

Summary of Final Actions -- 2013 Criminal Justice Impact Conference Bills

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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 positive bed impact		
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							FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18	
02/27/13	Criminal Prosecution of Juveniles: Providing additional circumstances for the discretionary direct filing of charges against certain juveniles; providing criteria for determining when a case against a juvenile should be recommended to the court to be transferred for criminal prosecution; providing criteria for consideration of a child's request to an adult court to return a criminal case to the juvenile justice system, etc. <i>Effective Date: 07/01/2013</i>	SB 280	05/03/2013 Died in Criminal Justice			Smith	insig.	insig.	insig.	insig.	insig.	NO
02/27/13	Controlled Substances: Adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances, or any of their salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; providing reduced penalties for possession of 3 grams or less of specified controlled substances; providing criminal penalties for a person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, a specified quantity of specified controlled substances, etc. <i>Effective Date: Upon becoming a law.</i>	SB 294 *	04/25/2013 Chapter No. 2013-29	HB 619 * 1	04/17/2013 Laid on Table, refer to CS/SB 294 -HJ 646	Ingram Bradley	insig.	insig.	insig.	insig.	insig.	YES
02/27/13	Juvenile Justice: Provides criminal penalties for specified employees who inflict cruel or inhuman treatment upon juvenile offenders; provides enhanced penalties for such treatment that results in great bodily harm, permanent disability, or permanent disfigurement; specifies that such conduct constitutes sufficient cause for employee's dismissal & prohibits such employee from future employment with juvenile justice system; provides incident reporting requirements; prohibits employee who witnesses such an incident from knowingly or willfully failing to report; prohibits false reporting, preventing another from reporting, or coercing another to alter testimony or reports; defines "juvenile offender" for purposes of prohibiting sexual misconduct with juvenile offenders. <i>Effective Date: upon becoming a law</i>	CS/HB 353	05/03/2013 Died in Appropriations	CS/CS/SB 672	05/03/2013 Died in Criminal Justice	Harrell Evers	insig.	insig.	insig.	insig.	insig.	NO
02/27/13	False Reports to Law Enforcement Officers: Increases criminal penalties for second or subsequent conviction of providing false information to law enforcement officer concerning alleged commission of crime. <i>Effective Date: October 1, 2013</i>	SB 400 *	04/25/2013 Laid on Table, refer to CS/HB 611 -SJ 611	HB 611*	04/29/2013 Ordered enrolled -HJ 967	Watson, C. Dean	insig.	insig.	insig.	insig.	insig.	YES

