

Summary of Final Actions -- 2011 Criminal Justice Impact Conference Bills

KEY:			
pot. sig.	Potentially large impact on prison beds	insig.	Very small additional bed impact
pot. mod.	Potentially moderate impact	*	No prison bed impact
indet.	Unquantifiable bed impact	tp	Temporarily postponed

Conf. Date	Subject	House	Last Action House Bill	Senate	Last Action Senate Bill	Sponsor H/S	CJIC Impact					Passed?
							FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	
2-Mar-11	Voting Rights of Felons - Proposes amendment to s. 4, Art. VI of State Constitution to disqualify person who is convicted of felony from voting only until completion of all sentences imposed & expiration or completion of all conditions of supervision, if any. <i>Effective Date: Not Specified</i>	HJR 51	5/7/11 HOUSE Died in Criminal Justice Subcommittee	SJR 538	5/7/11 SENATE Died in Criminal Justice	Porth Sobel	*	*	*	*	*	NO
2-Mar-11	Sexting - Provides that minor commits offense of sexting if he or she knowingly uses computer or other device to transmit or distribute photograph or video of himself or herself which depicts nudity & is harmful to minors, or knowingly possesses such photograph or video that was transmitted or distributed to minor from another minor; provides that transmission or distribution of multiple photographs or videos is single offense if such photographs & videos were transmitted or distributed in same 24-hour period; provides that possession of multiple photographs or videos that were transmitted or distributed by minor is single offense if such photographs & videos were transmitted or distributed by minor in same 24-hour period; provides that act does not prohibit prosecution of minor for conduct relating to material that includes depiction of sexual conduct or sexual excitement or for stalking. <i>Effective Date: October 1, 2011</i>	HB 75	5/3/11 HOUSE Ordered Enrolled --HJ 1101			Abruzzo	insig.	insig.	insig.	insig.	insig.	YES
2-Mar-11	Treatment-based Drug Court Programs - Provides that court has discretion to allow offenders with prior violent felony offenses into postadjudicatory treatment-based drug court programs on case-by-case basis; requires all offenders sentenced to postadjudicatory drug court program who are drug court participants who are subject of violation of probation or community control hearing under specified provisions to have violation of probation or community control heard by judge presiding over drug court program, etc. <i>EFFECTIVE DATE: July 1, 2011</i>	HB 81	4/26/11 HOUSE Laid on Table, refer to CS/SB 400 -- HJ 792			Rouson	indet.	indet.	indet.	indet.	indet.	NO
2-Mar-11	Drug-related Overdoses - Designates act "911 Good Samaritan Act"; provides that person acting in good faith who seeks medical assistance for someone experiencing drug-related overdose may not be charged with specified offenses; provides that person who experiences drug-related overdose & needs medical assistance may not be charged for specified offenses if evidence was obtained as result of overdose & need for assistance; provides that protections from prosecution are not grounds for suppression of evidence in other prosecutions; provides that departure from lowest permissible criminal sentence is permitted when defendant was making good faith effort to obtain or provide medical assistance for someone experiencing drug-related overdose. <i>Effective Date: July 1, 2011</i>	HB 91	5/7/11 SENATE Died in Messages	SB 1146	5/7/11 SENATE Died in Budget	Bernard Sachs	*	*	*	*	*	NO

Summary of Final Actions -- 2011 Criminal Justice Impact Conference Bills

KEY:			
pot. sig.	Potentially large impact on prison beds	insig.	Very small additional bed impact
pot. mod.	Potentially moderate impact	*	No prison bed impact
indet.	Unquantifiable bed impact	tp	Temporarily postponed

