

Summary of Final Actions -- 2018 Criminal Justice Impact Conference Bills

| | | | |
|-------------|--|----------|--|
| KEY: | | | |
| + sig. | Increase of more than 25 prison beds | - sig. | Decrease of more than 25 prison beds |
| + mod. | Increase greater than 10 and less than 25 beds | - mod. | Decrease of greater than 10 beds and less than 25 beds |
| + insig. | Increase of 10 or fewer beds | - insig. | Decrease of 10 or fewer beds |
| indet. | Unquantifiable positive bed impact | - indet | Unquantifiable negative bed impact |
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| no impact | No Impact on beds | | |

| Conf. Date | Subject | Bill heard in CJIC | Last Action of bill heard | Identical bill | Last Action of identical bill | Sponsor S/H | CJIC Impact | | | | | Passed? |
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| | | | | | | | FY 18-19 | FY 19-20 | FY 20-21 | FY 21-22 | FY 22-23 | |
| 1/29/2018 | Controlled Substances - This bill amends several sections of s. 893.03, F.S., s. 893.13, F.S., and s. 893.135, F.S. in order to align the state's Controlled Substance Act with current federal schedules of controlled substances, adding multiple substances across schedules II through V, making the unauthorized sale, manufacture, possession, delivery, or purchase of these substances, as well trafficking in some instances, now subject to criminal penalties. It also expands the list of persons and entities that confidential and exempt information can be disclosed. Effective Date: July 1, 2018. | CS/HB 21 | 3/20/2018 - Chapter No. 2018-13 | | | Boyd, Fant, Hager, Moraitis, Pigman, Health Quality Subcommittee | + indet. | + indet. | + indet. | + indet. | + indet. | YES ¹ |
| 2/12/2018 | Controlled Substances with proposed amendment - The bill requires practitioners to complete specified board-approved continuing education course to prescribe controlled substances; defines "acute pain"; provides for adoption of standards of practice for treatment of acute pain; limits prescribing of opioids for acute pain in certain circumstances; requires pain management clinic owners to register approved exemptions with DOH; provides requirements for pharmacists & practitioners for dispensing of controlled substances to persons not known to them; conforms state controlled substances schedule to federal controlled substances schedule; revises & provides definitions; revises requirements for prescription drug monitoring program. Effective Date: July 1, 2018 | CS/HB 21 wpa | 3/20/2018 - Chapter No. 2018-13 | | | Boyd, Fant, Hager, Moraitis, Pigman, Ahern, White, Health Quality Subcommittee | + indet. | + indet. | + indet. | + indet. | + indet. | YES ² |
| 5/16/2018 | Control Substances - The bill addresses opioid abuse by expanding the use of the Prescription Drug Monitoring Program (PDMP), increasing regulation of prescribers and dispensers, and amending criminal laws. It limits the prescription for a Schedule II opioid for acute pain and requires regulatory boards to adopt guidelines for prescribing controlled substances for acute pain. It requires a health care practitioner to review a patient's PDMP history prior to dispensing a controlled substance. It authorizes a dispensing practitioner to provide medication-assisted treatment for substance abuse disorders to dispense Schedule II and III substances for such purpose and expands the reporting requirement to include certain Schedule V substances. It allows direct access to the PDMP for employees of certain federal agencies who prescribe or dispense controlled substances and allows DOH to share and exchange PDMP data with other states under certain conditions. It also makes it a crime to illegally possess, purchase, deliver, or sell a tableting machine, encapsulating machine, or controlled substance counterfeiting material. Effective Date: July 1, 2018 | CS/CS/HB 21 | 3/20/2018 - Chapter No. 2018-13 | | | Boyd, Ahern, Fant, Hager, McClain, Miller, Moraitis, Pigman, White, Avila, Rommel, Health and Human Services Committee, Health Quality Subcommittee | + indet. | + indet. | + indet. | + indet. | + indet. | YES |
| 1/8/2018 | Animal Hoarding -This bill amends s. 828.02, F.S. and s. 828.12, F.S., defining animal hoarding and adding it as an act of animal cruelty, making it an unranked, 3rd degree felony. | SB 86 | 3/10/2018 Senate - Died in Criminal Justice | | | Hukill | + insig. | + insig. | + insig. | + insig. | + insig. | NO |
| 1/8/2018 | Threats to Kill or Do Bodily Injury -- This amends s. 836.10, F.S., by deleting requirements that a threat be sent to a specific recipient in order to be prohibited. It now states that a "person who makes a threat in a writing or other record, including an electronic record, to kill or to do great bodily injury to another person and posts or transmits the threat in any manner that would allow another person to view the threat" would commit a Level 6, 3rd degree felony. It is currently a Level 6, 2nd degree felony. | CS/CS/HB 165 | 4/2/2018 - Chapter No. 2018-128 | | | McClain, Fant, Justice Appropriations Subcommittee, Criminal Justice Subcommittee | +/- indet. | +/- indet. | +/- indet. | +/- indet. | +/- indet. | YES ³ |
| 5/16/2018 | Written Threats to Conduct Mass Shootings or Acts of Terrorism - The bill prohibits a person from making a threat in writing or other record, including an electronic record, to conduct a mass shooting or act of terrorism; posting or transmitting the threat in any manner that would allow any other person to view the threat. It also amends the Criminal Punishment Code used in a defendant's sentencing to include the additional offense against threats to conduct mass shootings or acts of terrorism; exempts certain services from liability under s. 836.10, F.S. Effective Date: July 1, 2018. | CS/CS/CS/HB 165 | 4/2/2018 - Chapter No. 2018-128 | | | McClain, Fant, Fine, Metz, Plasencia, Raschein, Stevenson, Judiciary Committee, Justice Appropriations Subcommittee, Criminal Justice Subcommittee | + indet. | + indet. | + indet. | + indet. | + indet. | YES |

