

**2007 LEGISLATIVE SUMMARY
LAWS OF INTEREST TO FLORIDA LAW ENFORCEMENT**

FINAL VERSION: The Governor has completed action on all of the summarized bills. The Index, Conversion Tables, and Effective Date Table have been updated to reflect the vetoes of HB 981 [State Parks], SB 1030 [Court Costs], and HB 7183 [Rules].

This Legal Bulletin contains brief summaries of most laws of interest to the Florida law enforcement community that were passed during the regular session of the 2007 Florida Legislature. Since this document contains only summaries, you should read the entire content of any law in which you have particular interest by clicking the hyperlink addresses as furthered explained below. At the end of the summaries you will find an index to help you locate laws by subject, tables to help you cross-reference bill numbers to their chapter law numbers, and indications of the laws' effective dates. *Due to differences in printers and screen settings, the index page number references are accurate only when the Summary is printed in hard copy using the Word Version.*

This year's Summary is the product of the combined efforts of many within the FDLE Office of General Counsel. Special thanks to FDLE attorneys Sharon Traxler, Craig Rockenstein, Fern Rosenwasser, Grace Jaye, Merribeth Holmes, Steve Hurm, and Jim Martin for the hours they spent reviewing bills and preparing most of the text of the Summary. The Legislative Summary is posted on the General Counsel portion of FDLE's Internet web site, which may be found at: <http://www.fdle.state.fl.us/ogc>.

The Summary includes Internet hyperlinks to the text of the bills. If you access our Summary via the Internet, you can link to the bills directly. If you have a printed copy of the Summary, type the link into your internet browser to access bills of interest. You will need the Adobe Acrobat reader to read the bills. It may be downloaded from <http://www.adobe.com/products/acrobat/readstep2.html>. As we are providing links to the text of the bills, our summaries are intentionally less detailed than in the past. ***We have not discussed every element of every summarized law. Do not rely solely on our summary for a complete understanding of any bill!*** Law enforcement officers should check with their chain of command and agency legal advisors to determine the effect specific legislation may have upon agency operations and policies. If you have any suggestions or comments, please feel free to contact me.

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Legislative information, including copies of the laws as passed may be accessed on the Florida Legislature's web site (<http://www.leg.state.fl.us>). Select the bill versions ending in "er" and the greatest numeral, which is the "enrolled" version sent to the Governor.

Those without Internet access may obtain printed copies of laws as passed from:

House Documents Office
Room 334, The Capitol
Tallahassee, FL 32399-1300
(850) 488-7097 {SunCom 278-7097}

Senate Documents Office
Room 304, The Capitol
Tallahassee, FL 32399-1100
(850) 487-5285 {SunCom 277-5285}

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
OFFICE OF GENERAL COUNSEL



2007 LEGISLATIVE SUMMARY

House Bill 1 (Ch. 2007-188): Drug-Related Task Forces; Controlled Substances; Office of Drug Control; Governor; Drug Paraphernalia; Drug Labs; Methamphetamine

This bill creates an as yet unnumbered section of law that establishes two new task forces within the Executive Office of the Governor: the first is named the Drug Paraphernalia Abatement Task Force and its purpose is to recommend strategies and actions for abating access to and the use and proliferation of drug paraphernalia. The second is named the Task Force for the Remediation of Illicit Drug Labs and it is to recommend strategies and actions for reducing or eliminating health risks from buildings in Florida where methamphetamine or other contraband has been illegally manufactured. The final reports from the task forces are due at least 30 days prior to the start of the 2008 Regular Legislative Session, and shall include proposed rules and proposed legislation that are relevant for any recommendations of the task force. *Effective Date: June 19, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h000102er.pdf>

Senate Bill 2 (Ch. 2007-205): Motor Vehicles; Minors; Crimes and Penalties

Amends F.S. 316.6135 by changing the penalty for leaving a child younger than 6 years of age unattended or unsupervised in a vehicle for longer than 15 minutes from a traffic infraction to a second-degree misdemeanor. For any period of time, if the vehicle is left running or the health of the child is endangered, the offense remains a traffic infraction. However, it is a third-degree felony to leave an unattended or unsupervised child in a vehicle when the child suffers great bodily harm, permanent disability, or permanent disfigurement due to being unattended or unsupervised. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0002er.pdf>

House Bill 25 (Ch. 2007-211): "Adam Arnold Act"; DUI; Traffic Enforcement; Restitution; Probation; Sentencing; Crimes and Penalties

Allows F.S. 316.027 and F.S. 316.193 to be cited as the "Adam Arnold Act." Amends F.S. 316.027(1) to require the court to impose a minimum mandatory 2 year prison term to any person who drove under the influence and left the scene of a crash resulting in death. In addition, the court must also order that restitution be paid as a condition of probation unless the court finds clear and convincing evidence not to do so. A change to F.S. 316.193(3) requires a minimum mandatory 4 year prison term for a driver convicted of DUI

manslaughter. Also amends F.S. 921.0021 to allow assessment of victim injury points in determining the sentence. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h002501er.pdf>

House Bill 55 (Ch. 2007-107): Domestic Violence Leave; Employers and Employees; Confidentiality

Creates F.S. 741.313 that requires employers of 50 or more employees to permit employees to take up to three working days of leave, with or without pay, within a 12-month period if the employee or a family member has been a victim of domestic violence. The domestic violence must be documented and the leave must be to apply for an injunction for protection against domestic violence, to obtain medical care or mental health counseling, to obtain services from a victim-services organization, to make the employee's home safe or to seek new housing, or to seek legal assistance to address issues arising from the act of domestic violence and to attend and prepare for court-related proceedings. Employees seeking this leave must have been employed for at least three months, are required to provide advance notice and to use all available annual, vacation, personal and sick leave prior to taking this leave, although employers may elect to waive this requirement. The employer must keep information about the leave confidential and may not take disciplinary action for an employee's use of the leave. [See HB 63; Ch. 2007-108]. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h005502er.pdf>

House Bill 63 (Ch. 2007-108): Domestic Violence Leave; Personal Identifying Information; Employers and Employees; Public Records

In creating F.S. 741.313(7), this bill keeps confidential and exempts from public record release personal identifying information contained in state agency records that document an act of domestic violence against an agency employee or family member when information was submitted to the agency in order to obtain leave pursuant to Chapter 2007-107. The exemption and confidentiality also apply for one year to written requests for such leave requests and agency time sheets that reflect the leave request. [See HB 55; Ch. 2007-107]. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h006301er.pdf>

House Bill 77 (Ch. 2007-109): "Keeping Children Safe Act"; Child Visitation; Minors; Parents; Grandparents; Testimony; Courts; Clearinghouse on Supervised Visitation; Supreme Court; Repeals

This law addresses the situation of child visitation which could subject a child to risk or further suffering through visits by parents or grandparents who may have abused or exploited the child. The bill also recognizes that the purpose of some visitation may be to attempt to influence the testimony of a child witness or victim. Creates F.S. 39.0139 that limits visitation with a child by a person who has been reported to the child abuse hotline for sexual abuse of a child, or who has been convicted of certain crimes involving minors. Also creates and revises sections of law in F.S. Chapter 39 to establish court procedures for

determination if child visitation will be allowed. Creates sections in F.S. Chapter 753 that establishes a "Clearinghouse on Supervised Visitation" to recommend standards to the Legislature that will ensure the quality and safety of supervised visitation programs. Until such standards are in place, supervised visitation programs must comply with the Florida Supreme Court's Minimum Standards for Supervised Visitation Programs Agreement. Also creates provisions governing requirements for sexual abuse referrals that are accepted by a supervised visitation program. Also repeals the current statutory sections in F.S. Chapter 753, "Family Visitation Network", while renaming the chapter as "Supervised Visitation." *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h007702er.pdf>

House Bill 83 (Ch. 2007-189): Venture Capital Investments; "The 21st Century Technology, Research, and Scholarship Enhancement Act"; State University System; Crimes and Penalties

Included in this 20-page bill concerning Venture Capital Investments is a first-degree misdemeanor in F.S. 1004.226(4)(g) if a member of the Florida Technology, Research, and Scholarship Board improperly serves on such board or to accept benefits prohibited by this law. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/house/bills/billtext/pdf/h008303er.pdf>

House Bill 99 (Ch. 2007-43): "Iris Roberts Act"; Roadside Solicitations; Charitable Organizations; Traffic Control; Municipalities; Counties; Crimes and Penalties

