

CRIMINAL JUSTICE IMPACT CONFERENCE														
2009 LEGISLATURE														
Conf. Date	House	Senate	Sponsor	Subject	FY09-10	FY10-11	FY11-12	FY12-13	FY13-14	10th yr	15th yr	20th yr	Comments	
25-Feb	HB	29	Grimsley	Unlawful Use of Utility Services ; Prohibits trespass & larceny in relation to utility fixtures for purpose of manufacturing controlled substance; provides for prima facie evidence of intent to commit offense; provides that prosecution for trespass & larceny in relation to utility fixtures does not preclude prosecution for theft of utility services, etc. EFFECTIVE DATE: 07/01/2009.	insig	insig	insig	insig	insig					Unranked 3rd degree felony
25-Feb	CS/HB	57	Public Safety & Domestic Security Policy; Reed	Law Enforcement Explorers ; Defines "law enforcement explorer"; provides for reclassification of certain offenses against law enforcement explorers. EFFECTIVE DATE: 10/01/2009.	insig	insig	insig	insig	insig					Low volume
25-Feb	HB	77	Glorioso	Sexual Offenders and Predators ; Prohibits loitering or prowling by certain offenders within specified distance of places where children regularly congregate; provides exceptions; revises provisions relating to reporting of transient addresses or locations for sexual predators & offenders; requires search in specified sex offender registry regarding sexual predators & offenders when persons are placed on misdemeanor probation, etc. EFFECTIVE DATE: 07/01/2009.	insig	insig	insig	insig	insig					Small numbers affected
25-Feb	HB	103	Ford	Voyeurism ; Prohibits secretly viewing, for specified purposes, either under or through clothing being worn by another person without that person's knowledge or consent to view body of, or undergarments worn by, that person. EFFECTIVE DATE: 10/01/2009.	insig	insig	insig	insig	insig					Unranked 3rd degree felony
25-Feb	CS/HB	115	Public Safety & Domestic Security Policy (CCJP); Kiar	Sexual Offenders and Predators ; Requires sexual offenders & predators to provide home telephone numbers & any cellular telephone numbers as part of registration process; corrects references relating to exclusions from sexual offender or predator designation. EFFECTIVE DATE: 07/01/2009.	insig	insig	insig	insig	insig					Small numbers affected
25-Feb	HB	123	SB 502 Snyder / Dockery	Human Smuggling ; Provides that person commits third degree felony if he or she transports an individual into this state & knows, or should know, that individual is illegally entering US or has illegally remained in US; provides enhanced penalties if individual being transported is minor or suffers great bodily harm or death. EFFECTIVE DATE: 10/01/2009.	insig	insig	insig	insig	insig					Low volume
25-Feb	HB	145	SB 612 Domino / Aronberg	Pub. Rec./DOH/Controlled Substances ; Exempts from public records requirements information & records reported to DOH under electronic monitoring system for dispensing of certain controlled substances; authorizes certain persons & entities access to information; provides guidelines for use of such information & penalties for violations; provides for future legislative review & repeal; provides finding of public necessity. EFFECTIVE DATE: Contingent.	insig	insig	insig	insig	insig					Unranked 3rd degree felony
25-Feb	HB	163	T. Williams	Illegal Aliens in the Correctional System ; Requires DOC & Parole Commission to establish agreements to implement federal deportation program for certain state inmates; requires DOC to identify during reception inmates eligible for deportation; requires coordination with federal authorities; specifies that eligible inmates waive specified rights & cooperate with authorities, etc. EFFECTIVE DATE: 07/01/2009.	indet	indet	indet	indet	indet					
25-Feb	HB	219	Kiar	Offenses Against Computer Users ; Defines term "spyware"; provides that whoever willfully, knowingly, & without authorization introduces any computer contaminant, including spyware, into any computer, computer system, computer program, or computer network commits offense against computer users; provides criminal penalties; authorizes Department of Legal Affairs or state attorney to seek to restrain prohibited activities; authorizes costs, attorney's fees, & civil penalties. EFFECTIVE DATE: 07/01/2009.	insig	insig	insig	insig	insig					Low volume
25-Feb	HB	273	CS/SB 448 Snyder / Criminal Justice; Rich	Sexual Activities Involving Animals ; Prohibits knowing sexual conduct or sexual contact with an animal; prohibits specified related activities; provides that act does not apply to certain husbandry & veterinary practices. EFFECTIVE DATE: 10/01/2009.	insig	insig	insig	insig	insig					Unranked 3rd degree felony