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| | | | | | | | FY 18-19 | FY 19-20 | FY 20-21 | FY 21-22 | FY 22-23 | |
| 1/29/2018 | Crimes Evidencing Prejudice - Amends s. 775.085, F.S., including "actual or perceived" to each potential victim category for commission of a felony or misdemeanor evidencing prejudice, and also adds "sex" and "creed" to the potential basis for prejudice. It also adds law enforcement officers and emergency service employees as potential victims of crimes evidencing prejudice. Effective Date: July 1, 2018. | SB 178 | 3/10/2018 Senate - Died in Criminal Justice | | | Garcia, Steube | + indet. | + indet. | + indet. | + indet. | + indet. | NO |
| 1/8/2018 | Animal Cruelty -- This bill creates s. 828.127, F.S., stating that "any person who maliciously or capriciously kills a dog or cat commits" an unranked, 3rd degree felony. Under current law, s. 828.12, F.S. includes the killing of an animal under a 1st degree misdemeanor, as well as a Level 3, 3rd degree felony for torturing any animal with intent to inflict intense pain, serious physical injury, or death. | SB 200 | 3/10/2018 Senate - Died in Criminal Justice | | | Steube | + insig. | + insig. | + insig. | + insig. | + insig. | NO |
| 1/8/2018 | Threats to Kill or Do Bodily Injury - This amends s. 836.10, F.S., by deleting requirements that a threat be sent to a specific recipient in order to be prohibited. It now states that a "person who makes a threat in a writing or other record, including an electronic record, to kill or to do bodily injury to another person and posts or transmits the threat in any manner" would commit a Level 6, 2nd degree felony. | SB 310 | 3/8/2018 Senate - Laid on Table, refer to CS/CS/CS/HB 165 -SJ 957 | | | Steube, Baxley | + indet. | + indet. | + indet. | + indet. | + indet. | NO ⁴ |
| 1/8/2018 | Continuing Care Contracts - This bill creates s. 651.1065, F.S., which states that "a proprietor, general partner, member, officer, director, trustee, or manager of a continuing care retirement community, except with the written permission of the office, may not permit the continuing care retirement community to solicit or accept new continuing care contracts in this state after the proprietor, general partner, member, officer, director, trustee, or manager knew, or reasonably should have known, that the continuing care retirement community was impaired or insolvent." An unranked, 3rd degree felony is created for violating this prohibition. | SB 438 | 3/10/2018 Senate - Died in Rules | HB 783 | 5/1/2017 Senate - Laid on Table, refer to CS/CS/CS/HB 107 -SJ 599 | Lee, Grant | + insig. | + insig. | + insig. | + insig. | + insig. | NO ⁵ |
| 1/8/2018 | Driving While a Driver License or Driving Privilege is Canceled, Suspended, or Revoked - This bill amends s. 322.34, F.S., by deleting the unranked, 3rd degree felony for a third or subsequent conviction of driving with a license that is suspended, revoked, canceled, or disqualified. | SB 482 | 3/10/2018 Senate - Died in Appropriations Subcommittee on Criminal and Civil Justice | | | Bracy, Rouson | -100 | -129 | -49 | -25 | -10 | NO |
| 1/29/2018 | Offenses Against Students by Authority Figures - This bill creates s. 800.101, F.S., defining terms and stating that "an authority figure shall not solicit or engage in sexual conduct, a relationship of a romantic nature, or lewd conduct with a student." The schools defined in the bill do not include facilities dedicated exclusively to the education of adults. A person committing this violation would commit an unranked, 2nd degree felony (Level 4 by default). Effective Date: October 1, 2018. | HB 515 | 3/10/2018 Senate - Died in Message | | | White, Mariano | + indet. | + indet. | + indet. | + indet. | + indet. | YES ⁶ |
| 2/19/2018 | Offenses Against Student Safety - This bill creates s. 800.101, F.S., defining terms and prohibiting an authority figure from soliciting or engaging in sexual conduct or lewd conduct with a student. While the offenses outlined in this bill also apply to students under 18 years of age, this bill specifies how that form of sexual conduct would not apply if it is included in s. 775.0862, F.S. and prior statute generally covers these incidents with comparable felonies. Effective date: October 1, 2018 | CS/CS/CS/HB 515 | 3/10/2018 Senate - Died in Message | | | White, Mariano, Harell, Judiciary Committee, Education Committee, Criminal Justice Committee | + insig. | + insig. | + insig. | + insig. | + insig. | NO |
| 1/29/2018 | Duty to Provide Emergency Assistance -This bill creates s. 877.28, F.S., adding an unranked, 3rd degree felony for a person at the scene of an emergency who does not provide reasonable assistance to the endangered person to the extent that he or she is able to without danger or peril to anyone, and that person also "videotapes or otherwise electronically records the endangered person and uploads the recording to a social media or social networking website." Effective Date: October 1, 2018. | SB 516 | 3/10/2018 Senate - Died in Criminal Justice | HB 345 | 3/10/2018 House - Died in Criminal Justice Subcommittee | Mayfield, Goodson, Fine | + insig. | + insig. | + insig. | + insig. | + insig. | NO |