Extensively revises F.S. 316.2045(3), concerning obstruction of public streets, highways, and roads, by obligating charitable organizations [Section 501(c)(3) organizations] to meet certain requirements before their members may solicit funds on non-state maintained roads and rights-of-way. Also allows local governments to stop solicitation activities if any conditions or requirements of the new law are not met. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h009901er.pdf>

Senate Bill 116 (Ch. 2007-164): Military Members; "Robert A. Wise Military Protection Act"; Veterans; Civil Actions; Courts; Identification; Photographs; Crimes and Penalties

Creates F.S. 540.08(3) that allows a court to order up to a \$1,000 per violation penalty in addition to civil damages when a person uses the name, portrait, photograph, or likeness of a member of the armed forces for the purposes of trade or any commercial or advertising purpose without obtaining the permission of the person or a surviving spouse or child. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0116er.pdf>

House Bill 123 (Ch. 2007-110): "Bill of Rights"; Law Enforcement Officers; Correctional Officers; Sheriffs; Law Enforcement Agencies; Witnesses; Disciplinary Actions; Internal Investigations; Governor; Emergencies; Counties; Municipalities

Revises language in the officer "Bill of Rights" in F.S. 112.532(1)(d) by requiring a law enforcement agency to interview, whenever possible, all possible witnesses prior to the interview of an accused law enforcement or correctional officer under internal investigation. The complaint and all witness statements must also be provided to subject officer before the investigative interview of the officer begins. The officer may waive the right at any time. Under F.S. 122.532(6)(a)5, the period of limitations for officer investigations may be tolled during a period when the Governor has declared a state of emergency within the jurisdictional boundaries of the investigating agency.

Creates F.S. 112.533(1)(b), requiring any political subdivision that initiates or receives a complaint against a law enforcement or correctional officer to forward the complaint to the officer's employing agency within five (5) business days for review or investigation. The bill also creates a definition of "political subdivision" for purposes of this law. Supporters of and proponents for this bill indicated that this notification obligation is to apply only to *administrative* complaints, not *criminal* complaints but the language of the bill itself does not clearly state this distinction. As a result, a political subdivision initiating or receiving a criminal complaint must determine whether the notification obligation attaches. [See also HB 723, Chapter 2007-118, concerning other "Bill of Rights" issues.] **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h012304er.pdf>

Senate Bill 124 (Ch. 2007-165): Motor Vehicles; Custom Vehicles; Street Rods; License Plates; Lights; Crimes and Penalties

Amends F.S. 320.0863 by adding the terms "custom vehicles" and "street rod" and providing definitions for them. Such vehicles must be registered and may not to be used for general daily transportation. The owner must declare that all equipment and safety requirements for the vehicle's model year are met. Also provides for assigning license plates that are distinguished by design and color. Street rods and custom vehicles may also be equipped with "blue dot" tail lights. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0124er.pdf>

House Bill 131 (Ch. 2007-191): Public Records; Public Meetings; Florida Opportunity Fund; Institute for the Commercialization of Public Research; Florida Technology, Research, and Scholarship Board; Crimes and Penalties

This 14-page bill creates F.S. 288.9626, providing an exemption from public records and public meeting requirements for the Florida Opportunity Fund and for the Institute for the Commercialization of Public Research. Willful violation of provisions of this new law is a first-degree misdemeanor. Also amends F.S. 1004.226 that relates to exemptions from public records and public meeting requirements for the Florida Technology, Research, and

Scholarship Board. *Effective Date: July 1, 2007, except as the bill provides otherwise.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h013103er.pdf>

Senate Bill 134 (Ch. 2007-163): Cardrooms; Gambling; Dominos; Occupational Licenses; Crimes and Penalties

Amends F.S. 849.086 by adding "dominos" as an authorized game that may be played in a cardroom. Those employed in domino gaming at a cardroom this activity must hold a cardroom employee occupational license. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0134er.pdf>

House Bill 139 (Ch. 2007-46): Suicide Prevention; Suicide Prevention Coordinating Counsel; Governor; Office of Drug Control

New F.S. 14.2019 creates the Statewide Office for Suicide Prevention, as a unit of the Office of Drug Control within the Executive Office of the Governor, that is develop a network of community-based programs to improve suicide prevention initiatives. It is also to prepare and implement a statewide plan with the advice of the 28 member Suicide Prevention Coordinating Counsel that is created under F.S. 14.20195 and includes members from a wide variety of disciplines and agencies. *Effective Date July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h013902er.pdf>

House Bill 143 (Ch. 2007-111): Firearms; "Federal Law Enforcement Officers Safety Act of 2004"; H.R. 218; Law Enforcement Officers; Criminal Justice Standards and Training Commission; Firing Ranges; Retirees; Use of Force

This bill completes Florida's implementation of H.R. 218, the Federal Law Enforcement Officers Safety Act of 2004 (Title 18, 44 United States Code, Sections 926B and 926C). It authorizes the Florida Criminal Justice Standards and Training Commission (CJSTC) to issue a confirmation card to persons who pass the firing range testing component utilizing the firearms minimum standards required of all certified active Florida state and local law enforcement officers. The card may be issued only by CJSTC-certified firearms instructors.

The law, creating F.S. 943.132, allows those who operate ranges to open their ranges to persons seeking to demonstrate they can pass the range testing component, as long as the testing is done by a CJSTC-certified firearms instructor. The law does not require the ranges to be opened to others, but simply gives them the option to be opened to other persons "under terms and conditions established by the operating entity." The range may be opened to anyone, not just retired law enforcement officers. Any person utilizing the option must do so at his or her own cost, as established by the range.

Under H.R. 218, qualified retired law enforcement officers may carry a concealed firearm if they meet the criteria of the Federal law. One of the requirements is that a retired officer

demonstrate firearms proficiency in the type of firearm being carried. This proficiency must have occurred within 12 months of the time the retiree is in possession of the firearm.

As of July 1, 2007, retired officers in Florida will have two ways to comply with this requirement. They can return yearly to the law enforcement agency from which they retired and successfully shoot the firearms component the agency utilizes for its active officers (if the agency voluntarily opens its range to its retirees); or they can attend a range in Florida that is opened under the new option and successfully shoot the Florida minimum proficiency firearms component. Upon obtaining a passing score, the retiree will receive the CJSTC-authorized card signed by the CJSTC-certified firearms instructor, indicating the date the passing score was obtained.

The card is not state proof that the person possessing it is a qualified retired law enforcement officer. It simply confirms that the holder successfully shot the firearms component and the date of the event. Each retired officer must continually assure he or she meets the remaining requirements of the federal law. Retired officers should remember that H.R. 218 does not vest them with any law enforcement powers. Since the laws related to a citizen's use of deadly force vary greatly from state to state, retired officers should assure they know the law where they are located. The determination of whether they meet all of H.R. 218's various requirements will be made at the time they are found to be in possession of a concealed firearm, so they must at any such time assure they conform with all the federal law's requirements. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h014301er.pdf>

Senate Bill 146 (Ch. 2007-2): "Anti-Murder Act"; Violent Felony Offenders; First Appearance; Bail; Courts; Sentencing; Pretrial Release; Probation; Community Control; Department of Corrections; Florida Department of Law Enforcement; Counties; Crimes and Penalties

This 18-page bill amends F.S. 921.0024 and F.S. 948.06, and creates F.S. 903.0351 and F.S. 948.064. It designates certain felony probation and community control violators as Violent Felony Offenders of Special Concern (VFOSC). A VFOSC who is alleged to have violated felony probation or community control, other than a failure to pay costs, fines, or restitution, after March 12, 2007, for a qualifying offense or based upon a prior designation as a sexual predator, habitual violent felony offender, or a three time violent offender, cannot be released from custody until after a hearing where certain findings are required to be made. If supervision is violated, the court must enter a written finding as to whether the VFOSC is a danger to the community. Upon a finding of "a danger to the community," the court must revoke probation or community control and sentence the offender. The bill increases the sentencing guidelines points for a VFOSC to an additional 24 points for a new felony conviction and an additional 12 points for other violations. It also requires that the Department of Corrections develop a database for identifying a VFOSC and provide the information to the Florida Department of Law Enforcement. The county where the VFOSC is booked must provide criminal justice information on the offender to the court at first appearance. *Effective Date: March 12, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0146er.pdf>

Senate Bill 156 (Ch. 2007-32): Veterans; Military Members

Amends the definition of "veteran" in F.S. 1.01(14) to include qualifying armed forces members who served in "Operation Enduring Freedom" and "Operation Iraqi Freedom."
Effective Date: July 1, 2007.