25-Feb	HB	275	SB 638 Stargel / Dean	Law Enforcement Photographs or Video Recordings ; Prohibits commercial use or distribution of law enforcement photographs or video recordings of deceased person or that show person's extreme, severe, or acute injuries, which are confidential & exempt from public records laws; provides that such photographs & video recordings remain confidential & exempt from public records laws when used or transmitted under certain circumstances, etc. EFFECTIVE DATE: 10/01/2009.	insig	insig	insig	insig	insig					Unranked 3rd degree felony

KEY:
pot. sig. Potentially large impact on prison beds
pot. mod. Potentially moderate impact
indet. Unquantifiable bed impact
insig. Very small additional bed impact
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25-Feb	HB	277 SB	636	Stargel / Dean	Pub. Rec./Law Enforcement Photos/Video Recordings; Provides exemption from public records law for investigative or crime scene photographs or video recordings of deceased person, part of deceased person, or any part of person's extreme, severe, or acute injuries held by law enforcement agency; provides exceptions; provides for certain access thereto & requirements therefore; exempts specified proceedings; provides for future legislative review & repeal; provides finding of public necessity, etc. EFFECTIVE DATE: Contingent.					insig	insig	insig	insig	insig	Unranked 3rd degree felony
25-Feb	HB	317 SB	640	Robaina / Garcia	False Personation of a Law Enforcement Officer; Revises provisions relating to unlawfully showing or displaying certain lights; provides that unlawful display of blue lights is misdemeanor of first degree; revises provisions relating to falsely impersonating an officer; subdividing penalty provisions for purpose of referencing such provisions; increases penalties for unlawful use of flashing or rotating blue lights, etc. EFFECTIVE DATE: 07/01/2009.					insig	insig	insig	insig	insig	Low volume
25-Feb	CS/HB	411 SB	652	Public Safety & Domestic Security Policy (CCJP); Brandenburg / Crist	Fraudulently Taking or Using Credit Card; Provides that person who takes credit card from possession, custody, or control of another without cardholder's consent or who, with knowledge that it has been taken, receives credit card with intent to use, sell, or transfer it to person other than issuer or cardholder commits felony of third degree rather than misdemeanor of first degree. EFFECTIVE DATE: 07/01/2009.					insig	insig	insig	insig	insig	Unranked 3rd degree felony
25-Feb	HB	581		Scionti	Career Offenders; Prohibits specified acts done with intent to assist career offender in eluding law enforcement agency that is seeking to find offender to question offender about, or to arrest offender for, his or her noncompliance. EFFECTIVE DATE: 10/01/2009.					insig	insig	insig	insig	insig	Low volume
25-Feb	HB	659 SB	1892	Stargel;Crist	Sexual Misconduct with Students/Authority Figures; Provides for reclassification of specified sexual offenses committed against students by an authority figure or an offender that is acting in such manner as to lead victim to reasonably believe that offender is such an authority figure. EFFECTIVE DATE: 10/01/2009.					indet	indet	indet	indet	indet	
25-Feb	HB	757 SB	1430	Weinstein / King	Parole for Adolescent Offenders; Designates act "Second Chance for Children in Prison Act of 2009"; provides that child 15 years of age or younger sentenced to life or more than 10 years in prison is eligible for parole if offender has been incarcerated for minimum period & not previously been adjudicated for certain offenses; requires initial interview to determine whether offender has been sufficiently rehabilitated, etc. EFFECTIVE DATE: Upon becoming law.					indet	indet	indet	indet	indet	
25-Feb	HB	843		Soto	Street Racing; Creates "Luis Rivera Ortega Street Racing Act"; revises provisions prohibiting certain speed competitions & exhibitions; prohibits driving in any race, drag race, or exhibition of speed or acceleration; prohibits specified activities involving such races, drag races, & exhibitions; provides criminal & noncriminal penalties; provides for revocation of driver license upon conviction, etc. EFFECTIVE DATE: 10/01/2009.					insig	insig	insig	insig	insig	Low volume