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02/27/13	Criminal Gang Prevention: Provides enhanced criminal penalties for certain trespassing offenses in school safety zones by person convicted of certain gang-related offenses; provides enhanced criminal penalties for person who intentionally causes, encourages, solicits, or recruits another person under specified age to become criminal gang member in certain circumstances; authorizes county & municipal detention facilities to designate individual responsible for assessing whether each inmate is criminal gang member or associate; provides duties of such individuals; assigns offense severity rankings for specified violations; revises criteria for application of sentencing multiplier for offenses related to criminal gangs; limits application of multiplier if application would result in lowest permissible sentence exceeding statutory maximum sentence. <i>Effective Date: October 1, 2013</i>	HB 407	04/29/2013 Ordered enrolled -HJ 966			Ingram	insig.	insig.	insig.	insig.	insig.	YES
02/27/13	Sentencing for Controlled Substance Violations: Providing for an exception to mandatory minimum sentencing requirements for certain violators of specified controlled substance provisions; specifying criteria to qualify for an exception; providing criteria that may be considered by a court in departing for the mandatory minimum term of imprisonment; requiring a court to make certain statements if it departs from the mandatory minimum term of imprisonment, etc. <i>Effective Date: 07/01/2013</i>	SB 420	05/03/2013 Died in Judiciary			Sachs	- indet.	- indet.	- indet.	- indet.	- indet.	NO
02/27/13	Malicious Battery and Infliction of Cruel or Inhuman Treatment on a Juvenile Offender: Providing that it is unlawful for an employee of the Department of Juvenile Justice to commit a battery or to inflict cruel or inhuman treatment on a juvenile offender; providing criminal penalties; providing that battery or the infliction of cruel or inhuman treatment on a juvenile offender constitutes sufficient cause to dismiss the employee from employment with the department and to prohibit such employee from being employed again in any capacity with the juvenile justice system, etc. <i>Effective Date: Upon becoming a law.</i>	SB 678	05/03/2013 Died in Judiciary			Evers	insig.	insig.	insig.	insig.	insig.	NO
02/27/13	Parole Interview Dates for Certain Inmates: Extends from 2 years to 7 years period between parole interview dates for inmates convicted of committing specified crimes; requires periodic parole interview for inmate convicted of kidnapping or attempted kidnapping or robbery, burglary of dwelling, burglary of structure or conveyance, or breaking & entering, or attempt thereof of any of these crimes, in which human being is present & sexual act is attempted or completed. <i>Effective Date: July 1, 2013</i>	HB 685	04/30/2013 Ordered enrolled -HJ 1028			McBurney	*	*	*	*	*	YES
02/27/13	Criminal Use of Personal Identification Information: Deletes requirement that person who willfully & without authorization possesses personal identification information concerning individual without first obtaining that individual's consent have intent to fraudulently use information in order to commit specified violation; requires that person have an opportunity to explain the person's actions before an arrest may be made; provides exception. <i>Effective Date: October 1, 2013</i>	HB 691	05/02/2013 Ordered engrossed, then enrolled -HJ 1098			Ahern	insig.	insig.	insig.	insig.	insig.	YES

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03/21/13	Mandatory Supervision of Specified Offenders by the Department of Corrections: Requiring that persons convicted on or after a specified date of crimes in specified categories be released only under mandatory supervision; renaming the conditional release program as the "mandatory supervision program", etc. <i>Effective Date: July 1, 2013</i>	CS/SB 540	05/03/2013 Died in Appropriations Subcommittee on Criminal and Civil Justice			Dean	0	28	68	100	146	NO
03/21/13	Mandatory Supervision for Violent Offenders: Provides legislative intent; specifies that certain offenders may only be released under mandatory supervision; redesignates "conditional release" as "mandatory supervision;" specifies that certain offenders may only be released under mandatory supervision; requires Parole Commission along with DOC to develop report to track offenders placed on mandatory supervision & their rate of return to prison for new crime or technical violation of probation; conforms provisions. <i>Effective Date: October 1, 2013</i>	CS/HB 829	05/03/2013 Died in Justice Appropriations Subcommittee			Passidomo	0	28	68	100	146	NO
03/21/13	Criminal Use of Personal Identification Information: Deleting the requirement that a person who willfully and without authorization possesses personal identification information concerning an individual without first obtaining that individual's consent has an intent to fraudulently use the information in order to commit a specified violation; providing criminal penalties, etc. <i>Effective Date: October 1, 2013</i>	SB 840	05/03/2013 Died in Criminal Justice			Stargel	+ indet.	+ indet.	+ indet.	+ indet.	+ indet.	NO
03/21/13	Termination of Pregnancy Based on Sex or Race of the Unborn Child: Citing this act as the "Prenatal Nondiscrimination Act"; prohibiting performing, inducing, or actively participating in a termination of pregnancy knowing that it is sought based on the sex or race of the child or the race of a parent of that child, using force or the threat of force to intentionally injure or intimidate any person for the purpose of coercing a sex-selection or race-selection termination of pregnancy, and soliciting or accepting moneys to finance a sex-selection or race-selection termination of pregnancy; providing criminal penalties, etc. <i>Effective Date: October 1, 2013</i>	HB 845	05/03/2013 Died in Health Policy	SB 1072	05/03/2013 Died in Health Policy	Van Zant Evers	insig.	insig.	insig.	insig.	insig.	NO
03/21/13	Animal Cruelty: Specifies that person who commits multiple acts of animal cruelty against one animal or acts of animal cruelty against multiple animals may be charged with separate offense for each such act of animal cruelty; specifies that person who owns or has custody or control of an animal & fails to act commits aggravated animal cruelty if certain injuries or death result; prohibits specific acts relating to dyeing or artificially coloring certain animals; prohibit selling, offering for sale, or giving away as merchandising premiums specified fowl or rabbits to be used as pets, toys, or retail premiums; provides exceptions; including illegal animal fighting or baiting as offense within definition of "racketeering activity" for purposes of Florida RICO Act. Effective Date: July 1, 2013	CS/HB 851	04/29/2013 Ordered enrolled -HJ 967			Moskowitz	insig.	insig.	insig.	insig.	insig.	YES

