

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

**BUDGET SUBCOMMITTEE ON CRIMINAL AND CIVIL
JUSTICE APPROPRIATIONS**
Senator Bogdanoff, Chair
Senator Joyner, Vice Chair

MEETING DATE: Tuesday, February 28, 2012

TIME: 10:45 a.m.—12:45 p.m.

PLACE: Mallory Horne Committee Room, 37 Senate Office Building

MEMBERS: Senator Bogdanoff, Chair; Senator Joyner, Vice Chair; Senators Bennett, Evers, Smith, Storms, and Thrasher

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 1360 Hays (Identical H 1209)	Application of Foreign Law in Certain Cases; Clarifying that the public policies expressed in the act apply to violations of a natural person's fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution; declaring that certain decisions rendered under such laws, codes, or systems are void; providing that the act may not be construed to require or authorize any court to adjudicate, or prohibit any religious organization from adjudicating, ecclesiastical matters in violation of specified constitutional provisions or to conflict with any federal treaty or other international agreement to which the United States is a party to a specified extent, etc. JU 01/25/2012 Favorable BJA 02/28/2012 Favorable BC	Favorable Yeas 5 Nays 2
2	SB 858 Negron (Similar CS/H 37, Compare H 49, H 259, S 84, S 86, S 146)	Knowingly and Willfully Giving False Information to a Law Enforcement Officer; Providing that it is a third-degree felony for a person to knowingly and willfully give false information to a law enforcement officer conducting a missing person investigation involving a child 16 years of age or younger with the intent to mislead the officer or impede the investigation if the child suffers great bodily harm, permanent disability, permanent disfigurement, or death; providing criminal penalties, etc. CJ 01/12/2012 Favorable JU 01/19/2012 Favorable BJA 02/28/2012 Favorable BC	Favorable Yeas 7 Nays 0

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Budget Subcommittee on Criminal and Civil Justice Appropriations
Tuesday, February 28, 2012, 10:45 a.m.—12:45 p.m.

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3	CS/SB 210 Criminal Justice / Wise (Identical CS/CS/H 135)	Costs of Prosecution, Investigation, and Representation; Providing for the withholding of unpaid costs of prosecution and representation from the return of a cash bond posted on behalf of a criminal defendant; requiring a notice on bond forms of such possible withholding; clarifying the types of cases that are subject to the collection and dispensing of cost payments by the clerk of the court; providing for assessment of costs of prosecution against a juvenile who has been adjudicated delinquent or has adjudication of delinquency withheld, etc. CJ 11/03/2011 Temporarily Postponed CJ 01/12/2012 Fav/CS JU 01/19/2012 Favorable BJA 02/28/2012 Favorable BC	Favorable Yeas 7 Nays 0
4	CS/SB 940 Criminal Justice / Wise (Similar CS/CS/H 497)	Juvenile Expunction; Allowing minors who have certain felony arrests to have the Department of Law Enforcement expunge their nonjudicial arrest record upon successful completion of a prearrest or postarrest diversion program; extending the application submission period for minors who have successfully completed a prearrest or postarrest diversion program; extending the application submission date for minors who completed the program before a certain date, etc. CJ 02/22/2012 Fav/CS BJA 02/28/2012 Favorable BC	Favorable Yeas 7 Nays 0
5	SB 522 Braynon (Identical H 4047)	Judicial Census Commissions; Repealing provisions relating to judicial census commissions, etc. JU 11/17/2011 Favorable BJA 02/28/2012 Not Considered BC	Not Considered