25-Feb	HB	871		Rouson	Retail-Theft Diversion Programs; Requires law enforcement officer who has probable cause to believe that defendant has committed retail theft to issue notice to appear in lieu of arresting him or her; authorizes state attorney to establish retail-theft diversion program to divert defendants from criminal prosecution if defendant meets certain criteria; provides eligibility criteria for program, etc. EFFECTIVE DATE: 07/01/2009.					*	*	*	*	*	
25-Feb		CS/SB	160	Criminal Justice; Ring	Sports Coaches/Criminal History Screening [SPSC]; Defines the terms "independent youth athletic team," "minor," and "sports coach." Requires the sanctioning authority of an independent youth athletic team to screen an applicant for sports coach through designated public websites maintained by the Department of Law Enforcement and the United States Department of Justice. Requires such authority to notify the applicant of his or her right to obtain a copy of the screening report, etc. EFFECTIVE DATE: 07/01/2009.					*	*	*	*	*	
25-Feb		CS/SB	236	Criminal Justice; Dean	Utility Services/Unlawful Use/Controlled Substance [SPSC]; Prohibits trespass and larceny in relation to utility fixtures for the purpose of manufacturing a controlled substance. Provides for prima facie evidence of the intent to commit such offense. Provides that prosecution for trespass and larceny in relation to utility fixtures does not preclude prosecution for theft of utility services, etc. EFFECTIVE DATE: 07/01/2009.					insig	insig	insig	insig	insig	Unranked 3rd degree felony

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25-Feb		CS/SB	320	Criminal Justice; Crist	Sexual Offenders and Predators [SPSC]; Prohibits loitering or prowling by certain offenders within a specified distance of places where children regularly congregate. Prohibits certain actions toward a child at a public park or playground by certain offenders. Prohibits the presence of certain offenders at a child care facility without notice and supervision. Revises provision relating to address and residence reporting requirements for sexual offenders adjudicated delinquent, etc. EFFECTIVE DATE: 07/01/2009.	insig	insig	insig	insig	insig			Small numbers affected
25-Feb		SB	340	Ring	Sexual Offenders & Sexual Predators/Phone Numbers [SPSC]; Requires a sexual predator or a sexual offender to register telephone numbers with the Department of Law Enforcement. Provides penalties. Provides for designation of a person as a repeat sexual offender. Requires the Department of Corrections to provide notice of the telephone numbers of a sexual offender who is being released. EFFECTIVE DATE: 10/01/2009.	insig	insig	insig	insig	insig			Small numbers affected
25-Feb		SB	508	Hill	Law Enforcement Explorers [SPSC]; Provides for reclassification of certain offenses against law enforcement explorers. Reenacts provisions relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments, in reference thereto, etc. EFFECTIVE DATE: 10/01/2009	insig	insig	insig	insig	insig			Low volume
25-Feb		SB	1082	Oelrich	Home-invasion Robbery [SPSC]; Provides that if the victim of a home-invasion robbery is an elderly person or disabled adult, the perpetrator commits a felony of the first degree. Provides criminal penalties. Adds the offense to the offense severity ranking chart of the Criminal Punishment Code. EFFECTIVE DATE: 07/01/2009.	insig	insig	insig	insig	insig			Small numbers affected
25-Feb		SB	1094	Crist	Career Offenders/Registration [SPSC]; Provides that it is a third-degree felony for a person who has reason to believe that a career offender is or has not complied with the registration requirements for career offenders to assist such offender to elude a law enforcement agency, to withhold information from the law enforcement agency about said offender's noncompliance, to harbor or attempt to harbor such offender, to conceal or attempt to conceal such offender, etc. EFFECTIVE DATE: 07/01/2009.	insig	insig	insig	insig	insig			Low volume
25-Feb		SB	1130	Sobel	Tattoo Practice and Tattoo Establishment Act [SPSC]; Creates said act. Prohibits the practice of tattooing unless a person is licensed or registered by the Department of Health. Requires the licensure of a tattoo establishment. Exempts physicians licensed under specified provisions from regulation under the act. Provides practice requirements for tattooists, intern tattooists, and apprentice tattooists. Specifies fees for initial licensure and registration and annual renewal thereof, etc. EFFECTIVE DATE: 07/01/2009.	insig	insig	insig	insig	insig			Unranked 3rd degree felony
