Monday, March 30, 2015 2:55:39PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

*Adopted
3/30/15*

1 Committee/Subcommittee hearing bill: Justice Appropriations
2 Subcommittee

3 Representative Latvala offered the following:

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

6 Between lines 850 and 851, insert:

7 Section 14. For Fiscal Year 2015-2016, the sum of \$500,000 in
8 recurring funds from the Operating Trust Fund of the Department
9 of Law Enforcement are hereby appropriated to the Department of
10 Law Enforcement from revenues received pursuant to ss. 943.0584
11 and 943.0585, Florida Statutes, to provide for the sealing and
12 expunction of criminal history records related to this bill. The
13 Department of Law Enforcement may submit budget amendments
14 pursuant to Chapter 216, Florida Statutes, requesting an
15 increase in budget authority based on workload increases
16 resulting from the provisions of this bill.

Amendment No. 1

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

Remove line 51 and insert:
provisions to changes made by the act; providing an
appropriation; providing an