Conf. Date	Subject	House	Last Action House Bill	Senate	Last Action Senate Bill	Sponsor H/S	CJIC Impact					Passed?
							FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	
2-Mar-11	Handbill Distribution - Provides additional penalties for the offense of unlawfully distributing handbills in a public lodging establishment. Specifies that certain items used in committing such offense are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act. Authorizes a law enforcement officer to arrest a person without a warrant when there is probable cause to believe the person violated s. 509.144, F.S., and where the owner or manager of the public lodging establishment signs an affidavit containing information supporting the determination of probable cause, etc. <i>EFFECTIVE DATE: October 1, 2011</i>			SB 366	5/7/11 SENATE Died in Budget	Altman	*	*	*	*	*	NO
2-Mar-11	Treatment-based Drug Court Programs - Requires all offenders sentenced to a postadjudicatory drug court program who are drug court participants and who are the subject of a violation of probation or community control hearing under specified provisions to have the violation of probation or community control heard by the judge presiding over the drug court program. Increases the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program, etc. <i>EFFECTIVE DATE: July 1, 2011</i>			CS/SB 400	5/6/11 Chapter No. 2011-33	Wise	indet.	indet.	indet.	indet.	indet.	YES
2-Mar-11	Public Records - Provides an exemption from public records requirements for photographs and video and audio recordings that depict or record the killing of a person. Authorizes access to such photographs or video or audio recordings by specified members of the immediate family of the deceased subject of the photographs or video or audio recordings. Provides for access to such records by local governmental entities or state or federal agencies in furtherance of official duties. Provides for future legislative review and repeal of the exemption, etc. <i>EFFECTIVE DATE: July 1, 2011</i>			SB 416	4/29/11 SENATE Laid on Table, refer to CS/HB 411 --SJ 00590	Bogdanoff	insig.	insig.	insig.	insig.	insig.	NO
2-Mar-11	Assault or Battery - Provides for reclassification of specified assault or battery offenses when committed against persons licensed, registered, certified, or regulated under provisions relating to psychological and clinical, counseling, and psychotherapy services. Reenacts provisions relating to the offense severity ranking chart of the Criminal Punishment Code and a policy of zero tolerance for crime and victimization, to incorporate the amendment made to 784.081, F.S., in references thereto. <i>EFFECTIVE DATE: July 1, 2011</i>			SB 764	5/7/11 SENATE Died in Criminal Justice	Sobel	insig.	insig.	insig.	insig.	insig.	NO
2-Mar-11	Drug Abuse Prevention and Control - Adds transactions of a controlled substance near a homeless shelter to the list of prohibited acts. <i>EFFECTIVE DATE: July 1, 2011</i>			SB 794	5/7/11 SENATE Died in Budget	Diaz de la Portilla	pot. sig.	pot. sig.	pot. sig.	pot. sig.	pot. sig.	NO

Summary of Final Actions -- 2011 Criminal Justice Impact Conference Bills

KEY:			
pot. sig.	Potentially large impact on prison beds	insig.	Very small additional bed impact
pot. mod.	Potentially moderate impact	*	No prison bed impact
indet.	Unquantifiable bed impact	tp	Temporarily postponed