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03/21/13	Unlawful Possession of the Personal Identification Information of Another Person: Defining the term "personal identification information"; providing that it is unlawful for a person to intentionally or knowingly possess, without authorization, any personal identification information of another person; providing that certain specified persons are exempt from provisions regarding the unlawful possession of personal identification information of another person, etc. <i>Effective Date: October 1, 2013</i>	SB 1126	Laid on Table, refer to CS/CS/HB 691 -SJ 607 **			Joyner	insig.	insig.	insig.	insig.	insig.	NO
03/21/13	Drug Paraphernalia: Prohibiting the retail sale of certain drug paraphernalia; providing criminal penalties; authorizing the imposition of administrative penalties upon retail tobacco products dealers who commit certain offenses related to drug paraphernalia; repealing provisions relating to the retail sale of certain smoking pipes and smoking devices, etc. <i>Effective Date: October 1, 2013</i>	SB 1140	04/25/2013 Laid on Table, refer to CS/CS/HB 49 -SJ 620 **			Stargel	+ indet.	+ indet.	+ indet.	+ indet.	+ indet.	NO
03/21/13	Florida Communications Fraud Act: Provides limitations period for civil & criminal actions under that act; provides that in criminal proceeding period does not run during any time defendant is absent from state or without reasonably ascertainable place of abode or work within state; limits amount of such exception; provides for suspension of limitations periods for civil & criminal actions during pendency of certain proceedings & for specified period thereafter; reclassifies offense of communications fraud with value greater than \$50,000 on offense severity ranking chart of Criminal Punishment Code. <i>Effective Date: October 1, 2013</i>	CS/HB 1173	04/29/2013 Ordered enrolled -HJ 968			Spano	insig.	insig.	insig.	insig.	insig.	YES
03/21/13	Protection of Vulnerable Persons: Reducing the minimum amount of a theft from a person 65 years of age or older that constitutes a felony of the third degree; providing criminal penalties; revising terminology to prohibit specified lewd and lascivious offenses committed upon or in the presence of a vulnerable adult and to prohibit specified offenses involving exploitation of a vulnerable adult, etc. <i>Effective Date: October 1, 2013</i>	SB 1222	05/03/2013 Died in Judiciary			Richter	insig.	insig.	insig.	insig.	insig.	NO
03/21/13	Victims of Human Trafficking: Provides for expungement of criminal history record of victim of human trafficking; designates what offenses may be expunged; provides that conviction expunged under this act is deemed to have been vacated due to substantive defect in underlying criminal proceedings; provides for period in which such expungement must be sought; provides that official documentation of victim's status as human trafficking victim creates presumption; provides standard of proof absent such documentation; provides requirements for petitions; provides for parties & service; provides for electronic appearances of petitioners & attorneys; provides for orders of relief; provides for physical destruction of records; authorizes person whose records are expunged to lawfully deny or fail to acknowledge arrests covered by expunged record; provides exceptions; provides that such lawful denial is not perjury or subject person to liability. <i>Effective Date: July 1, 2013</i>	CS/HB 1325	04/30/2013 Ordered enrolled -HJ 1029			Spano	insig.	insig.	insig.	insig.	insig.	YES

