

**Criminal Justice Impact Conference Bills
Prison Bed Impact of 2011 Passed 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	Bill number	Subject	CJIC Impact				
			FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16
2-Mar-11	CS/HB 39	Controlled Substances - Defines term "homologue" for purposes of Florida Comprehensive Drug Abuse Prevention & Control Act; includes certain hallucinogenic substances on list of controlled substances in Schedule I; reenacts provisions to incorporate amendment. <i>Effective Date: July 1, 2011</i>	insig.	insig.	insig.	insig.	insig.
2-Mar-11	CS/HB 45	Regulation of Firearms and Ammunition - Prohibits specified persons & entities, when acting in official capacity, from knowingly & willfully regulating or attempting to regulate firearms or ammunition in any manner except as specifically authorized by s. 790.033, F.S., by general law, or by Fla. Constitution; provides penalty; eliminates authority of counties to adopt ordinance requiring waiting period between purchase & delivery of handgun; provides that public funds may not be used to defend unlawful conduct of any person charged with violation of section; provides fines for governmental entities in whose service or employ provisions of section are knowingly & willfully violated; provides for investigation of complaints of criminal violations & prosecution of violators by state attorney; provides exceptions to prohibitions; provides effective date. <i>Effective Date: upon becoming a law</i>	insig.	insig.	insig.	insig.	insig.
2-Mar-11	HB 75	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>	insig.	insig.	insig.	insig.	insig.
2-Mar-11	HB 155	Privacy of Firearms Owners - Provides that inquiries by physicians or other medical personnel concerning ownership of firearm by patient or family of patient or presence of firearm in private home or other domicile of patient or family of patient violates privacy of patient or patient's family members, respectively; prohibits conditioning receipt of medical treatment or care on person's willingness or refusal to disclose personal & private information unrelated to medical treatment in violation of individual's privacy contrary to specified provisions; prohibits entry of certain information concerning firearms into medical records or disclosure of such information by specified individuals; provides criminal penalties; provides increased maximum fines for certain violations; requires informing Attorney General of prosecution of violations; provides for collection of fines by Attorney General in certain circumstances. <i>Effective Date: upon becoming a law</i>	insig.	insig.	insig.	insig.	insig.
4-Apr-11	CS/HB 251	Sexual Offenses ; Cites this act as the "Walk in Their Shoes Act." Revises offenses that are considered "child molestation" for purposes of admitting evidence of other crimes, wrongs, or acts in a criminal case involving child molestation. Requires certain property or material that is used in a criminal proceeding to remain in the care, custody, and control of the law enforcement agency, the state attorney, or the court. Requires a law enforcement officer to provide or arrange for transportation of a victim of sexual battery to an appropriate facility for medical treatment or forensic examination, etc. <i>EFFECTIVE DATE: July 1, 2011</i>	*	*	*	*	*
2-Mar-11	CS/HB 339	Possession of Stolen Credit or Debit cards - Prohibits possession of stolen credit or debit card in specified circumstances; provides penalties. <i>Effective Date: October 1, 2011</i>	insig.	insig.	insig.	insig.	insig.
2-Mar-11	CS/SB 400	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>	indet.	indet.	indet.	indet.	indet.

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2-Mar-11	SB 504	Child Visitation: Revises legislative intent; requires probable cause of sexual abuse in order to create presumption of detriment; provides that persons meeting specified criteria may not visit or have contact with child without hearing & court order; revises requirements for hearing seeking to rebut presumption of detriment; revises provisions relating to hearings on whether to prohibit or restrict visitation or other contact with person who is alleged to have influenced child's testimony. <i>Effective Date: July 1, 2011</i>	*	*	*	*	*
4-Apr-11	HB 1039	Controlled Substances; Includes certain hallucinogenic substances on list of controlled substances in Schedule I; reenacts provisions to incorporate amendment. <i>EFFECTIVE DATE: July 1, 2011</i>	insig.	insig.	insig.	insig.	insig.

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.