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0156er.pdf>

Senate Bill 174 (Ch. 2007-166): Sheriffs; Attorneys; Law Practice

Amends F.S. 454.18 to prohibit the practice of law by a full-time deputy sheriff, unless the deputy is representing the office or agency in the course of his or her duties as an attorney.
Effective Date: July 1, 2007.

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0174er.pdf>

Senate Bill 184 (Ch. 2007-133): Domestic Battery; Strangulation; Crimes and Penalties

Amends F.S. 784.041 by adding the new crime of domestic battery by strangulation. It defines the offense as the restriction of normal breathing or blood circulation of a family or household member or a person with whom the defendant is involved in a dating relationship. A dating relationship is defined as a continuing and significant relationship of a romantic or intimate nature. The offense is a third-degree felony. *Effective Date: October 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0184er.pdf>

Senate Bill 248 (Ch. 2007-167): Nursing; Clinical Nurse Specialists; Certified Registered Nurse Anesthetists; Certified Nurse Midwives; Crimes and Penalties

As part of this 23-page bill relating to nursing specialties creates a new category of "clinical nurse specialist" in F.S. 464.003. Under revised F.S. 464.015 and F.S. 464.016(2)(a) it is a first-degree misdemeanor to improperly use specified nursing titles or abbreviations, including "clinical nurse specialist"; "certified registered nurse anesthetist", and "certified nurse midwife." *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0248er.pdf>

House Bill 275 (Ch. 2007-242): Motor Vehicles; Mobile Homes; Vessels; Registration; DUI; Crimes and Penalties

This 14-page bill revises sections of F.S. Chapter 320 and establishes an optional extended registration and renewal period for most vehicles and mobile homes, expanding the period to 24 months, not to exceed 27 months. It provides that vehicles registered to persons who violate the driving under the influence statute and thus are under a mandatory driver's license revocation are not eligible for the extended registration period. It clarifies that

advance registration renewals may occur up to 3 months prior to expiration. The bill also revises provisions in F.S. 328.72 regarding vessel registrations. **Effective Date: January 1, 2008.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h027505er.pdf>

Senate Bill 282 (Ch. 2007-135): Alcoholic Beverages; Designated Drivers; Motor Vehicles; Counties; Municipalities; Minors; Crimes and Penalties

Language is added to F.S. 562.51 that prohibits retail alcoholic beverage establishments from refusing to serve designated drivers if they do not purchase alcohol as long as they are with one or more person who is purchasing alcoholic beverages. The bill does not excuse a retail alcoholic beverage establishment from complying with any applicable county or municipal ordinance that regulates the presence of persons under 21 years of age on he premises of any such establishment. **Effective Date: October 1, 2007.**

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0282er.pdf>

House Bill 339 (Ch. 2007-112): Federal Law Enforcement Officers; Assault; Battery; False Personation; Sentencing; Crimes and Penalties

Revises F.S. 784.07(2), assault or battery of law enforcement officers, etc., by adding federal law enforcement officers, as defined in F.S. 901.1505, to the list of persons to which the offense applies. Also adds "federal law enforcement officer" to F.S. 843.08 that governs falsely personating an officer. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h033902er.pdf>

House Bill 359 (Ch. 2007-150): Motor Vehicles; Financial Responsibility; DUI; Insurance; Crimes and Penalties

This bill creates F.S. 324.023 that substantially affects the financial responsibility of those who, after October 1, 2007, have pled or been found guilty of driving under the influence under F.S. 316.193, regardless of adjudication. It requires the purchase of additional coverage (\$100,000, \$300,000 and \$50,000) for bodily injury insurance, to keep proof of this insurance in their possession at all times, and increases the reinstatement fee of their driver's license from \$15.00 to \$150, \$250 and \$500 for each subsequent reinstatement during the three years following. Drivers could opt to post a bond or furnish a certificate of deposit for no less than \$350,000 instead of the increased insurance coverage. If during that three year period, they are not convicted of a DUI or felony traffic offense, the driver would be allowed to return to the standard coverage limits. The bill also amends F.S. 316.646 and F.S. 320.02 concerning the responsibility of the driver to carry proof of having the additional security required by the law. **Effective Date: June 15, 2007.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h035904er.pdf>

Senate Bill 404 (Ch. 2007-227): Housing/Construction Industry; Contractors; Background Checks/Screening; Florida Department of Law Enforcement

Included in this 12-page bill concerning the housing and construction industry is a new requirement in F.S. 489.115(6) for contractor background screening through the Florida Department of Law Enforcement. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0404er.pdf>

House Bill 409 (Ch. 2007-212): Murder; Community Control; Sentencing; Law Enforcement Officers; Judges; State Attorneys; Control Release Authority; Crimes and Penalties

Amends F.S. 775.0823 and 921.0024 by adding the offense of attempted felony murder to the list of enumerated offenses for which an adjudication of guilt must be entered and for which an adjudication of guilt cannot be suspended, deferred, or withheld when the offense is committed against a law enforcement officer or other designated officers or officials, including judges and state attorneys. It also provides for enhanced penalties by increasing the multiplier in the sentencing guidelines to a 2.5 point multiplier. Also revises the Control Release Authority law in F.S. 947.146 by adding the offense of attempted felony murder committed against law enforcement officers or other specified officials to the list of offenses the will prohibit an inmate from meeting the criteria for community control release. *Effective Date: October 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h040901er.pdf>

Senate Bill 412 (Ch. 2007-168): Military Members; Minors; Students; Education; Prisoners of War; Missing in Action

Amends F.S. 295.015(1), concerning educational opportunities at state expense for the children of a prisoner of war or of a person missing in action, by eliminating the requirement that the parent must have been serving either during the Korean Conflict or the Vietnam Era. Also extends the benefit when the parents of such children were Florida residents for one (1) year, instead of the current five (5) years, preceding the event that led the U.S. Government to classify the parent as a prisoner of war or as missing in action. Under the law the child of a civilian captured while serving with the consent of the U.S. Government would also be eligible. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0412er.pdf>

Senate Bill 426 (Ch. 2007-137): False Advertising; Recording Industry; Music Industry; Attorney General; State Attorneys; Injunctions; Civil Actions; Crimes and Penalties

Creates F.S. 817.4115 to address false, deceptive, or misleading advertising by persons advertising a musical performance by using statements that lead the public to believe that the persons involved have an affiliation, connection, or association with some recording or performing person or musical group. Also creates misdemeanor violations, depending on the

number of violations. In addition provides that the Attorney General or a State Attorney may bring civil actions against violators for injunctions, restraining orders, costs, and attorney's fees. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0426er.pdf>

House Bill 449 (Ch. 2007-115): State of Emergency; Burglary; Governor; Theft; Authorized Emergency Vehicles; Pretrial Hearing; Law Enforcement Equipment; Crimes and Penalties

Revises F.S. 810.02(3) by making it a second-degree felony to burglarize an authorized emergency vehicle as defined in F.S. 316.003. Per changes to F.S. 810.02(3) and F.S. 810.02(4) the degree of felony is raised one degree in each respective subsection if the burglary is committed in a county that is subject to a state of emergency declared by the Governor pursuant to F.S. Chapter 252 after the Governor makes a declaration of emergency and the burglary is facilitated by "conditions arising from the emergency." The term "conditions arising from a state of emergency" is defined as civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel. In addition, if a person is arrested in a county for a burglary when an emergency has been declared the perpetration is aided by one or more of the defined "conditions," the arrestee may not be released until he or she has appeared before a committing magistrate at a first-appearance hearing.