25-Feb		SB	1548	Joyner	Retail-theft Diversion Programs [SPSC]; Requires a law enforcement officer who has probable cause to believe that a defendant has committed retail theft to issue a notice to appear in lieu of arresting the defendant under certain circumstances. Authorizes a state attorney to establish a retail-theft diversion program for the purpose of diverting defendants from criminal prosecution if the defendant meets certain criteria, etc. EFFECTIVE DATE: 07/01/2009.	*	*	*	*	*			
25-Feb	HB	927 SB	1822	Braynon/ Joyner	Trafficking in Cocaine; Provides for a person to be sentenced to a mandatory minimum term of imprisonment following a second or subsequent conviction of selling, purchasing, manufacturing, delivering, or bringing a specified quantity of cocaine into the state. EFFECTIVE DATE: 07/01/2009.	-pot. sig.	-pot. sig.	-pot. sig.	-pot. sig.	-pot. sig.			Could result in savings
23-Mar	HB	123 SB	502	Snyder / Dockery	Human Smuggling; Provides that person commits third degree felony if he or she transports an individual into this state & knows, or should know, that individual is illegally entering US or has illegally remained in US; provides enhanced penalties if individual being transported is minor or suffers great bodily harm or death.	indet	indet	indet	indet	indet			
23-Mar	HB	909		Taylor	Homeless Persons: Reclassifies offenses evidencing prejudice based on homeless status of victim; provides definition; provides minimum sentence & other penalties for person convicted of aggravated assault or aggravated battery upon homeless person;	indet	indet	indet	indet	indet			

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6-Apr	CS/HB	1343	Brandenburg	Practice of Tattooing; Increases criminal penalty for human tattooing by unauthorized persons & for tattooing minor without written notarized consent of parent or legal guardian.	insig	insig	insig	insig	insig				Unranked 3rd degree felony
6-Apr		SB	864 Detert	Corporal Discipline; Includes inappropriate or excessively harsh corporal discipline in the definition of "criminal conduct" for purposes of protective investigations. Prohibits parents, legal custodians, or caregivers from inflicting inappropriate or excessively harsh corporal discipline. Includes offenses involving such discipline within the offense severity ranking chart of the Criminal Punishment Code, etc. EFFECTIVE DATE: 07/01/2009.	indet	indet	indet	indet	indet				
6-Apr	CS/HB	909 CS/SB	2680 Smith / P. Taylor	Homeless Persons; Reclassifies offenses evidencing prejudice based on homeless status of victim. EFFECTIVE DATE: 10/01/2009.	insig	insig	insig	insig	insig				Low volume
6-Apr		CS/SB	340 Ring	Sexual Offenders & Predators; Encourages all public libraries to implement an Internet safety education program for children and adults. Requires sexual offenders and predators to provide home telephone numbers and any cellular telephone numbers as part of the registration process. Corrects cross-references to apply exclusions from designation as a sexual offender or predator to owners or operators of computer services rather than to persons traveling to meet a minor, etc.	insig	insig	insig	insig	insig				Low volume
6-Apr		CS/SB	1722 Crist	Department of Corrections; Requires that the court sentence certain offenders to a nonstate prison sanction unless the court makes written findings that ordering an offender to such sanction could present a danger to the public. EFFECTIVE DATE: 07/01/2009.	-781	-927	-979	-1003	-1009				
6-Apr		CS/SB	1722 Crist	Pilot Diversion Program; EFFECTIVE DATE: 07/01/2009.	-184	-222	-237	-244	-246				2.5% option contingent on appropriation
6-Apr		CS/SB	1726 Crist	Postadjudicatory/Drug Court Programs; Specifies criteria that a court must consider before sentencing a person to a postadjudicatory treatment-based drug court program. Requires that the OPPAGA evaluate the programs and report to the Legislature. Specifies that substance abuse or addiction is an additional circumstance justifying a departure from a sentence if the defendant is amenable to a drug court program and is otherwise qualified, etc. EFFECTIVE DATE: 07/01/2009.	TP	TP	TP	TP	TP				