Conf. Date	Subject	House	Last Action House Bill	Senate	Last Action Senate Bill	Sponsor H/S	CJIC Impact					Passed?
							FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	
4-Apr-11	Weapons or Firearms; Prohibits possession of any firearm, electric weapon, or other specified device on property operated by school district; provides criminal penalties; amends & reenacts provisions relating to prohibited acts; clarifies that provisions prohibiting restrictions on firearms possession do not apply to restrictions on possession on property owned or operated by school district; bans possession, sale, transfer, or manufacture of high-capacity ammunition feeding devices; provides exceptions; provides criminal penalties. <i>EFFECTIVE DATE: July 1, 2011</i>	HB 1335	5/7/11 HOUSE Died in Criminal Justice Subcommittee	SB 1726	4/27/11 SENATE Withdrawn from further consideration --SJ 540	Berman Margolis	insig.	insig.	insig.	insig.	insig.	NO
4-Apr-11	Assault Battery/ Law Enforcement or Firefighters; Increases mandatory minimum term of imprisonment for battery of law enforcement officer or firefighter with firearm or destructive device or while possessing semiautomatic firearm & its high-capacity detachable box magazine, or machine gun. <i>EFFECTIVE DATE: October 1, 2011</i>	HB 1449	5/7/11 HOUSE Died in Criminal Justice Subcommittee			Artiles	insig.	insig.	insig.	insig.	insig.	NO
4-Apr-11	False Personation; Prohibits person from falsely personating firefighter or certain law enforcement officers if his or her action could deceive reasonable person into believing that he or she was bona fide official; prohibits operation or ownership of motor vehicle falsely marked in way which could deceive reasonable person into believing that such vehicle is authorized by fire department for use by person operating it; provides exception. <i>EFFECTIVE DATE: October 1, 2011</i>	HB 1459	5/7/11 HOUSE Died in Criminal Justice Subcommittee	SB 2016	5/7/11 SENATE Died in Criminal Justice	Watson Braynon	insig.	insig.	insig.	insig.	insig.	NO
4-Apr-11	Enforcement of Immigration Laws; Prohibits state or political subdivisions from limiting or restricting enforcement of federal immigration laws; provides that state or its political subdivisions may not be prohibited from maintaining or exchanging information regarding immigration status; authorizes law enforcement officer to determine immigration status; requires implementation consistent with federal law; prohibits using race, color, or national origin in enforcement; requires every employer to use federal E-Verify system; prohibits knowingly employing unauthorized alien, etc. <i>EFFECTIVE DATE: October 1, 2011</i>	HB 7089	5/7/11 HOUSE Died pending review of CS			Snyder	pot. sig.	pot. sig.	pot. sig.	pot. sig.	pot. sig.	NO
4-Apr-11	Prison Diversion Programs; Increases number of Criminal Punishment Code scoresheet total sentence points that offender may have & be eligible for prison diversion program; authorizes court to sentence offender in prison diversion program to serve jail term not to exceed 90 days; provides prison diversion program may require electronic monitoring. <i>EFFECTIVE DATE: July 1, 2011</i>	HB 7127	5/7/11 SENATE Died in messages			Julien	-9	-22	-31	-37	-40	NO

Summary of Final Actions -- 2011 Criminal Justice Impact Conference Bills

KEY:			
pot. sig.	Potentially large impact on prison beds	insig.	Very small additional bed impact
pot. mod.	Potentially moderate impact	*	No prison bed impact
indet.	Unquantifiable bed impact	tp	Temporarily postponed

Conf. Date	Subject	House	Last Action House Bill	Senate	Last Action Senate Bill	Sponsor H/S	CJIC Impact					Passed?
							FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	
4-Apr-11	Internet Poker; Creates the "Internet Poker Consumer Protection and Revenue Generation Act." Provides for intrastate Internet poker to be provided to the public by cardroom operators through a state Internet poker network operated by licensed Internet poker hub operators. Provides for selection of Internet poker hub operators through competitive procurement process. Provides for distribution of moneys received from Internet poker hub operations, etc. <i>EFFECTIVE DATE: July 1, 2011</i>			CS/SB 812	5/7/11 SENATE Died in Criminal Justice	Bennett	insig.	insig.	insig.	insig.	insig.	NO
4-Apr-11	Controlled Substances; Authorizes certain health care practitioners to complete a continuing education course relating to the prescription drug monitoring program. Creates a felony of the third degree for any person to register or attempt to register a pain-management clinic through misrepresentation or fraud. Revises the list of entities that are not required to register as a pain-management clinic. Requires that the prescription drug monitoring program comply with the minimum requirements of the National All Schedules Prescription Electronic Reporting Act, etc. <i>EFFECTIVE DATE: October 1, 2011</i>			CS/CS/SB 818	5/6/11 SENATE Laid on Table, refer to CS/CS/HB 7095	Fasano Lynn	insig.	insig.	insig.	insig.	insig.	NO
4-Apr-11	Sentences of Inmates; Removes all references to imposing mandatory minimum sentences for defendants convicted of trafficking in controlled substances. Provides legislative intent to encourage the DOC, to the extent possible, to place inmates in the community to perform paid employment for community work. Directs the DOC to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration. Authorizes the DOC to grant up to 10 days per month of incentive gain-time, etc. <i>EFFECTIVE DATE: October 1, 2011</i>			CS/SB 1334	5/7/11 SENATE Died on Calendar	Bogdanoff	pot. sig. savings	pot. sig. savings	pot. sig. savings	pot. sig. savings	pot. sig. savings	NO
4-Apr-11	Sentences of Inmates; Removes all references to imposing mandatory minimum sentences for defendants convicted of trafficking in controlled substances. Provides legislative intent to encourage the DOC, to the extent possible, to place inmates in the community to perform paid employment for community work. Directs the DOC to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration. Authorizes the DOC to grant up to 10 days per month of incentive gain-time, etc. <i>EFFECTIVE DATE: October 1, 2011</i>			CS/SB 1334	5/7/11 SENATE Died on Calendar	Bogdanoff	-140	-269	-283	-220	-187	NO