Amends F.S. 810.014(2) to make it a second-degree felony for the theft of "law enforcement equipment" valued at \$300 or more that is taken from an "authorized emergency vehicle." The penalty is enhanced if the theft is committed during a declared state of emergency and the perpetration of the theft is facilitated by "conditions arising from the emergency." Also enhances the penalty in F.S. 812.014(2)(c)2 and 3 for the theft of property valued between \$5,000 and \$20,000 during a declared state of emergency and the perpetration of the theft is facilitated by "conditions arising from the emergency." In addition, if a person is arrested in a county for a burglary when an emergency has been declared the perpetration is aided by one or more of the defined "conditions," the arrestee may not be released until he or she has appeared before a committing magistrate at a first-appearance hearing. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h044902er.pdf>

House Bill 461 (Ch. 2007-193): Athletes; High Schools; Florida High School Athletic Association; Minors; Drug Testing; Steroids

Amends F.S. 1006.20 by requiring the Florida High School Athletic Association to facilitate a 1-year drug testing program to randomly test students for anabolic steroid use. Requires the organization to establish procedures for the conduct of the program and requires students and their parents to consent to the provisions of the program as a prerequisite for eligibility to participate in specified sports [football, baseball, and weightlifting]. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h046103er.pdf>

House Bill 463 (Ch. 2007-194): Athletes; High Schools; Florida High School Athletic Association; Drug Testing; Public Records; Public Meetings

Adds language to F.S. 1006.20 that exempts from public records release requirements those records relating to drug tests and to challenge and appeal proceedings under the Florida High School Athletic Association's random drug testing program. Exempts from public meetings requirements the portions of a meeting at which records relating to drug tests or to challenge or appeal proceedings will be discussed. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h046302er.pdf>

Senate Bill 500 (Ch. 2007-228): "Evelyn Wiesman-Price Act"; Bingo; Instant Bingo; Gambling; Crimes and Penalties

This bill revises F.S. 849.0931 by authorizing the use of "instant bingo" games wherever authorized bingo games are played. The bill makes specific provisions for how such "instant bingo" gaming tickets must be manufactured, look, and be distributed in this state. Violation of the law is a first-degree misdemeanor or third-degree felony, depending on the number of violations. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0500er.pdf>

House Bill 517 (Ch. 2007-49): Motor Vehicles; Financial Responsibility; Military Members

Adds provisions to F.S. 324.021(8) that exempts a member of the U.S. Armed Forces, or the dependent spouse of such member, who has been called to or is on active duty outside the United States from providing the required proof of liability insurance as the owner or operator of a motor vehicle. The exemption applies only as long as the affected person is on active duty outside Florida or the United States. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h051703er.pdf>

House Bill 537 (Ch. 2007-30): Elections; Presidential Primary; Voting Machines; Campaign Financing; Repeals; Crimes and Penalties

This 80-page bill extensively revises a number of laws relating to elections and campaign financing, including changing the date of the Florida Presidential Primary and new requirements for voting machines. Revised F.S. 106.09(2) makes it a first degree-misdemeanor to either make or accept a contribution in excess of \$50, not the current \$100 figure. Included in its repeals is F.S. 106.37 concerning willful violations of the campaign finance laws. *Effective Date: January 1, 2008, except as the bill provides otherwise.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h053704er.pdf>

House Bill 547 (Ch. 2007-27): Law Enforcement Officers; Correctional Officers; Correctional Probation Officers; Disability; Law Enforcement Agencies; Sheriffs; Tuberculosis; Heart Disease; Hypertension; Tobacco Use

Revises F.S. 943.13(6) concerning minimum qualifications for law enforcement, correctional, or correctional probation officers. Officers must successfully pass the physical examination required under this subsection upon entering into service as an officer and the examination must have failed to reveal any evidence of tuberculosis, heart disease, or hypertension. Officers may not use a physical examination from a former employing agency to claim a presumption of disability under F.S. 112.18. In addition, amended F.S. 943.137(1) permits employing agencies to establish tobacco-use standards for its officers. **Effective Date: October 1, 2007.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h054701er.pdf>

Senate Bill 650 (Ch. 2007-229): Osteopathic Physicians; Hospitals; Crimes and Penalties

Among other provisions concerning osteopathic physicians, revised F.S. 459.021(5) increases the penalty for certain criminal offenses arising from the registration of osteopathic residents employed by hospitals to practice osteopathic medicine from a second-degree misdemeanor to a first-degree misdemeanor. If a hospital or administrator, superintendent, or other person or persons having administrative authority in a hospital employ osteopathic residents but willfully fail to register a resident or furnish the required information, the hospital or administrator, superintendent, or other person or persons having administrative authority is guilty this violation. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0650er.pdf>

House Bill 699 (Ch. 2007-51): Veterans; Military Members; Repeals; Employers and Employees; Municipalities; Counties

By repealing F.S. 295.101, relating to employment preference for veterans, this law allows a qualifying veteran to claim such preference more than one time. The repealed law only permitted use of the veteran's employment preference for one employment position with the state or any agency of a political subdivision of the state. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h069901er.pdf>

House Bill 707 (Ch. 2007-52): Motor Vehicles; Lights; Private Security Agencies; Crimes and Penalties

This bill changes language in F.S. 316.2397(3), governing vehicle lights, by providing that vehicles owned or leased by private security agencies may display green and amber lights as long as the amber or green lights are be no greater than 50 percent of the lights displayed while the security personnel are engaged in duties on private or public property. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h070702er.pdf>

House Bill 723 (Ch. 2007-118): "Bill of Rights"; Law Enforcement Officers; Correctional Officers; Sheriffs; Law Enforcement Agencies; Perjury; Disciplinary Actions; Internal Investigations; Crimes and Penalties

Revises language in the officer "Bill of Rights" in F.S. 112.533(1) to require the officer preparing an internal investigation report or summary of an accused law enforcement or correctional officer to verify at the time the report is completed, pursuant to F.S. 92.525, that the contents are true and accurate based on the person's personal knowledge, information, and belief. The writer must also include an acknowledgment, under penalty of perjury, a third-degree felony, that the subject officer has not been deprived of any specified rights in F.S. Chapter 112. It is a third-degree felony to violate F.S. 92.525. The acknowledgements must be made before the agency decides to proceed with discipline or file disciplinary charges. The law also amends F.S. 112.533(2) to require the officer being investigated to provide his or statements under oath pursuant to F.S. 92.525 and that knowingly false statements made by the officer may subject the officer to prosecution for perjury. [See also HB 123, Chapter 2007-110, concerning other "Bill of Rights" issues.]
Effective Date: June 12, 2007.

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h072301er.pdf>

Senate Bill 746 (Ch. 2007-87): Workers' Compensation; First Responders; Law Enforcement Officers; Firefighters; EMTs; Paramedics; State Agencies/Entities; Counties; Municipalities; Employers and Employees

New F.S. 112.1815 creates a definition of "first responder" that includes law enforcement officers, firefighters, emergency medical technicians, and paramedics employed by the state or local governmental entities. Volunteers working in any of the designated positions also qualify under the law that provides for workers' compensation coverage and benefits for such first responders. *Effective Date: June 8, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0746er.pdf>

Senate Bill 752 (Ch. 2007-130): Cardrooms; Gambling; Pari-Mutuel Facilities; Municipalities; Counties

Revises a number of laws and procedures in F.S. 849.086 relating to cardrooms, including the ability to operate a "tournament." The bill authorizes any horserace, greyhound race or jai alai permitholder to operate a cardroom on any day for a period of 12 hours, if certain conditions are met. Also provides for betting limit changes as well as allowing an operator to award giveaways, jackpots, and prizes to players. Authorizes "Texas Hold-em" games without betting limits under certain circumstances. In order for a cardroom to be approved for licensure it must receive approval from the majority of the city or county commissioners in the primary jurisdiction where it seeks to be located. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0752er.pdf>

Senate Bill 816 (Ch. 2007-93): Public Records; Law Enforcement Agencies

Reenacts and slightly amends F.S. 119.071(2)(c) concerning the public records exemption relating to requests for public records made by law enforcement agencies during an active criminal investigation. The law enforcement agency that made the request to inspect or copy a public record must give notice to the agency providing the information when the criminal intelligence or criminal investigative information is no longer active so that the request made by the agency, the custodian's response to the request, and information that would identify whether the law enforcement agency had requested or received that public record are available to the public. *Effective Date: October 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0816er.pdf>

Senate Bill 830 (Ch. 2007-94): Public Records; Personal Information; Department of Public Safety and Motor Vehicles; Social Security Numbers

This 10-page bill revises F.S. 119.0712 by expanding the confidentiality of "personal information" that is included in a motor vehicle record [licensees, motor vehicle owners, identification cards] held by the Department of Highway Safety and Motor Vehicles and would carry over to other agencies that have access to such information. Such "personal information" includes identification card numbers, emergency contact information, social security numbers, photographs and images, medical disability information, and emergency contact information. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0830er.pdf>

Senate Bill 886 (Ch. 2007-95): Public Records; Building Plans; Arenas; Stadiums; Water Treatment Facilities; State Agencies; Counties; Municipalities