6-Apr		CS/CS/SB	1986 Gaetz	Health Care; Designates Miami-Dade County as a health care fraud area of concern. Allocates certain funds recovered under the Florida False Claims Act to fund rewards for persons who report and provide information relating to Medicaid fraud. Authorizes the ACHA to deny, revoke, or suspend the license of or fine a home health agency that bills the Medicaid program for medically unnecessary services, etc. EFFECTIVE DATE: 07/01/2009	insig	insig	insig	insig	insig				Low volume
6-Apr		CS/SB	1998 Constantine	Luis Rivera Ortega Street Racing Act; Revises provisions prohibiting certain speed competitions and exhibitions. Prohibits driving in any race, drag race, or exhibition of speed or acceleration. Prohibits specified activities involving such races, drag races, and exhibitions. Requires that the driving record of a person charged be provided to the court. Revises provisions for impounding a motor vehicle used in a violation, etc. EFFECTIVE DATE: 10/01/2009.	insig	insig	insig	insig	insig				Low volume

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6-Apr		SB	2276	Oelrich	DNA Database; Provides a phase-in schedule whereby persons arrested for specified felony offenses will be required to provide DNA samples to the FDLE until all persons arrested for felony offenses will be required to provide such samples. Provides for a statewide automated personal identification system capable of classifying, matching, and storing analyses of DNA and other data. Provides that the database may contain DNA for certain types of samples, etc. EFFECTIVE DATE: 07/01/2009.	indet	indet	indet	indet	indet				
13-Apr	HB 7085			Planas	Criminal Justice; Requires DOC to send Parole Commission monthly electronic list of inmates & offenders who may be eligible for civil rights restoration; applies sexual misconduct prohibition to employees of private correctional facilities; provides for filing & payment of medical claims for services provided to inmates, etc. EFFECTIVE DATE: 10/01/2009.	insig	insig	insig	insig	insig				Low volume
13-Apr		CS/SB	1722	Crist	Department of Corrections; Requires that the court sentence certain offenders to a nonstate prison sanction unless the court makes written findings that ordering an offender to such sanction could present a danger to the public. Authorizes the DOC to contract with county and municipal entities to house inmates committed to the DOC. Increases the copayment that an inmate must make for a nonemergency visit to a health care provider, etc. EFFECTIVE DATE: 07/01/2009.	-329	-650	-833	-919	-962				Incorporates proposed amendment tying eligibility to offense date instead of sentencing date
13-Apr		CS/SB	1722	Crist	Pilot Diversion Program;	-62	-139	-188	-215	-229				Incorporates proposed amendment tying eligibility to offense date instead of sentencing date
13-Apr		CS/SB	1726	Crist	Postadjudicatory/Drug Court Programs; Specifies criteria that a court must consider before sentencing a person to a postadjudicatory treatment-based drug court program. Requires that the OPPAGA evaluate the programs and report to the Legislature. Specifies that substance abuse or addiction is an additional circumstance justifying a departure from a sentence if the defendant is amenable to a drug court program and is otherwise qualified, etc. EFFECTIVE DATE: 07/01/2009.	TP	TP	TP	TP	TP				Incorporates proposed amendment tying eligibility to offense date instead of sentencing date
13-Apr		CS/SB	2658	Baker	Home Health/Home Medical/Health Care Clinics; Designates Miami-Dade County as a health care fraud area of special concern for certain purposes. Provides requirements for licensure of home health agencies, home medical equipment providers, and health care clinics. Requires the posting of a surety bond in a specified minimum amount under certain circumstances. Requires demonstration of financial viability. Provides limitations on licensing of home health agencies in certain counties, etc. EFFECTIVE DATE: 07/01/2009.	insig	insig	insig	insig	insig				Unranked 3rd degree felony
13-Apr		CS/SB	2684	Military Affairs and Domestic Security	Seaport Security; Establishes the Seaport Security Standards Advisory Council. Requires the Department of Law Enforcement to provide assessment briefings to seaport authority governing boards and local regional domestic security task force co-chairs at least once per year. Revises the membership of the Seaport Security Officer Qualification, Training, and Standards Coordinating Council, etc. EFFECTIVE DATE: 07/01/2009 except as otherwise provided.	insig	insig	insig	insig	insig				Unranked 3rd degree felony

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