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03/21/13	Licensed Security Officers: Providing penalties for an unlicensed person who engages in an activity for which ch. 493, F.S., requires a license; providing penalties if a person commits a felony while impersonating a security officer, private investigator, recovery agent, or other person required to have a license under ch. 493, F.S.; authorizing a licensed security officer or licensed security agency manager to detain a person on the premises of a critical infrastructure facility in certain circumstances, etc. <i>Effective Date: July 1, 2013</i>	SB 1330	04/25/2013 Laid on Table, refer to HB 875 -SJ 614	HB 875	04/29/2013 Ordered enrolled -HJ 967	Workman Latvala	insig.	insig.	insig.	insig.	insig.	YES
03/21/13	Criminal Penalties: Providing criminal sentences applicable to a person who was under the age of 18 years at the time the offense was committed; requiring that a judge consider certain factors before determining if life imprisonment is an appropriate sentence, etc. <i>Effective Date: July 1, 2013</i>	SB 1350	05/03/2013 Died on Calendar			Bradley	*	*	*	*	*	NO
03/21/13	Pretrial Detention: Providing additional factors a court may consider when ordering pretrial detention, etc. <i>Effective Date: July 1, 2013</i>	CS/SB 1372	04/26/2013 Laid on Table, refer to HB 7035 -SJ 684			Bradley	*	*	*	*	*	NO
03/21/13	Florida Communications Fraud Act: Establishing a statute of limitations for criminal and civil causes of actions under the act; specifying circumstances that toll the statute of limitations, etc. <i>Effective Date: October 1, 2013</i>	SB 1404	04/25/2013 Laid on Table, refer to CS/HB 1173 -SJ 621 **			Stargel	insig.	insig.	insig.	insig.	insig.	NO
03/21/13	Sentencing of Offenders: Revising the number of sentencing points the offender might accumulate below which the court must sentence the offender to a nonstate prison sanction; providing that if the court makes written findings that a nonstate prison sanction could present a danger to the public, the court may sentence the offender to a state correctional facility, etc. <i>Effective Date: October 1, 2013</i>	SB 1454	05/03/2013 Died in Judiciary	HB 1201	05/03/2013 Died in Criminal Justice Subcommittee	Stewart Thompson	-255	-772	-1141	-1369	-1497	NO
03/21/13	Murder of a Child 17 Years of Age or Younger: Providing for reclassification of specified murder offenses if committed upon a child 17 years of age or younger; prohibiting a court from suspending, deferring, or withholding adjudication of guilt or imposition of sentence, etc. <i>Effective Date: July 1, 2013</i>	SB 1476 *	05/03/2013 Died in Judiciary	HB 1221 *	05/03/2013 Died in Criminal Justice	Artiles Dean	insig.	insig.	insig.	insig.	insig.	NO
03/21/13	Massage Establishments: Requires denial of application for massage establishment license in certain circumstances; provides additional grounds for denial of license or disciplinary action; revises penalties; prohibits operation of massage establishment during specified times; provides exceptions; prohibits use of massage establishment as principal domicile unless establishment is zoned for residential use under local ordinance; authorizes county or municipality to waive massage establishment operating hours restrictions during certain special events; declares that massage establishment operating in violation of specified statutes is nuisance that may be abated or enjoined. <i>Effective Date: October 1, 2013</i>	CS/HB 7005	04/30/2013 Ordered enrolled -HJ 1030			Kerner	insig.	insig.	insig.	insig.	insig.	YES