This bill reenacts F.S. 119.071(3) and continues the exemption from public records release for building plans, blueprints, schematic drawings and diagrams that depict the internal layout and structural elements of a building, arena, stadium, water treatment facility, or other structure owned or operated by an agency. *Effective Date: October 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0886er.pdf>

House Bill 919 (Ch. 2007-78): Emergency Communications Number; False "911" Calls; Repeals; Crimes and Penalties

As part of this 58-page bill relating to the emergency communications system, repeals the first-degree misdemeanor violation for making a false "911" call in F.S. 365.171(16) and makes the same act a first-degree misdemeanor in F.S. 365.172(13). *Effective Date: May 24, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h091904er.pdf>

House Bill 985 (Ch. 2007-197): Transportation; ATVs; Counties; License Plates; Traffic Control; Tolls; Motor Vehicles; Driver's Licenses; Department of Highway Safety and Motor Vehicles; Law Enforcement Radio System; Sales; VINs; Towing; Crimes and Penalties

This 142-page bill covers a number of transportation-related topics, including issues concerning the Florida Turnpike and other toll roads. The law in F.S. 316.2123 was revised to allow counties to designate certain unpaved roadways where ATVs can be operated. Revises F.S. 316.605 concerning standards for the display of license plates, including the fact that they must the letters and numbers be read from left to right parallel to the ground and they may not be displayed in an inverted or reversed position. Makes changes in F.S. 316.650(3)(b), F.S. 318.14(12), and F.S. 318.18(7) related to fines for violation of toll payment violations in F.S. 316.1001. The changes to F.S. 318.18(7) also permit the Department of Highway Safety and Motor Vehicles to suspend for sixty (60) days the driver's license of a person who is convicted of ten violations of F.S. 316.1001 within a 36-month period. Per new F.S. 318.18(17), adds a \$3.00 surcharge for all criminal offenses listed in F.S. 318.17 and for all nonmoving traffic violations in F.S. Chapter 316. The surcharge is to be used for the state agency law enforcement radio system and expires on July 1, 2012. Also revises F.S. 320.061 by making it a second-degree misdemeanor to obscure license plates. Under the new law, no person may apply or attach any substance, reflective matter, illuminated device, spray, coating, covering, or other material onto or around any license plate that interferes with the legibility, angular visibility, or detectability of any feature or detail on the license plate or interferes with the ability to record any feature or detail on the license plate. The law in F.S. 316.1951, governing parking for certain defined purposes, also has new language concerning the parking of vehicles for the purpose of selling them, including the ability to tow them. It is a nonmoving violation under this section to offer a vehicle for sale if the VIN has been destroyed, removed, covered, altered, or defaced. It is also unlawful to knowingly attach to any motor vehicle a registration that was not assigned or lawfully transferred to the vehicle. Language was also added making it a violation, with listed exceptions, to display or offer for sale a vehicle that does not have a valid registration. Under the new language in F.S. 316.1951, vehicles without a VIN, vehicles with a non-assigned registration, vehicles without a valid registration, and vehicles bearing a telephone number that has been displayed on three or more vehicles offered for sale within a 12-month period are all subject to immediate removal without notice. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h098506er.pdf>

Senate Bill 988 (Ch. 2007-207): "Jessica Lunsford Act"; High-Risk Offenders; Driver's Licenses; Identification Cards; Sexual Predators/Offenders; Department of Highway Safety and Motor Vehicles; Criminal History Records; Fingerprints; Contractors; Schools; School Boards; Background Screening; Florida Department of Law Enforcement; Internet; Criminal History Records; Immunity; Crimes and Penalties

This 17-page bill revises parts of the "Jessica Lunsford Act" and concerns high-risk offenders. In part it amends F.S. 322.141, F.S. 775.21, F.S. 943.0435 and F.S. 943.607 to require that sexual predators and sexual offenders obtain a driver's license or identification card with a

distinctive marking displayed on the front. **Effective August 1, 2007**, per changes to F.S. 322.141, the Department of Highway Safety and Motor Vehicles [DHSMV] must revise the content of the driver's license or identification card issued to a sexual predator or offender. **Effective the same date**, unless one was previously secured or updated, each sexual offender or sexual predator must report to DHSMV during the month of his or her reregistration in order to obtain an updated or renewed driver's license or identification card with the distinctive markings. **Effective February 1, 2008**, F.S. 322.212(5)(c) makes it a third-degree felony to possess a card in which the required markings are not displayed or have been altered.

Creates F.S. 1012.467 to require background checks for non-instructional contractors who are permitted access on school grounds when children are present and creates definitions, procedures, and exemptions from the background checks. Provides for immediate suspension from access to school grounds if a contractor is convicted of specified offenses. Under the law the Florida Department of Law Enforcement must implement an Internet-based system for school districts to share the results of the background checks. Requires school districts use the shared system to verify the information at no charge to the contractor. Requires a contractor who is arrested for a disqualifying offense to report the arrest to the employer or primary contractor and the school district within 48 hours. Makes it a third-degree felony for a contractor to willfully fail to report an arrest or for an employer or primary contractor to knowingly authorize the contractor to be on school grounds when students are present. Provides immunity from civil and criminal liability for employees of school districts and schools who share background check information in good faith. New F.S. 1012.468 and F.S. 1012.321 provide additional exemptions for fingerprinting, criminal history and background checks. **Effective Date: July 1, 2007, except as the bill provides otherwise.**

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0988er.pdf>

House Bill 989 (Ch. 2007-129): Victims; Sexual Offenses; Polygraph; HIV; Courts; Forensic Physical Examinations; Attorney General
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Per revisions to F.S. 960.001, provides that no alleged victim of a sexual battery shall be required to take a polygraph examination or other truth-telling device as a condition of proceeding with an investigation. Such a refusal by the alleged victim shall not preclude further investigation of the alleged offense. In addition, new language in the same section provides that upon request by the victim or the victim's parent, guardian, or lawful representative, a victim advocate shall be present at the forensic examination of the alleged victim. A change to F.S. 960.28 requires that the initial forensic examination of the alleged victim shall be paid for by the Crime Victim's Services Office of the Attorney General. Also amends F.S. 960.003 to require that, upon court order, any person charged with certain offenses involving the transmission of bodily fluids shall undergo HIV testing within 48 hours of such court order. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h098902er.pdf>

Senate Bill 992 (Ch. 2007-230): Health Care Providers; Agency for Health Care Administration; Repeals; Birth Centers; Abortion Clinics; Crisis Stabilization Units; Residential Treatment Facilities; Community Substance Abuse and Mental Health Services; Hospitals; Ambulatory Surgical Centers; Mobile Surgical Facilities, Health Risk Care Managers; Nursing Homes; Home Health Agencies; Home Health Aides; Nurse Registries; Companion Services; Homemaker Services; Hospices; Transitional Living Facilities; Prescribed Pediatric Extended Care Centers; Home Medical Equipment Providers; Intermediate Care Facilities; Clinics; Assisted Living Facilities; Adult Family-care Homes; Adult Day Care Centers; Clinical Laboratories; Multiphasic Health Testing Centers; Organ and Tissue Procurement Organizations; Crimes and Penalties

This 357-page bill covers numerous areas related to the general topic of health care providers and the role of the Agency for Health Care Administration in regulating businesses in that industry. Categories of health care providers that are covered in the law include birth centers, abortion clinics, crisis stabilization units, residential treatment facilities, community substance abuse and mental health services, hospitals, ambulatory surgical centers, mobile surgical facilities, health risk care managers, nursing homes, home health agencies, home health aides, nurse registries, companion services, homemaker services, hospices, transitional living facilities, prescribed pediatric extended care centers, home medical equipment providers, intermediate care facilities, clinics, assisted living facilities, adult family-care homes, adult day care centers, clinical laboratories, multiphasic health testing centers, and organ and tissue procurement organizations. The main purpose of this bill is to conform numerous chapters of the Florida Statutes to general principles governing health care providers that were passed by the 2006 Legislature. The applicable bills from that session were and HB 7141 [Chapter 2006-192] and SB 388 [Chapter 2006-197]. As such a number of laws, including those containing criminal penalties, were repealed and a number of new violations were created or renumbered. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s0992er.pdf>

House Bill 1003 (Ch. 2007-154): Off-Road Vehicles; Golf Carts; ATVs; Motor Vehicles; Law Enforcement Agencies; Crimes and Penalties

Creating F.S. 316.21265, this bill allows law enforcement agencies to use all-terrain vehicles, golf carts, and other low speed vehicles on the streets or highways while conducting official business provided these vehicles are clearly marked and equipped as law enforcement vehicles and the occupants are wearing proper safety equipment as is normally required. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h100302er.pdf>