Summary of Final Actions -- 2011 Criminal Justice Impact Conference Bills

KEY:			
pot. sig.	Potentially large impact on prison beds	insig.	Very small additional bed impact
pot. mod.	Potentially moderate impact	*	No prison bed impact
indet.	Unquantifiable bed impact	tp	Temporarily postponed

Conf. Date	Subject	House	Last Action House Bill	Senate	Last Action Senate Bill	Sponsor H/S	CJIC Impact					Passed?
							FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	
4-Apr-11	Licensed Security Officers ; Provides that a person who engages in any activity for which a specified provision requires a license, but acts without having a license, commits a misdemeanor of the first degree. Authorizes the Department of Agriculture and Consumer Services to impose a civil penalty not to exceed a specified amount. Provides that a person who impersonates a security officer or other designated officer during the commission of a felony commits a felony of the second degree, etc. <i>EFFECTIVE DATE: July 1, 2011</i>	HB 1333	5/7/11 HOUSE Died in Business & Consumer Affairs Subcommittee	<i>SB 1588</i>	5/7/11 SENATE Died on Calendar	<i>Rouson Latvala</i>	insig.	insig.	insig.	insig.	insig.	NO
4-Apr-11	Mandatory Minimum Sentences ; Amends provisions relating to crashes involving death or personal injuries, driving under the influence, unlicensed purchase, sale, or harvest of seafood, violations involving horsemeat, acting as an insurer without a certificate of authority, possession of a weapon during the commission of certain offenses, criminal use of personal identification information, intentionally defective workmanship, and controlled substance violations, respectively, deleting mandatory minimum sentences. <i>EFFECTIVE DATE: July 1, 2011</i>			<i>SB 1798</i>	5/7/11 SENATE Died in Criminal Justice	Smith	pot. sig. savings	pot. sig. savings	pot. sig. savings	pot. sig. savings	pot. sig. savings	NO
4-Apr-11	Assault or Battery ; Increases the mandatory minimum term of imprisonment for battery of a law enforcement officer or firefighter while possessing a firearm or destructive device. Increases the mandatory minimum term of imprisonment for such a battery while possessing a semiautomatic firearm and its high-capacity detachable box magazine or a machine gun. <i>EFFECTIVE DATE: October 1, 2011</i>			<i>SB 1808</i>	5/7/11 SENATE Died on Calendar	Diaz de la Portilla	insig.	insig.	insig.	insig.	insig.	NO

NOTES:

SB 416 which was heard at the March 2, 2011 Criminal Justice Impact Conference created two unranked third-degree felonies. These provisions are included in CS/SB 411 which passed.

CS/CS/HB 7095 which was passed instead of CS/CS/SB 818 (heard at the April 4, 2011 Criminal Justice Impact Conference) created several unranked third-degree felonies.