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| | | | | | | | FY 18-19 | FY 19-20 | FY 20-21 | FY 21-22 | FY 22-23 | |
| 1/8/2018 | Sentencing - This bill amends s. 921.0024, F.S., adding that offenses committed on or after October 1, 2018 would be subject to a new scoring point threshold for nonstate prison sanctions and a new sentence length scoring system for state prison sanctions. Currently, for offenses equal to or less than 44 points, the lowest permissible sentence is a nonstate prison sanction, "unless the court determines within its discretion that a prison sentence, which may be up to the statutory maximums for the offenses committed, is appropriate," with those above 44 points subject to a state prison sentence as the lowest permissible sentence. | SB 570 | 3/10/2018 Senate - Died in Judiciary | HB 355 | 3/10/2018 House - Died in Criminal Justice Subcommittee | Bracy, Alexander | - sig. | - sig. | - sig. | - sig. | - sig. | NO ⁷ |
| 5/16/2018 | Subpoenas in Investigations of Sexual Offenses - Authorizes law enforcement agency to issue & serve subpoena in investigation of specified sexual offenses; specifies requirements regarding nondisclosure of information; provides for judicial review of nondisclosure requirements. | CS/HB 581 | 3/27/2018 - Chapter No. 2018-93 | | | | + insig. | + insig. | + insig. | + insig. | + insig. | YES |
| 1/29/2018 | Crimes Evidencing Prejudice - Amends s. 775.085, F.S., including "actual or perceived" to each potential victim category for commission of a felony or misdemeanor evidencing prejudice, and also adds "sex" and "creed" to the potential basis for prejudice. This bill also amends s. 775.0863, F.S., also adding "in whole or in part" for evidencing prejudice while committing an offense against a person with a disability. Effective Date: July 1, 2018. | SB 588 | 3/10/2018 Senate - Died in Appropriations Subcommittee on Criminal and Civil Justice | HB 211 | 3/10/2018 House - Died in Criminal Justice Subcommittee | Rader, Geller, Jacquet, Berman, Jenne, Smith | + indet. | + indet. | + indet. | + indet. | + indet. | NO |
| 1/8/2018 | Mandatory Minimum Sentences - This amends s. 893.135, F.S., by adding language that would allow for courts to depart from certain drug trafficking mandatory minimum sentences. The language affects the following trafficking penalties for cannabis, cocaine, phencyclidine, methaqualone, amphetamine, flunitrazepam, gamma-hydroxybutyric acid (GHB), gamma-butyrolactone (GBL), butanediol, phenethylamines, lysergic acid diethylamide (LSD), synthetic cannabinoids, and n-benzyl phenethylamines. | CS/SB 602 | 3/10/2018 Senate - Died in Appropriations | | | Bracy, Criminal Justice | - indet. | - indet. | - indet. | - indet. | - indet. | NO |
| 1/8/2018 | Drones - This bill amends s. 330.41, F.S. by defining the term "fixed-site facility," including state correctional institutions, secure detention centers/facilities, high-risk residential facilities, maximum-risk residential facilities, and county detention facilities as part of this term. It also adds that in the definition of fixed-site facilities as areas which a person may not knowingly or willfully operate a drone over, allow a drone to make contact with, or allow a drone to come within a distance which is close enough to interfere with the operations of or cause a disturbance to the facility. | SB 624 | 3/10/2018 Senate - Died in Rules | HB 471 | 3/10/2018 Senate - Died in Criminal Justice | Young, Yarborough, Gonzalez | + insig. | + insig. | + insig. | + insig. | + insig. | NO ⁸ |
| 1/8/2018 | Mandatory Sentences - This bill amends s. 893.135, F.S., adding that a "court may sentence a person who has been convicted of an offense under this section to a term of imprisonment less than the mandatory minimum if the court finds on the record that all of the following circumstances exist: (a) The person did not engage in a continuing criminal enterprise as defined in s. 893.20(1). (b) The person did not use or threaten violence or use a weapon during the commission of the crime. (c) The person did not cause a death or serious bodily injury." | SB 694 | 3/10/2018 Senate - Died on Calendar | | | Brandes, Bracy | - sig. | - sig. | - sig. | - sig. | - sig. | NO ⁹ |
| 2/12/2018 | Crime Stoppers Organizations - The bill prohibits a person who engages in privileged communication, a law enforcement crime stoppers coordinator or his or her staff, or a member of a crime stoppers organization's board of directors from being required to disclose privileged communications or produce protected information; authorizes a person charged with a criminal offense to petition the court to inspect the protected information under certain circumstances. Effective Date: 10/1/2018 | CS/SB 706 | 3/10/2018 Senate - Died in Rules | CS/HB 957 | 3/10/2018 Senate - Died in Criminal Justice | Steube, Grimsley, Criminal Justice, Gruters, Gonzalez, Killebrew, Criminal Justice Subcommittee | + insig. | + insig. | + insig. | + insig. | + insig. | NO ¹⁰ |