Senate Bill 1004 (Ch. 2007-143): "Cybercrimes Against Children Act of 2007"; Statewide Prosecutor; Internet; Child Pornography; Minors; Obscenity; State Attorneys; Sexual Offenders/Predators; Florida Department of Law Enforcement; Department of Corrections; Crimes and Penalties

The thirty-nine page bill is entitled the "Cybercrimes Against Children Act of 2007." It, in part, amends F.S. 16.56 by expanding the jurisdiction of the Office of Statewide Prosecution

to prosecute F.S. Chapter 827 crimes when the crime is facilitated or connected to the use of the Internet or other similar electronic storage device. Also expands the jurisdiction of the Statewide Prosecutor for other enumerated crimes where the crime is facilitated or connected to the use of the Internet or other similar electronic storage device and the crime occurred in every judicial circuit within the State. Creates F.S. 775.0847 concerning the possession or promotion of certain child pornography images. Amends F.S. 827.0135 to enhance the penalties for possession of certain types of child pornography, creates new felony offenses for misrepresenting age in the course of committing an offense, and for traveling to meet a minor to engage in unlawful sexual conduct with a child or person thought to be a child, or to persuade the child's guardian to consent to the child's participation in sexual conduct. Changes F.S. 827.071, concerning sexual performance by a child, to enable a state attorney to charge the person under more general statutes that encompass the same conduct but have a greater penalty. Revises F.S. 910.15 expand the venues for prosecution of any crime facilitated by communication systems through the use of mail, telephone, newspaper, radio, television, Internet, or other means of electronic data communication.

Also amend F.S. 775.21 and F.S. 943.0435 to require that sexual predators and offenders reveal their e-mail addresses and instant message names, prior to use, during their initial registration or any required reregistration, and to update any e-mail address or instant message name through a website that the Florida Department of Law Enforcement [FDLE] must specially create for such purpose. Failure to provide the required information is a third-degree felony. Revises F.S. 944.606 and F.S. 944.607 to require that any e-mail addresses or instant message names of a sexual predator or offender be provided to the Department of Corrections and FDLE. Failure to provide the required information is a third-degree felony. Creates F.S. 943.0437 to authorize FDLE to provide the e-mail addresses and instant message names of sexual predators and offenders to a commercial social networking website for screening purposes. The full text of this bill should be reviewed due to the substantial revisions. ***Effective Date: October 1, 2007.***

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1004er.pdf>

House Bill 1047 (Ch. 2007-252): Slot Machines; Gambling; ATMs; Check Cashing; Crimes and Penalties

This 15-page bill pertains to slot machine gaming licensing and regulation. In part, it amends F.S. 551.109 to provide exemptions for possession of a slot machine at a location other than a slot machine licensee's facility by authorized slot machine manufacturers, distributors, and educational facilities. Revises F.S. 551.114 to increase the hours of gaming operation to 18 hours per day during the week and to 24 hours per day during weekends and holidays. Also amends F.S. 551.121 to provide that automated teller machines or similar devices are prohibited in designated slot machine gaming areas and to provide regulations pertaining to check cashing and check cashing machines. Adds language to F.S. 849.15(2) concerning the manufacture, sale, or possession of coin-operated devices. ***Effective Date: June 27, 2007.***

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h104704er.pdf>

Senate Bill 1088 (Ch. 2007-62): Due Process; Attorneys; Indigent Persons; Public Defender

This 84-page bill revises multiple statutes and creates the structure for the development of five regional offices across the state in order to provide representation to indigent persons in criminal and certain civil situations where the Office of the Public Defender has to conflict off of a case. *Effective Date: May 24, 2007, except as the bill provides otherwise.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1088er.pdf>

Senate Bill 1134 (Ch. 2007-66): Transportation; Motor Vehicles; License Plates; Temporary Tags; Department of Highway Safety and Motor Vehicles

This 13-page bill affects a number of transportation-related issues. Included is a yet-to-be-numbered section of law that requires the Department of Highway Safety and Motor Vehicles to implement a secure print-on-demand electronic temporary license plate registration, record retention, and issue system for temporary license tags by the end of the 2007-2008 fiscal year. The bill also sets minimum standards for the license tag material and placement of such tags on the outside of the vehicle in the provided license plate mount is encouraged for public safety and officer safety purposes. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1134er.pdf>

House Bill 1155 (Ch. 2007-156): Controlled Substances; Prescription Drugs; Suicide Scene; Law Enforcement Agencies; Medical Examiners; Pharmacies; Prescription Blanks; Department of Health; Health Care Practitioners; Electronic Prescribing Clearinghouse; Crimes and Penalties

Creates F.S. 893.065, requiring the Department of Health to develop and adopt by rule a counterfeit-resistant prescription blank for use with controlled substances [Schedules II, II, or IV of F.S. 893.03]. Requires law enforcement agencies and medical examiners to identify in their reports each such of the scheduled controlled substance found on or near, or among the possessions of, a person who dies of an apparent drug overdose. New F.S. 831.311 makes it a third-degree felony for an unlawful sale, manufacture, alteration, delivery, utterance, or possession with requisite intent of the above-referenced counterfeit-resistant prescription blanks, with penalties effective upon adoption of rules by Department of Health. Also amends F.S. 893.04 by adding restrictions and requirements for prescribing controlled substances. Per new F.S. 408.0611 requires that the Department of Health create a clearinghouse of information on electronic prescribing for health care practitioners, etc., and to submit annual reports to the Governor and Legislature. *Effective Date: July 1, 2007, except penalties for new felony in F.S. 831.311 become effective upon adoption of rules and new prescription blank by Department of Health under F.S. 893.065.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h115504er.pdf>

House Bill 1185 (Ch. 2007-123): Trespass; Construction Sites; Crimes and Penalties

Amends F.S. 810.011 adding the definition of "construction site" as "any property upon which there is construction that is subject to building permit posting requirements." The bill also revises the definitions of "authorized person" and "person authorized" in F.S. 810.09(3). Also amends the notice requirements in F.S. 810.09(2)(d) concerning posted construction sites by differentiating the standards when the site encompasses an area less than one acre in area. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h118503er.pdf>

Senate Bill 1270 (Ch. 2007-217): Education; Students; Tuition Assistance Grants; Contractors; Board of Governors; Crimes and Penalties

As part of this 264-page bill relating to education, revises F.S. 1009.40 by referring to tuition assistance grants for students and making it a second-degree misdemeanor to make false statement in order to receive such a grant. Also makes it a second-degree misdemeanor in F.S. 1013.47 for a person, firm, or corporation to construct any part of an educational plant, or an addition thereto, in violation to a rule of the Board of Governors relating to building standards or specifications. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1270er.pdf>

House Bill 1305 (Ch. 2007-257): Notaries Public; Electronic Notarization; Governor; Department of State

This bill creates F.S. 117.021 that authorizes notaries public to use electronic notarization of documents. It provides requirements that must be met in order for such electronic notarization to be effective and the failure of a notary public to comply with any of the electronic notarization requirement may constitute grounds for suspension of the notary commission by the Governor. The bill directs the Department of State to adopt rules to ensure the security, reliability, and uniformity of signatures and seals authorized by the legislation. *Effective Date: January 1, 2008.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h130502er.pdf>

Senate Bill 1372 (Ch. 2007-67): Department of Agriculture and Consumer Services; Pesticides; Milk Products; Seed Trees; Repeals; Fireworks; Counties; Municipalities; Crimes and Penalties

This 21-page bill covers a number of topics related to the Department of Agriculture and Consumer Services. Revises and adds a number of provisions concerning pesticides in F.S. Chapter 487, the violation of which includes misdemeanor penalties in F.S. 487.175(2). In F.S. Chapter 502 creates and amends language concerning milk products. A violation of a provision of this chapter is a second-degree misdemeanor per F.S. 502.231(2). Also repeals F.S. 591.33, a second-degree misdemeanor for violating laws concerning seed trees.