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6	CS/CS/SB 964 Children, Families, and Elder Affairs / Criminal Justice / Benacquisto (Similar CS/H 437, Compare H 215, S 436)	Protection of Minors; Citing this act as the "Protect Our Children Act"; requiring a person convicted of a second or subsequent violation of a specified video voyeurism provision to register as a sexual offender if the victim of the violation was a minor; providing that if more than one child is involved in a violation of provisions prohibiting sexual performance by a child, a separate offense may be charged for each child; requiring a person convicted of a video voyeurism violation to register as a sexual offender if the victim of the violation was a minor; revising the definition of the term "place and time when a person has a reasonable expectation of privacy" to include the interior of a residential dwelling; increasing the classification of specified video voyeurism offenses involving minors, etc. CJ 01/25/2012 Fav/CS CF 02/09/2012 Fav/CS BJA 02/28/2012 Favorable BC	Favorable Yeas 4 Nays 2
7	CS/SB 1816 Criminal Justice / Benacquisto (Compare CS/CS/CS/H 1355, H 7049, CS/S 1880)	Protection of Vulnerable Persons; Deleting the definition of the term "other person responsible for a child's welfare"; revising provisions concerning child abuse reporting; requiring specified educational institutions and their law enforcement agencies to report known or suspected child abuse, abandonment, or neglect in certain circumstances; providing financial penalties for violations; providing for upward reclassification of certain prostitution offenses involving minors; providing for relocation assistance for certain victims of sexual violence, etc. CJ 01/31/2012 Fav/CS BJA 02/28/2012 Fav/CS BC	Fav/CS Yeas 4 Nays 2
8	CS/SB 876 Criminal Justice / Benacquisto (Identical CS/H 429)	Robbery by Sudden Snatching; Clarifying that the offense of robbery by sudden snatching includes the taking of money or other property from the victim's person or from the area within the victim's immediate reach or control; providing criminal penalties, etc. CJ 02/16/2012 Fav/CS BJA 02/28/2012 Favorable BC	Favorable Yeas 5 Nays 1

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9	CS/SB 950 Criminal Justice / Simmons (Similar CS/CS/H 1099)	Stalking and Aggravated Stalking; Redefining the terms "course of conduct" and "credible threat" and defining the term "immediate family"; providing that a person who makes a threat which places another person in reasonable fear for his or her safety or the safety of his or her immediate family commits the offense of aggravated stalking under certain circumstances; creating a civil cause of action for an injunction for protection against stalking or cyberstalking; providing procedures to follow when the respondent has violated the injunction for protection, etc. CJ 01/12/2012 Temporarily Postponed CJ 01/19/2012 Fav/CS JU 01/25/2012 Favorable BJA 02/28/2012 Fav/CS BC	Fav/CS Yeas 6 Nays 0
10	SB 1268 Simmons (Identical H 4077)	Actions for Damages; Repealing provisions relating to an optional settlement conference in certain tort actions, etc. JU 01/25/2012 Favorable BJA 02/28/2012 Favorable BC RC	Favorable Yeas 7 Nays 0
11	CS/CS/SB 1166 Judiciary / Regulated Industries / Simmons (Similar CS/H 7095, Compare CS/CS/CS/CS/H 481, CS/CS/S 860)	Clerks of Court; Authorizing the clerk of court to review the property records and motor vehicle records to determine whether an applicant for the appointment of a public defender is indigent; requiring clerks of the circuit courts to use the Comprehensive Case Information System and to submit data to the system based on case types designated by the Supreme Court of Florida; requiring the party filing a case in county court to pay all filing and reopen fees at the time of filing; requiring that the clerk of court implement an automated electronic system for drawing jury venire; providing for the duty of a clerk of court to notify the Commission on Ethics of certain proceedings involving public officers or employees to arise after the clerk is advised by the state attorney that the defendant is a public officer or employee who is alleged to have committed a specified offense, etc. RI 02/07/2012 Fav/CS JU 02/16/2012 Fav/CS BJA 02/28/2012 Favorable BC	Favorable Yeas 7 Nays 0