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| | | | | | | | FY 18-19 | FY 19-20 | FY 20-21 | FY 21-22 | FY 22-23 | |
| 2/12/2018 | Theft Offenses - This bill increases the minimum threshold amounts for certain theft offenses; revises the list of items from which theft constitutes grand theft of third degree; revises circumstances under certain offenses by person with prior convictions constitute a higher degree felony. Effective Date: July 1, 2018. | CS/CS/HB 713 | 3/10/2018 House - Died on Calendar | | | Donalds, Alexander, Abruzzo, Cortes, Daniels, Smith, White, Williams, Judiciary Committee, Justice Appropriations Subcommittee | - sig. | - sig. | - sig. | - sig. | - sig. | NO |
| | * This bill amends s. 812.014(2)(c)(1), F.S., increasing the minimum threshold property values for third degree grand theft from \$300 to \$1,000; increasing the minimum threshold property values for third degree grand theft for stealing property from a dwelling or unenclosed curtilage of a dwelling from \$100 to \$1,000 and increasing the maximum threshold from \$300 to \$5,000; increasing the minimum threshold property values for petit theft of the first degree (misdemeanor) from \$100 to \$500 and increasing the maximum threshold from \$300 to \$1,000. | | | | | | - sig. | - sig. | - sig. | - sig. | - sig. | |
| | * This bill also amends s. 812.015(8), F.S., increasing the minimum threshold property values for retail theft from \$300 to \$1,000, a Level 5, 3rd degree felony; amending s. 812.015(9)(a), F.S. adding that the Level 6, 2nd degree felony applies when the person has been previously convicted as an adult of a violation of the 3rd degree felony, and commits another violation within 3 years after the expiration of the sentence. | | | | | | - indet. | - indet. | - indet. | - indet. | - indet. | |
| 1/29/2018 | Prohibited Conduct Between Authority Figures and Students - This bill creates s. 800.10, F.S., defining terms and stating that "an authority figure may not solicit or engage in sexual conduct or a romantic relationship with a student. Effective Date: July 1, 2018. | SB 736 | 3/10/2018 Senate - Died in Criminal Justice | | | Baxley | + indet. | + indet. | + indet. | + indet. | + indet. | NO ¹¹ |
| 1/29/2018 | Assault or Battery on Healthcare Providers - This bill adds healthcare providers to s. 784.07, F.S., which addresses assault or battery of law enforcement officers, firefighters, emergency medical providers, public transit employees, etc. healthcare providers include a physician, a registered nurse, an employee, an agent, or a volunteer of a hospital. | SB 742 | 3/10/2018 Senate - Died in Criminal Justice | HB 101 | 10/12/2017 House - Withdrawn prior to introduction -HJ 19 | Grimsley, Baez | + insig. | + insig. | + insig. | + insig. | + insig. | NO |
| 2/12/2018 | Retail Theft - This bill increases offense level on offense severity ranking chart of Criminal Punishment Code for petit theft 3rd or subsequent offense, 3rd degree felony communications fraud of specified value, & 2nd degree communications fraud of specified value. Effective Date: July 1, 2019 | CS/HB 833 | 3/10/2018 House - Died in Justice Appropriations Subcommittee | | | Harrell, Criminal Justice Subcommittee | + indet. | + indet. | + indet. | + indet. | + indet. | NO ¹² |
| 1/8/2018 | Sentencing - This bill revises the threshold of assessed sentence points below which a court must sentence nonviolent felony offenders who commit certain offenses on or after a specified date to a nonstate prison sanction, etc. Effective Date: 10/1/2018 [Entire Bill] | SB 866 | 3/10/2018 Senate - Died in Appropriations Subcommittee on Criminal and Civil Justice | | | Bracy | - sig. | - sig. | - sig. | - sig. | - sig. | NO |
| | * This bill amends s. 775.082, F.S., raising total sentence points from 22 points to 44 points for situations in which the court must sentence an offender who commits a 3rd degree felony (not forcible, excluding chapter 810) to a nonstate prison sanction. It also adds that an offender can be sentenced to prison if a jury makes findings, or the defendant waives the right to a jury trial and the court makes written findings that a nonstate prison sanction could present a danger to the public. Currently, the jury is not involved in this decision making. | | | | | | - sig. | - sig. | - sig. | - sig. | - sig. | |
| | * This bill also amends s. 921.0024, F.S., adding that offenses committed on or after October 1, 2018 would be subject to a new scoring point threshold for nonstate prison sanctions and a new sentence length scoring system for state prison sanctions. | | | | | | - sig. | - sig. | - sig. | - sig. | - sig. | |