Creates a Consumer Fireworks Task Force that is to study and develop a more comprehensive and uniform system of consumer firework regulation for the state, municipalities, and counties. The law also establishes, after March 8, 2007, some conditions for opening permanent and temporary sites for retail fireworks sales. **Effective Date: July 1, 2007, except as the bill provides otherwise.**

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1372er.pdf>

Senate Bill 1394 (Ch. 2007-174): Department of Children and Family Services; Official Records; Crimes and Penalties

Among a number of revisions relating to the reorganization of the Department of Children and Family Services, the bill allows that agency to use name of "Department of Children and Families" as its title. **Effective July 1, 2007**, also revises the third-degree felony violation in F.S. 839.13(2)(a) and (c) by clarifying that it is unlawful to create, alter, destroy, deface, overwrite, remove, or discard official records. **Effective Date: June 19, 2007, except as the bill provides otherwise.**

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1394er.pdf>

Senate Bill 1424 (Ch 2007-98): State Financial Matters; State Agencies

This bill relates to a number of issues concerning state finances. Included is a revision to F.S. 216.1827 that will allow state agencies to recommend modifications to or create activities regarding agency performance measures or standards. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1424er.pdf>

House Bill 1427 (Ch. 2007-244): Agritourism; Department of Agriculture and Consumer Services; Civil Liability; Trespass; Posted Land; Fences; Crimes and Penalties

Creates language in F.S. Chapter 570 to promote agritourism by the Department of Agriculture and Consumer Services. New F.S. 810.125 limits the civil liability of persons or organizations, or their agents, that have an ownership, controlling, or possessory interest in agricultural real property for negligence related to such property that results in the death of, injury to, or damage to a person who has engaged or is engaging in unlawful trespass on such property or unlawful trespass by such person incident to such conduct on the property. Revises F.S. 810.011 by expanding the definition of "posted land" to include conspicuous no trespassing notices with specified color, language, and location, which are painted on trees or posts, and which, as of October 1, 2007, must be accompanied by the signs currently required in the definition of "posted land". Also amends F.S. 810.10 to increase the penalty to a first-degree misdemeanor for unlawfully removing, destroying, mutilating, etc., posted notices. Revised F.S. 810.115 makes it a third-degree felony for the second or subsequent offense of breaking or injuring fences. **Effective Date: June 27, 2007, except as the bill provides otherwise.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h142704er.pdf>

House Bill 1441 (Ch. 2007-245): Female Genital Mutilation; Minors; Parents; Guardians; Medical Examiners; Crimes and Penalties

Creates 794.08, relating to female genital mutilation, that is defined as circumcising, excising, or infibulating specified areas of a female. It will be a first-degree felony to knowingly commit or attempt to commit female genital mutilation on a person less than 18 years of age. It will be a second-degree felony for a person to knowingly remove or cause or permit the removal of a female minor from this state for the purpose of committing female genital mutilation. It will be a third-degree felony for a parent, guardian, or person in a position of familial or custodial authority to consent to the female genital mutilation of a minor. Consent of the affected minor is not a defense to the violations. The law also provides for exemptions for performing the procedure including when a medical examiner must perform a procedure as part of an autopsy under F.S. Chapter 406. *Effective Date: October 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h144102er.pdf>

House Bill 1477 (Ch. 2007-200): Forensic Mental Health; Counties; Mental Illness; Substance Abuse; Criminal Justice System

This 18-page bill creates the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program under the direction of the Substance Abuse and Mental Health Corporation (SAMH). This program will provide grant money to counties to help prevent persons with mental illness or substance abuse from entering the criminal justice system. The bill further authorizes a technical assistance center, and requires the center and SAMH to report annually on certain specified issues by January 1 of each year beginning in 2009. *Effective Date: July 1, 2007, except as the bill provides otherwise.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h147703er.pdf>

Senate Bill 1604 (Ch. 2007-209): "Adam Walsh Child Protection Safety Act of 2006"; Sexual Predators/Offenders; Minors; Courts; Delinquency Offenses; State Attorneys; Department of Juvenile Justice; Department of Corrections; Florida Department of Law Enforcement; Sheriffs; Law Enforcement Agencies; Jails; Criminal History Records; Public Records; Clerk of Court; Crimes and Penalties

This 63-page bill extensively amends the state sexual predator and sexual offender laws to comply with the federal "Adam Walsh Child Protection and Safety Act of 2006." Included are revisions to the sexual predator criteria in F.S. 775.21(4) and clarification that initial sexual predator registration is through the Sheriff's office per F.S. 775.21(6)(a). A sexual predator who is under the supervision of the Department of Corrections [DOC] but is not incarcerated must register with DOC within 3 business days after the court finds the offender to be a sexual predator. When a sexual predator is in the custody of a local jail, the local jail custodian must register the sexual predator within 3 business days after intake for any reason and upon release of the predator, and is also required to forward such information to the Florida Department of Law Enforcement [FDLE]. If a sexual predator is not under the

custody or control of DOC the person must register in person at the Sheriff's office in the county where he or she establishes or maintains a residence within 48 hours after establishing or maintaining a residence in Florida and at the Sheriff's office in the county where he or she was designated a sexual predator by the court within 48 hours after such a finding was made. In order to comply with the "Adam Walsh Act" local law enforcement agencies and DOC must report to FDLE any failure by a sexual predator to comply with registration requirements. The bill also requires that a sexual predator who is not incarcerated must report in person to the appropriate Sheriff's office during the predator's birth month and every third month thereafter. This replaces the prior semi-annual reporting requirement.

Also amends provisions in F.S. 943.0435 regarding the definition of "sexual offender" and adds juveniles who have been adjudicated delinquent for one or more of a specified list of offenses to those who are considered to be sexual offenders. There are also changes to registration requirements for sexual offenders that mirror those included in the prior paragraph for sexual predators. The bill creates F.S. 943.04354 that provides, under special circumstances, for the removal of the requirement of sexual offender or sexual predator registration. New F.S. 943.44353 requires FDLE, by January 1, 2008, to develop and maintain a system to provide automatic notification to the public of registration information regarding sexual predators and sexual offenders. Under F.S. 943.0515(3), FDLE must retain the criminal history record of a minor adjudicated delinquent for an offense committed on or after July 1, 2007, that would qualify the minor as a sexual offender. Such records may not be destroyed and must be merged with and retained as part of the person's adult criminal history record.

Revises F.S. 944.607 concerning the requirement of DOC or private correctional facilities to notify FDLE about sexual offenders and predators and their failure to comply with registration requirements. Other changes to this section of law are similar to those contained in F.S. 943.0435 as they relate to sexual offenders. New F.S. 985.481 creates notification duties for the Department of Juvenile Justice [DJJ] upon the release of adjudicated delinquents who are classified as sexual offenders. After receiving information about a sexual offender from DJJ, the Sheriff, Chief of Police, and FDLE must provide specified information to any requesting person in any manner considered appropriate unless the information is confidential or exempt under the state law or Constitution. This new section of law further allows FDLE or any law enforcement agency to notify the community and the public of the sexual offender's presence in the community. If the offender is a sexual predator, the public must be notified of the person's presence.

Creates F.S. 985.4815 that provides for additional notification requirements to FDLE of information about juvenile sexual offenders. This section also includes duties of the Clerk of Court when a juvenile has been adjudicated and there was a disposition concerning the sexual offender. The bill also contains various criminal penalties for violation of the registration and reporting requirements. The full text of this bill should be reviewed due to the substantial revisions. ***Effective Date: July 1, 2007.***

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1604er.pdf>

Senate Bill 1644 (Ch. 2007-177): Theft; Retail Theft; Sentencing; Crimes and Penalties

In amending F.S. 812.014 [Theft], F.S. 812.015(9) [Retail Theft], and F.S. 921.0022 [Criminal Punishment Code] this bill simplifies prosecution of those who coordinate others in the commission of theft offenses and retail theft offenses in excess of \$3,000. The bill makes this crime a second-degree felony and the offender is subject to a higher severity ranking than for mere theft or retail theft. *Effective Date: October 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1644er.pdf>

Senate Bill 1700 (Ch. 2007-145): Physician Assistants; Paramedics

Revises F.S. 401.27(7) to provide that a physician assistant may be added to the category of persons who may be certified as "paramedics" after meeting the requirements listed in the law. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1700er.pdf>

Senate Bill 1760 (Ch. 2007-39): Public Records; Public Record Custodians; State Agencies; Counties; Municipalities

Amends F.S. 119.07(1) that authorizes a custodian of public records to designate another officer or employee of the agency to permit the inspection and copying of public records while requiring that the designee be identified. Also requires custodians of public records and their designees to respond to requests to inspect and copy public records promptly and in good faith. A good faith response includes making reasonable efforts to determine from agency members whether such a record exists and, if so, the location where it can be accessed. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1760er.pdf>