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12	CS/SB 1272 Criminal Justice / Latvala (Identical CS/CS/H 947)	Possession of a Firearm or Destructive Device During the Commission of an Offense; Providing that an exception to the 10-year minimum term for persons convicted of certain offenses during which the person actually possessed a firearm or destructive device does not apply to offenders convicted for possession of a firearm by a felon who have certain prior convictions, etc. CJ 02/09/2012 CJ 02/09/2012 Fav/CS BJA 02/28/2012 Favorable BC	Favorable Yeas 6 Nays 1
13	CS/SB 1580 Community Affairs / Latvala (Compare CS/CS/H 1443)	Local Administrative Action to Abate Public Nuisances and Criminal Gang Activity; Authorizing a local administrative board to declare a place to be a public nuisance if the place is used on more than two occasions within a 6-month period as the site of the storage of a controlled substance with intent to sell or deliver the controlled substance; prohibiting a county or municipality from declaring a place or premises a public nuisance unless the county or municipality gives prior notice to the owner of the place or premises of its intent to declare the place or premises a public nuisance and affords the owner an opportunity to abate the nuisance; providing that an order entered against a person for a public nuisance expires after 1 year or at an earlier time if so stated in the order unless the person has violated the order during the term of the order, etc. CJ 02/09/2012 CJ 02/09/2012 Favorable CA 02/21/2012 Fav/CS BJA 02/28/2012 Favorable BC	Favorable Yeas 7 Nays 0
14	SB 1322 Norman (Similar H 997)	Local Requirements for Dangerous Dogs; Removing the provision that exempts local ordinances adopted before a specified date from the prohibition on ordinances that are specific to breed or that lessen state restrictions governing dangerous dogs, etc. CA 01/30/2012 Favorable GO 02/07/2012 Favorable BJA 02/28/2012 Temporarily Postponed BC	Temporarily Postponed

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15	CS/SB 1324 Commerce and Tourism / Norman (Similar CS/H 1323, Compare CS/CS/H 885, CS/CS/CS/S 540)	Metal Theft; Increasing the criminal penalties for specified violations relating to secondary metals recycling; providing increased criminal penalties for third and subsequent criminal violations; defining the term "electrical substation"; prohibiting removing or assisting with the removal of copper or other nonferrous metals from an electrical substation site without authorization of the utility; providing criminal penalties, etc. CM 01/26/2012 Fav/CS CJ 02/16/2012 Favorable BJA 02/28/2012 Favorable BC	Favorable Yeas 7 Nays 0
16	CS/SB 1830 Judiciary / Flores (Similar CS/CS/H 921, Compare H 281, CS/CS/CS/H 933, S 1082, CS/CS/S 1182)	Landlords and Tenants; Providing that the right to attorney fees may not be waived in a lease agreement; providing a limited rebuttable presumption of receipt of security deposits; providing that a landlord does not waive the right to terminate the rental agreement or to bring a civil action for noncompliance by accepting partial rent, subject to certain notice; providing that a mobile home park owner must be given an opportunity to cure a deficiency in any notice or pleadings prior to dismissal of an eviction action, etc. JU 02/09/2012 Temporarily Postponed JU 02/16/2012 Fav/CS BJA 02/28/2012 Fav/CS BC	Fav/CS Yeas 5 Nays 2
17	CS/CS/SB 834 Criminal Justice / Education Pre-K - 12 / Education Pre-K - 12 (Similar CS/S 1610, Compare CS/CS/H 949)	Juvenile Justice Education and Workforce Programs; Requiring that each juvenile committed to a juvenile justice commitment program have a transition plan upon release; requiring that the transition plan include an education transition plan component and information regarding delinquency treatment and intervention services that are accessible upon exiting the program; requiring that the Department of Education rather than the Department of Juvenile Justice ensure that there is accurate cost accounting for certain education programs; creating the "Florida Juvenile Justice Education Act", etc. ED 11/17/2011 Workshop-Discussed ED 12/06/2011 Fav/CS CJ 01/12/2012 Temporarily Postponed CJ 02/09/2012 CJ 02/09/2012 Fav/CS BJA 02/28/2012 Fav/CS BC	Fav/CS Yeas 7 Nays 0