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| | | | | | | | FY 18-19 | FY 19-20 | FY 20-21 | FY 21-22 | FY 22-23 | |
| 1/29/2018 | Defrauding or Attempting to Defraud Drug Tests - This bill amends s. 817.565, F.S., expanding the defrauding of a chemical substances or controlled substances test beyond altered urine, to now include hair follicle testing. It also defines "adulterant", and expands the illegal activities for manufacturing, advertising, selling, or distributing to also include giving away or transporting "into this state a substance, including an adulterant, a drug masking product, or synthetic or human urine, or device that is used with intent to defraud or in attempt to defraud a lawfully administered urine or hair follicle test. Effective Date: October 1, 2018 | SB 886 | 3/10/2018 Senate - Died in Criminal Justice | HB 1143 | 3/10/2018 Senate - Died in Criminal Justice | Baxley, White | + insig. | + insig. | + insig. | + insig. | + insig. | NO |
| 1/8/2018 | Theft - This bill increases threshold amounts for certain theft offenses; revises list of items from which theft of constitutes grand theft of third degree; revises circumstances under certain offenses by person with prior convictions constitute a higher degree felony. Effective Date: October 1, 2018 [Entire Bill] | SB 928 | 3/10/2018 Senate - Died in Rules | HB 713 | 3/10/2018 House - Died on Calendar | Bracy, Donalds, Alexander | - sig. | - sig. | - sig. | - sig. | - sig. | NO ¹³ |
| | * This amends s. 812.014 F.S., by increasing the minimum threshold property values for third degree grand theft; removes "a will, codicil, or other testamentary instrument," and removes any fire extinguisher, any property taken from a designated construction site, any stop sign, and anhydrous ammonia; increases the minimum threshold property values for third degree grand theft for stealing property from a dwelling or unenclosed curtilage of a dwelling; increases the minimum threshold property values for petit theft of the first degree (misdemeanor) and increases the maximum threshold. | | | | | | - sig. | - sig. | - sig. | - sig. | - sig. | |
| | minimum threshold property values for retail theft from \$300 to \$1,500, a Level 5, 3rd degree felony, and amends s. 812.015(9)(a), F.S., adding that the Level 6, 2nd degree felony applies when the person has been previously convicted as an adult of a violation of the 3rd degree felony, and commits another violation within 3 years after the expiration of the sentence. Currently, there is no age range or time limit for when the first violation occurred. | | | | | | - indet. | - indet. | - indet. | - indet. | - indet. | |
| 1/8/2018 | Cruelty to Animals - This bill amends s. 828.12(2), F.S., by increasing the Level 3, 3rd degree felony for torturing any animal with intent to inflict intense pain, serious physical injury, or death to a Level 5, 3rd degree felony. | SB 952 | 3/10/2018 Senate - Died in Rules | HB 473 | 3/10/2018 House - Died on Calendar | Steube, Hutson, Leek, Brodeur, Clemons, Killebrew, Masullo, McClain, Payne, Santiago, Silvers | + insig. | + insig. | + insig. | + insig. | + insig. | NO ¹⁴ |
| 1/8/2018 | Trespass on Airport Property - This bill amends s. 810.09, F.S., by creating an unranked, 3rd degree felony for trespassing on a properly identified "operational area" of an airport with the intent to injure a person, damage property, or impede the operation/use of an aircraft, runway, taxiway, ramp, or apron area. | SB 1094 | 3/8/2018 Senate - Laid on Table, refer to HB 523 -SJ 916 | HB 523 | 4/9/2018 - Chapter No. 2018-151 | Simmons, Cortes | + insig. | + insig. | + insig. | + insig. | + insig. | YES |
| 2/12/2018 | Commercial Motor Vehicles with proposed amendments - This bill defines "electronic credential" and replaces the term "digital proof of driver license" with "electronic credential" for the unranked 3rd degree felony, making this applicable to the manufacture of false electronic credential; provides penalty provision regarding stolen cargo property and the use of device to defeat, block, disable, jam or interfere with global positioning system. Effective Date: 10/1/2018 | CS/SB 1104 pcs | 3/10/2018 House - Died in Messages | | | Brandes, Transportation | + indet. | + indet. | + indet. | + indet. | + indet. | NO |
| | * This bill amends s. 322.01, F.S., defining "electronic credential, and amends s. 322.032, F.S., replacing the term "digital proof of driver license" with "electronic credential" for the unranked, 3rd degree felony. This makes it applicable to manufacturing false electronic credential, which includes an "electronic representation of a physical driver license or identification card." Effective date: October 1, 2018 | | | | | | + insig. | + insig. | + insig. | + insig. | + insig. | |

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|------------|---|-------------------|--|----------------|--|---|---|---|---|---|---|-------------------|
| | | | | | | | FY 18-19 | FY 19-20 | FY 20-21 | FY 21-22 | FY 22-23 | |
| | * This bill further amends s. 812.014(2), F.S., that when someone commits any grand theft, and if the property stolen is cargo and in the course of committing the offense the offender uses any type of device to defeat, block, disable, jam, or interfere with a global positioning system or similar system designed to identify the location of the cargo or the vehicle or trailer carrying the cargo, that person would be committing an unranked, 1st degree felony. | | | | | | + indet. | |
| 1/29/2018 | Controlled Substances - This bill amends s. 893.05, F.S., creating an unranked, 1st degree felony for "possessing, with intent to unlawfully manufacture any pill, tablet, or capsule containing a controlled substance, a mechanical device capable of compressing powder into pills, tablets, or capsules of uniform size and weight." This bill also amends s. 893.135, F.S., deleting language for hydrocodone, oxycodone, and fentanyl trafficking, and moving these offenses into "trafficking in illegal drugs. Effective Date: October 1, 2018 | HB 1159 | 3/10/2018 House - Died in Criminal Justice Subcommittee | | | Santiago | + sig. | NO |
| 1/29/2018 | Criminal Justice - This bill diverts from prison specific offenders convicted of possession of a controlled substance; allows a defendant to request sentencing to depart from mandatory term of imprisonment; provides incentive of gain-time for sentences; allows conditional release of any inmates sentenced for life after 20 years absence of any disciplinary violation. Effective Date: October 1, 2018 [Entire Bill] | SB 1194 | 3/10/2018 Senate - Died in Criminal Justice | HB 659 | 3/10/2018 House - Died in Criminal Justice Subcommittee | Rouson, Alexander | bed impact equal to at least as many as the component parts | bed impact equal to at least as many as the component parts | bed impact equal to at least as many as the component parts | bed impact equal to at least as many as the component parts | bed impact equal to at least as many as the component parts | NO |
| | * This bill amends s. 775.082, F.S., diverting from prison specific offenders convicted of possession of a controlled substance. | | | | | | bed impact | |
| | * The bill further amends s. 775.082, F.S., in order to permit a defendant to request that the sentencing court depart from a mandatory term of imprisonment. | | | | | | - indet. | |
| | * This bill also amends s. 944.275, F.S., permitting up to 20 days per month of incentive gain-time for sentences imposed for offenses committed on or after October 1, 2018, with those in prison for nonviolent felonies permitted to earn enough gain-time to serve 65% of their total sentence, while violent offenders still remain at the 85% minimum. | | | | | | bed impact | |
| | * This bill also amends s. 947.1405, F.S., mandating the conditional release of any inmate serving a life sentence for a non-capital crime after 20 years without a disciplinary violation. | | | | | | bed impact | |
| 1/8/2018 | Child Exploitation - This bill also defines a variety of terms to include "morphing," conforming to those in federal law. This amends s. 847.0137, F.S., which expands the definition of both "sexual conduct," through "simulated" lewd expression of the genitals, and child pornography, through a visual depiction that has been "created, adapted, or modified." By including this type of conduct and these types of images for violations such as producing, directing, possession, transmission, etc., there is potential for additional offenders to be prosecuted for the felonies currently in place. This bill adds that the possession, control, or intentional viewing of each visual depiction of child pornography is considered a separate offense. | SB 1214 | 3/10/2018 Senate - Died in Criminal Justice | HB 7017 | 3/10/2018 Senate - Died in Children, Families, and Elder Affairs | Book, Criminal Justice Subcommittee, Sullivan | + sig. | NO ¹⁵ |
| 2/12/2018 | Sentencing for Sexual Offenders and Sexual Predators - The bill reduces aggregate & consecutive number of days used to determine residency for purposes of sexual predator or sexual offender registration; provides for mandatory minimum sentence of community control with electronic monitoring for certain offenses. Effective Date: July 1, 2018 | CS/SB 1226 | 3/8/2018 Senate - Laid on Table, refer to CS/HB 1301 -SJ 912 | | | Book, Hutson, Criminal Justice | + indet. | YES ¹⁶ |
| 2/12/2018 | Search of Content, Information, and Communications of Cellular Phones, Portable Electronic Communication Devices, and Microphone-Enabled Household Devices - This bill prohibits unlawful access to communications stored in specified devices; requires that law enforcement obtain warrant to acquire certain location information; provides procedures for such warrants; provides limited exceptions in certain circumstances. Effective Date: July 1, 2018 | CS/HB 1249 | 3/10/2018 House - Died on Calendar | | | Grant, Leek, White, Criminal Justice Subcommittee | + insig. | NO ¹⁷ |