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03/21/13	Sex Offenses: Provides that out-of-court statement by a child victim with a physical, mental, emotional, or developmental age of 16 or less rather than 11 or less describing specified criminal acts is admissible in evidence in certain instances; replaces definition of "instant message name" with "Internet identifier"; provides that voluntary disclosure of specified information waives disclosure exemption for such information; requires disclosure of additional information by registrants; adds additional offenses to list of sexual predator qualifying offenses; provides enhanced penalties for third or subsequent indecent exposure violations; requires court to hold defendant subject to registration as sexual offender or sexual predator without bail until first appearance; provides exception; revises eligibility for removal of requirement to register as sexual offender or sexual predator; revises definition of "risk assessment"; authorizes court to require sexual offenders & sexual predators on probation or community control to undergo evaluation to determine whether offender or predator needs sexual offender treatment. <i>Effective Date: October 1, 2013</i>	HB 7031	05/03/2013 Died in Criminal Justice			Harrell	insig.	insig.	insig.	insig.	insig.	NO
04/04/13	Computer or Electronic Device Harassment: Prohibits knowing use of computer or other device to transmit or post any photograph or video which depicts nudity & contains any of depicted individual's personal identification information or counterfeit or fictitious information purporting to be such personal identification information, without first obtaining depicted person's written consent; providing an exception; provides enhanced penalties for violations by persons 18 years of age or older involving victims younger than 16 years of age; provides for jurisdiction; provides that person convicted of violation be ordered to have no contact with victim. <i>Effective Date: October 1, 2013</i>	HB 787	05/03/2013 Died on Calendar			Goodson	indet.	indet.	indet.	indet.	indet.	NO
04/04/13	Controlled Substances: Adds to list of Schedule III controlled substances certain specified materials, compounds, mixtures, or preparations that promote muscle growth or otherwise enhance athletic performance; reenacts provisions to incorporate amendments. <i>Effective Date: October 1, 2013</i>	CS/HB 1041	05/03/2013 Died in Justice Appropriations Subcommittee			Berman	indet.	indet.	indet.	indet.	indet.	NO
04/04/13	Ticket Sales: Provides enhance criminal penalties for second & subsequent violations concerning fraudulent creation or possession of admission ticket; provides criminal penalties for persons who commit such violations involving more than specified number of admission tickets; defines terms; requires ticket brokers to register with DACS; requires ticket brokers and resale websites to make specified disclosures to prospective buyers; prohibits ticket brokers and retain websites from using website URLs containing trademarks without permission of holder; provides civil remedies; provides criminal penalties for violation relating to resale of tickets; provides enhanced criminal penalties for second or subsequent violations of provisions relating to resale of multiday or multievent tickets; provides that specified provisions do not affect initial sales of tickets, providing that admission ticket represents revocable license. <i>Effective Date: October 1, 2013</i>	HB 1353	05/03/2013 Died in Appropriations Committee			Raulerson	indet.	indet.	indet.	indet.	indet.	NO

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04/04/13	Agricultural Storage and Shipping Containers: Authorizes use of certain brands & marks on containers used for storage & transport of agricultural & other commercial products to designate & distinguish ownership of containers; provides requirements for sale & purchase of specified number of plastic bulk merchandise containers; provides that prosecuting attorneys may inspect records of purchase at any time upon reasonable notice; provides criminal & civil penalties; provides an exception for operator of waste management facility & certain tax-exempt entities. <i>Effective Date: October 1, 2013</i>	CS/HB 1393	04/29/2013 Ordered enrolled -HJ 968			Beshears	indet.	indet.	indet.	indet.	indet.	YES
04/05/13	Drug Trafficking: Providing that a person who knowingly sells, purchases, manufactures, delivers, or brings into this state specified quantities of oxycodone or hydrocodone, or who is knowingly in actual or constructive possession of such quantities of such drugs, commits a felony of the first degree; providing criminal penalties, etc. <i>Effective Date: 10/01/2013</i>	<i>SPB 7148/ SB 1860</i> ²	05/03/2013 Died in Judiciary			<i>Criminal Justice Committee</i>	0	-29	-179	-433	-576	NO

¹ HB 619 was identical to SB 294 on February 27, 2013 when they were both heard at the Criminal Justice Impact Conference. However, CS/SB 294 which passed was not identical to CS/HB 619. The adopted amendments would not change the impact.

² SPB 7148 became SB 1860. HB 159 was amended to include the language regarding oxycodone and hydrocodone that resulted in the savings found in SPB 7148. However, CS/HB 159 died on the calendar.

* Identical bill requested also

** Referred to bill was also heard at a CJIC.