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18	CS/SB 2096 Criminal Justice / Criminal Justice	Community Reentry Programs; Requiring the Department of Corrections to develop an operational plan to implement a community reentry program; requiring that all inmates who are within 36 months of their release date be considered for participation in the community reentry program; requiring that an inmate who is selected for participation in the reentry program be transferred into the program no later than 24 months before his or her release date; requiring that the department submit a report and proposed budget request to the Governor and Legislature by a specified date; deleting a provision limiting the modes of transportation an inmate may use when traveling to and from his or her place of employment, education, or training; repealing provisions relating to a prohibition on the driving of inmates participating in a work-release program in state-owned vehicles, etc. CJ 02/16/2012 Fav/CS BJA 02/28/2012 Favorable BC	Favorable Yeas 7 Nays 0
19	CS/SB 1846 Criminal Justice / Evers (Similar CS/CS/H 1173)	Criminal Gang Prevention; Providing enhanced criminal penalties for certain trespassing offenses in school safety zones by a person convicted of certain gang-related offenses; providing enhanced criminal penalties for a person who intentionally causes, encourages, solicits, or recruits another person under a specified age to become a criminal gang member in certain circumstances; authorizing county and municipal detention facilities to designate an individual to be responsible for determining the gang status of each inmate entering the facility and to assess each current inmate for gang activity or gang affiliation; revising the criteria for application of the sentencing multiplier for offenses related to criminal gangs, etc. CJ 02/09/2012 CJ 02/09/2012 Fav/CS BJA 02/28/2012 Favorable BC	Favorable Yeas 7 Nays 0

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20	CS/SB 448 Criminal Justice / Bogdanoff (Compare CS/CS/CS/H 177)	<p>Inmate Reentry; Directing the Department of Corrections to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration; directing the department to notify the nonviolent offender's sentencing court to obtain approval before the nonviolent offender is placed into the reentry program; requiring the sentencing court to notify the department of the court's decision to approve or disapprove the requested placement within a specified period; requiring that the department submit a report to the sentencing court at least 30 days before the nonviolent offender is scheduled to complete the reentry program; directing the department to develop a system for tracking recidivism, including, but not limited to, rearrests and recommitment of nonviolent offenders who successfully complete the reentry program, and to report on recidivism in its annual report of the program, etc.</p> <p>CJ 11/17/2011 Fav/CS BJA 02/28/2012 Fav/CS BC</p>	<p>Fav/CS Yeas 7 Nays 0</p>
21	CS/SB 462 Judiciary / Bogdanoff (Similar CS/H 631)	<p>Terms of Courts; Repealing provisions relating to regular terms of the Supreme Court, regular terms of the district courts of appeal, special terms of the district courts of appeal, terms of the circuit courts, requiring a judge to attend the first day of each term of the circuit court, a requirement that criminal trials be heard in the term of court prior to civil cases, and a requirement that persons in custody be arraigned and tried in the term of court unless good cause is shown; allowing the Supreme Court to set terms of court for the Supreme Court, district courts of appeal, and circuit courts; providing that appellate courts may withdraw a mandate within 120 days after its issuance, etc.</p> <p>JU 01/31/2012 JU 02/09/2012 Fav/CS BJA 02/28/2012 Favorable BC</p>	<p>Favorable Yeas 7 Nays 0</p>

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22	SB 1200 Bogdanoff (Similar H 1157, Compare H 731, S 1004)	Sexual Offenders and Sexual Predators; Defining the term "homelessness" and deleting the definition of the term "transient residence"; conforming provisions to the revisions in terminology made by the act; clarifying provisions concerning loitering by certain offenders; requiring specified monthly registration by homeless offenders and predators; providing that failure to comply with such registration is a violation of specified provisions, etc. CJ 01/31/2012 Favorable BJA 02/28/2012 Favorable BC	Favorable Yeas 7 Nays 0

Other Related Meeting Documents