Summary of Final Actions -- 2018 Criminal Justice Impact Conference Bills

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|-------------|--|----------|--|
| KEY: | | | |
| + sig. | Increase of more than 25 prison beds | - sig. | Decrease of more than 25 prison beds |
| + mod. | Increase greater than 10 and less than 25 beds | - mod. | Decrease of greater than 10 beds and less than 25 beds |
| + insig. | Increase of 10 or fewer beds | - insig. | Decrease of 10 or fewer beds |
| indet. | Unquantifiable positive bed impact | - indet | Unquantifiable negative bed impact |
| +/- indet | Final direction of the impact is unknown | | |
| no impact | No Impact on beds | | |

| Conf. Date | Subject | Bill heard in CJC | Last Action of bill heard | Identical bill | Last Action of identical bill | Sponsor S/H | CJIC Impact | | | | | Passed? |
|------------|--|-------------------|--|----------------|---|--|-------------|----------|----------|----------|----------|-------------------|
| | | | | | | | FY 18-19 | FY 19-20 | FY 20-21 | FY 21-22 | FY 22-23 | |
| 2/12/2018 | Fraudulently Obtaining or Retaining Personal Property or Equipment - The bill revises threshold amounts for certain offenses relating to hiring, leasing, or obtaining personal property or equipment with intent to defraud & failing to return hired or leased personal property or equipment; excludes rental purchase agreements. Effective Date: July 1, 2018 | CS/HB 1309 | 3/10/2018 House - Died on Calendar | | | Alexander, Criminal Justice Subcommittee | - insig. | - insig. | - insig. | - insig. | - insig. | NO |
| 1/29/2018 | Prohibited Conduct Between Authority Figures and Students - This bill creates s. 800.101, F.S., defining terms and stating that an authority figure shall not solicit or engage in sexual conduct, a relationship of a romantic nature, or lewd conduct with a student. A person committing this violation would commit an unranked, 2nd degree felony (Level 4 by default). Effective Date: July 1, 2018 | HB 1391 | 3/10/2018 Senate - Died in Education | | | Rodrigues | + indet. | + indet. | + indet. | + indet. | + indet. | YES ¹⁸ |
| 2/19/2018 | Student Safety with proposed amendments - This bill creates s. 800.101, F.S., defining terms and stating that "an authority figure shall not solicit or engage in sexual conduct or lewd conduct with a student." this bill specifies how that form of sexual conduct would not apply if it is included in s. 775.0862, F.S. and prior statute generally covers these incidents with comparable felonies. Effective Date: July 1, 2018 | CS/HB 1391 wpa | 3/10/2018 Senate - Died in Education | | | Rodrigues, Education Committee | + insig. | + insig. | + insig. | + insig. | + insig. | NO ¹⁹ |
| 1/29/2018 | Human Trafficking - This bill amends s. 787.06(3), F.S., adding a mandatory minimum term of imprisonment of 10 years for certain human trafficking offenses. Effective Date: July 1, 2018 | SB 1502 | 3/10/2018 Senate - Died in Criminal Justice | | | Book | + mod. | + mod. | + mod. | + mod. | + mod. | NO ²⁰ |
| 2/12/2018 | Elder Abuse - This bill creates a cause of action for an injunction for protection against the exploitation of a vulnerable adult; provides a list of persons who may seek an injunction; requires that a clerk of the circuit court assist the petitioner in preparing an affidavit or direct the petitioner to a certain office, under certain circumstances; provides penalty for willful violation. Effective Date: 7/1/2018 | SB 1562 | 3/6/2018 Senate - Laid on Table, refer to CS/CS/CS/HB 1059 -SJ 739 | CS/CS HB 1059 | 3/27/2018 - Chapter No. 2018-100 | Passidomo, Burton, Children, Families and Senior Subcommittee, Civil Justice & Claims Subcommittee | + insig. | + insig. | + insig. | + insig. | + insig. | YES ²¹ |
| 5/16/2018 | Animal Welfare - requires animal; shelter that take in stray dogs and cats to adopt written policies and procedures to ensure that efforts are made to return the animals to their owners; allows the court to prohibit a person convicted of animal cruelty from owning, possessing, keeping, harboring, having contact with with or having custody over any animal; increases the ranking in severity of punishment for any animal cruelty. | CS/CS/SB 1576 | 3/26/2018 - Chapter No. 2018-87 | | | Steube, Hukill, Perry, Young, Community Affairs, Agriculture | + insig. | + insig. | + insig. | + insig. | + insig. | YES |
| 1/29/2018 | Sentencing for Sexual Offenses - Creates s. 794.10, F.S., stating that an offender that commits a sexual battery violation, excluding s. 794.011(10), F.S. or s. 800.04, F.S., may not be granted probation, community control, parole, conditional release, control release, or any other form of early release, nor shall the execution or imposition of sentence be suspended under certain conditions. Effective Date: October 1, 2018 | SB 1696 | 3/10/2018 Senate - Died in Criminal Justice | HB 447 | 3/10/2018 House - Died in Criminal Justice Subcommittee | Torres, Jr., Hardemon | + insig. | + insig. | + insig. | + insig. | + insig. | NO |
| 2/19/2018 | Public Safety -- This revises current law to increase public safety and encourage offender reintegration into the workplace; allows a probation officer flexibility (with court approval) to resolve certain violations without issuing a violation affidavit and requiring court resolution; and aids inmates as they transition from prison back into the community; creates third degree felony for a second or subsequent offense of exposure of sexual | PCB JDC 18-03 | 3/10/2018 House - Died on Calendar | | | Judiciary Committee | - sig. | - sig. | - sig. | - sig. | - sig. | NO ²² |
| | * The bill allows a probation officer (with court approval) to resolve certain violations without issuing a violation affidavit and requiring court resolution. The PCB also aids inmates as they transition from prison back into the community. It also creates third degree felony for a second or subsequent offense of exposure of sexual organs. Effective date: October 1, 2018. | | | | | | + insig. | + insig. | + insig. | + insig. | + insig. | |
| | * The bill also amends s. 948.06, F.S. creating statewide alternative sanctioning program for technical violations by probationers and offenders on community control. | | | | | | - sig. | - sig. | - sig. | - sig. | - sig. | |

