

Committee on Criminal Justice

HB 427 — Traveling Across County Lines to Commit Felony Offenses

by Rep. McBurney and others (CS/SB 550 by Appropriations Committee and Senator Hukill)

The bill creates s. 843.22, F.S., which provides that if a person who commits a burglary travels any distance with the intent to commit the burglary in a county in this state other than the person's county of residence, the degree of the burglary shall be reclassified to the next higher degree if the purpose of the person's travel is to thwart law enforcement attempts to track the items stolen in the burglary.

The bill defines "county of residence" as the county within Florida in which a person resides. Evidence of a person's county of residence includes, but is not limited to:

- The address on a person's driver license or state identification card;
- Records of real property or mobile home ownership;
- Records of a lease agreement for residential property;
- The county in which a person's motor vehicle is registered;
- The county in which a person is enrolled in an educational institution; and
- The county in which a person is employed.

The bill amends s. 903.046(2)(1), F.S., to prohibit those charged with traveling across county lines with the intent to commit a burglary that is reclassified under s. 843.22, F.S., from being released on bail until first appearance to ensure the full participation of the prosecutor and the protection of the public. The bill makes the crossing of a county line with the intent to commit a reclassified burglary a factor to be considered by the court when making a bail determination.

If approved by the Governor, these provisions take effect October 1, 2014.

Vote: Senate 25-15; House 74-37