Summary of Final Actions -- 2018 Criminal Justice Impact Conference Bills

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| KEY: | | | |
| + sig. | Increase of more than 25 prison beds | - sig. | Decrease of more than 25 prison beds |
| + mod. | Increase greater than 10 and less than 25 beds | - mod. | Decrease of greater than 10 beds and less than 25 beds |
| + insig. | Increase of 10 or fewer beds | - insig. | Decrease of 10 or fewer beds |
| indet. | Unquantifiable positive bed impact | - indet | Unquantifiable negative bed impact |
| +/- indet | Final direction of the impact is unknown | | |
| no impact | No Impact on beds | | |

| Conf. Date | Subject | Bill heard in CJC | Last Action of bill heard | Identical bill | Last Action of identical bill | Sponsor S/H | CJIC Impact | | | | | Passed? |
|------------|---|-------------------|--|----------------|---|--|-------------|----------|----------|----------|----------|------------------|
| | | | | | | | FY 18-19 | FY 19-20 | FY 20-21 | FY 21-22 | FY 22-23 | |
| 1/29/2018 | Contraband in County Detention Facilities - This bill amends s. 951.22, F.S., adding "any cellular telephone or other portable communication device intentionally and unlawfully introduced inside the secure perimeter of any county detention facility without prior authorization or consent from the sheriff or the officer in charge of such detention facility" as contraband subject to the current Level 6, 3rd degree felony. Effective Date: October 1, 2018 | SB 1886 | 3/10/2018 Senate - Died in Judiciary | HB 733 | 3/10/2018 Senate - Died in Criminal Justice | Brandes, Sullivan | + indet. | + indet. | + indet. | + indet. | + indet. | NO ²³ |
| 1/29/2018 | Dismemberment Abortion - This bill amends s. 390.011, F.S., defining "dismemberment abortion" and stating that no physician shall knowingly perform such an abortion. Effective Date: July 1, 2018 | SB 1890 | 3/10/2018 Senate - Died in Health Policy | HB 1429 | 3/10/2018 Senate - Died in Health Policy | Mayfield, Grail, Gruters, Ahem, Altman, Burgess, Byrd, Massullo, Spano, Sullivan, White, Yarborough, Magar | + insig. | + insig. | + insig. | + insig. | + insig. | NO |
| 5/16/2018 | Public Safety - This bill provides law enforcement, the courts, and schools with the tools to enhance public safety by temporarily restricting firearm possession by a person who is undergoing a mental health crisis and when there is evidence of a threat of violence. The bill also promotes school safety and enhanced coordination between education and law enforcement entities at the state and local level. Some of the provisions of this bill include creating Medical Reimbursement Program for Victims of Mass Shootings; authorizing a law enforcement officer under the Baker Act to seize and hold a firearm or ammunition the person possesses at the time of being taken into custody if the person poses a potential danger to himself or herself or others; allowing an officer who is taking a person into custody at his or her residence to seek the voluntary surrender of firearms or ammunition kept in the residence not already seized; prohibiting a person who has been adjudicated mentally defective from owning or possessing a firearm; requires a three-day waiting period for all firearms; prohibiting a person under 21 years of age from purchasing a firearm; prohibiting a licensed firearm dealer to facilitate the sale or transfer of a firearm to a person under the age of 21; and prohibiting a the give away or sale of a bump-fire stock. The bill also temporarily prevent persons who are at high risk of harming themselves or others from accessing firearms and allows a court to issue a risk protection order for up to 12 months. | CS/SB 7026 | 3/9/2018 - Chapter No. 2018-3 | | | Rules, Appropriations | + indet. | + indet. | + indet. | + indet. | + indet. | YES |
| | * This bill amends s. 790.065, F.S., adding an unranked, 3rd degree felony for a person under 21 years of age purchasing a firearm, as well as when the sale or transfer "of a firearm to a person younger than 21 years of age" is "made or facilitated by a licensed importer, licensed manufacturer, or licensed dealer." | | | | | | + insig. | + insig. | + insig. | + insig. | + insig. | |
| | * This bill also amends s. 790.0655, F.S., expanding the mandatory waiting period of 3 days to all firearms, with the waiting period potentially being longer if the background check takes longer to complete. This change would expand the pool of potential offenders under the unranked, 3rd degree felony for violating this waiting period. | | | | | | + insig. | + insig. | + insig. | + insig. | + insig. | |
| | * This bill also creates s. 790.222, F.S., adding an unranked, 3rd degree felony for a person who imports into this state or transfers, distributes, sells, keeps for sale, offers for sale, possesses, or gives to another person a bump fire stock. | | | | | | + insig. | + insig. | + insig. | + insig. | + insig. | |
| | * This bill also creates s. 790.401, F.S., establishing a process by which a law enforcement officer petitions a court for a temporary ex parte risk protection order and a final risk protection order, in order to temporarily prevent persons from accessing firearms when there is demonstrated evidence that a person poses a significant danger to himself or herself or others. Two unranked, 3rd degree felonies are created under this statute. The first involves a person making a false statement, which he or she | | | | | | + indet. | + indet. | + indet. | + indet. | + indet. | |

Summary of Final Actions -- 2018 Criminal Justice Impact Conference Bills

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| KEY: | | | |
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| Conf. Date | Subject | Bill heard in CJIC | Last Action of bill heard | Identical bill | Last Action of identical bill | Sponsor S/H | CJIC Impact | | | | | Passed? |
|------------|---|--------------------|---|----------------|-------------------------------|---|-------------|----------|----------|----------|----------|------------------|
| | | | | | | | FY 18-19 | FY 19-20 | FY 20-21 | FY 21-22 | FY 22-23 | |
| | * The bill prohibits a person from making a threat in writing or other record, including an electronic record, to conduct a mass shooting or act of terrorism; posting or transmitting the threat in any manner that would allow any other person to view the threat. It also amends the Criminal Punishment Code used in a defendant's sentencing to include the additional offense against threats to conduct mass shootings or acts of terrorism; exempts certain services from liability under s. 836.10, F.S.; | | | | | | + indet. | + indet. | + indet. | + indet. | + indet. | |
| 1/29/2018 | Human Trafficking - This bill amends s. 787.06(3), F.S., adding a mandatory minimum term of imprisonment of 10 years for certain human trafficking offenses. Effective Date: July 1, 2018 | HB 7039 | 3/10/2018 Senate - Died in Criminal Justice | | | Criminal Justice Subcommittee, Spano | + mod. | + mod. | + mod. | + mod. | + mod. | NO ²⁴ |

* Identical bill also requested to be heard in Criminal Justice Impact Conference

¹ CS/HB 21 with proposed amendment also received an estimated impact.

² CS/CS/HB 21 also received an estimated impact.

³ CS/CS/CS/HB 165 also received an estimated impact.

⁴ CS/CS/HB 165 also received an estimated impact.

⁵ CS/CS/SB 438 was substantially different than SB 438. However, there would still be a positive insignificant impact of the bill.

⁶ The estimate was indeterminate, given that key terms are undefined in this bill.

⁷ CS/SB 570 was substantially different than SB 570. There would be a negative indeterminate impact of the bill.

⁸ CS/SB 624 was substantially different than SB 624. There would be no impact of the bill.

⁹ CS/SB 694 was substantially different than SB 694. However, there would still be a negative significant impact of the bill.

¹⁰ CS/CS/SB 706 was substantially different than CS/SB 706. However, there would still be a positive insignificant impact of the bill.

¹¹ The estimate was indeterminate, given that key terms are undefined in this bill.

¹² Beginning July 1, 2019.

¹³ CS/SB 928 was substantially different than SB 928. However, there would still be a negative significant impact of the bill.

¹⁴ CS/CS/SB 1576 also received an estimated impact.

¹⁵ CS/SB 1214 was substantially different than SB 1214. However, there would still be a positive significant impact of the bill.

¹⁶ CS/SB 1226 was substantially different than CS/HB 1301. However, there would still be a positive indeterminate impact of the bill. Since the Criminal Justice Impact Conference did not meet for the House bill, the Senate bill is recorded as laid on the table, but also as passed (3/27/2018 - Chapter No. 2018-105).

¹⁷ CS/CS/HB 1249 was substantially different than CS/HB 1249. However, there would still be a positive insignificant impact of the bill.

¹⁸ The estimate was indeterminate, given that key terms are undefined in this bill. Also, since the Criminal Justice Impact Conference did not meet for the House bill in which the felony language passed (CS/HB 495), HB 1391 is reported as died in Education, but also as passed (4/9/2018 - Chapter No. 2018-150).

¹⁹ CS/CS/HB 1391 was substantially different than CS/HB 1391 with proposed amendment. However, there would still be a positive insignificant impact of the bill.

²⁰ Reaches Positive Significant in Year 8.

²¹ CS/CS/CS/HB 1059 was substantially different than CS/CS/HB 1059. However, there would still be a positive insignificant impact of the bill.

²² HB 7089 was substantially different than PCB JDC 18-03. However, there would still be a negative significant impact of the bill.

²³ CS/SB 1886 was substantially different than SB 1886. The final direction of the impact is unknown.

²⁴ Reaches Positive Significant in Year 8.