Senate Bill 1792 (Ch. 2007-210): Department of Corrections; Motor Vehicles; Lights; Courts; "Anti-Murder Act"; Crimes and Penalties

Among other topics, this bill authorizes Department of Corrections [DOC] to operate its vehicles as authorized emergency vehicles with sirens per revisions to F.S. 316.003(1) and F.S. 316.2397(3). Per revisions to F.S. 948.06 it also authorizes judges to issue notices to appear to offenders who allegedly have violated conditions of release rather than having them arrested and jailed. This would not apply to offenders who violate provisions of the "Anti-Murder Act." The notices may be served by probation officers and probationary periods are tolled when such notices are issued, or a warrantless arrest is made. Chief Judges of the various circuits may require DOC to report technical violations of community supervision that do not arise to new criminal offenses by issuing a letter of technical violation. Whenever violations do occur, DOC is required to provide a disposition recommendation. However, the court may decide what form such recommendation should take, or the court may waive the requirement entirely. *Effective Date: June 20, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1792er.pdf>

Senate Bill 1824 (Ch. 2007-182): Mortgages; Fraud; Crimes and Penalties

As part of this 21-page bill relating to mortgages, creates the third-degree felony violation of "mortgage fraud" in F.S. 817.545. *Effective Date: October 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1824er.pdf>

Senate Bill 1920 (Ch. 2007-231): Elections; Ballot Initiatives; Private Property

Adds F.S. 100.371(7) to clarify that private property owners may exclude from their property, though otherwise open to the public, persons seeking to engage in activity supporting or opposing initiative amendments. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1920er.pdf>

Senate Bill 1950 (Ch. 2007-104): Public Records; Newborn Children; Parents; Minors; Hospitals; Emergency Medical Services Stations; Fire Stations

Reenacts F.S. 383.51 relating to an exemption from public records release requirements provided with respect to the identity of a parent who leaves a newborn infant at a hospital, emergency medical services station, or fire station. *Effective Date: June 12, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1950er.pdf>

Senate Bill 1952 (Ch. 2007-232): Department of Agriculture and Consumer Services; Private Investigators; Repossession Services; Chamber of Commerce; Liquefied Petroleum Gas; Crimes and Penalties

This 15-page bill includes many changes to F.S. Chapter 493 that regulates private investigators and repossession services and is administered by the Department of Agricultural and Consumer Services. Creates F.S. 501.973, making it a first-degree misdemeanor for a business entity, other than a "chamber of commerce" as defined, to use the term, "chamber of commerce", in its name or to describe itself. Also amends F.S. 527.07 by making it a second-degree misdemeanor, pursuant to F.S. 527.08, for a person, other than the owner or other authorized person, to remove gas from any liquefied petroleum gas container or receptacle for any gas or compound, or for any other purpose. *Effective Date: July 1, 2007, except as the bill provides otherwise.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1952er.pdf>

Senate Bill 1974 (Ch. 2007-105): State Information Technology; Governor; Cabinet; State Agencies; State Commissions; Data Security; Information Security

This 42-page bill creates the Agency for Enterprise Information Technology as the replacement for the prior State Technology Office. The agency head is the Governor and

Cabinet. The agency will be responsible for the development of information technology systems, standards, policies, and budget for information technology activities that are shared by the state agencies and commissions. The state agencies will still be responsible for their own individual information technology operations and per changes to F.S. 282.3055 each agency head must appoint an agency chief information officer. Agencies must also work with the new agency in order to assess and recommend minimum operating procedures for ensuring an adequate level of security for all data and information technology resources per F.S. 282.318. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s1974er.pdf>

Senate Bill 2052 (Ch. 2007-184): Environmental Protection; "Florida Litter Law"; Waste Tires; Crimes and Penalties

This 80-page bill amends various provisions of law relating to hazardous waste management and environmental protection issues. Revises F.S. 403.413(4), part of the "Florida Litter Law" by clarifying who is liable for dumping on private property. Amends F.S. 403.717(1)(d) by deleting solid rubber tires and tires that are inseparable from the rim from the definition of "waste tire." **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s2052er.pdf>

Senate Bill 2162 (Ch. 2007-71): Counties; Municipalities; Surcharges; Courts; Traffic Control; Local Government Funding; Minors; Delinquency; Teen Courts; Crimes and Penalties

Removes the September 30, 2007 date when local governmental entities had to stop collecting a \$15.00 surcharge permitted under F.S. 318.18 and the \$85.00 surcharge permitted under F.S. 939.185(1)(b). Amends F.S. 938.19(2), concerning teen court funding, by permitting the assessment of a \$3.00 court cost when a minor is adjudicated delinquent for the commission of a criminal law violation, a delinquent act, or a municipal or county ordinance. Revises F.S. 939.185(1)(a) to permit the assessment of a \$65.00 additional court cost when a minor is adjudicated delinquent for the commission of a felony, misdemeanor, delinquent act, or criminal traffic offense. Under amended F.S. 939.185(1)(b) the \$85.00 surcharge may be imposed when a minor is adjudicated delinquent for the commission of a felony, misdemeanor, delinquent act, or criminal traffic offense. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s2162er.pdf>

Senate Bill 2234 (Ch. 2007-235): Building Inspectors; Mold Assessors; Crimes and Penalties

As part of this 30-page bill relating to building inspectors, creates various misdemeanor and felony offenses relating to mold assessors. **Effective Date: July 1, 2010.**

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s2234er.pdf>

Senate Bill 2482 (Ch. 2007-106): Tax Administration; Department of Revenue; Uncollected Taxes; Worthless Checks; Residential Property; Tornadoes; Mobile Homes; Crimes and Penalties

This 72-page bill covers a number of topics relating to tax administration and taxes in general. Revises the felony violations in F.S. 212.12 by specifying that the offenses apply to both unreported and uncollected taxes. Creates new requirements and processes in F.S. 832.062 for the prosecution of worthless checks. Establishes a yet-to-be numbered first-degree misdemeanor for the knowing and willful submission of false information for the purpose of claiming reimbursement for ad valorem taxes levied on residential property deemed uninhabitable due to tornadoes. Also creates a yet-to-be numbered first-degree misdemeanor for the knowing and willful submission of false information for the purpose of claiming reimbursement for sales tax paid on a mobile home purchased to replace a mobile home damaged by a tornado. ***Effective Date: July 1, 2007, except as the bill provides otherwise.***

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s2482er.pdf>

Senate Bill 2766 (Ch. 2007-239): Venomous Reptiles; Fish and Wildlife Conservation Commission; Repeals; Crimes and Penalties

This bill is a substantial rewrite of the Fish and Wildlife Conservation Commission (FWCC) regulations concerning reptiles. In part, the bill amends F.S. 372.86 to require that the licensing of venomous reptiles include those persons who capture, keep, or transport such reptiles. It requires the FWCC to establish a list of "reptiles of concern" by December 31, 2007, that may include venomous, nonvenomous, native, nonnative, or other reptiles that have the potential to negatively impact the environment, the ecology, or human health. It provides for licensing and permit requirements and penalties of revocation of licenses and permits. Amends F.S. 372.92 to expand FWCC's jurisdiction to include "reptiles of concern." and makes it a Level 3 offense, punishable as a first-degree misdemeanor, for a person to knowingly release a non-native venomous reptile or reptile of concern into the wild or for a person, through gross negligence, to allow such an animal to escape. Substantially rewrites F.S. 372.935, concerning captive wildlife penalties, to provide penalty provisions ranging from Level One (non-criminal infractions) to Level Four violations (felony offenses) for violation of many specified regulations. As part of the extensive changes in this bill, repeals F.S. 372.89, F.S. 372.90, F.S. 372.901, and F.S. 372.91. Review of the complete bill for these regulations is suggested. ***Effective Date: July 1, 2007, except as the bill provides otherwise.***

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s2766er.pdf>

Senate 2858 (Ch. 2007-240): Chiropractic Medicine; Crimes and Penalties

This 11-page bill addresses a number of issues concerning chiropractic physicians and their assistants. ***Effective July 1, 2008***, new F.S. 460.4167 creates a third-degree felony related to the illegal employment of chiropractic physicians. ***Effective Date: July 1, 2007, except as the bill provides otherwise.***

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s2858er.pdf>

Senate Bill 2866 (Ch. 2007-241): "Jimmy Ryce Act"; Civil Commitment Centers; Sexually Violent Predators; Department of Children and Families; Use of Force; Battery; Agency for Persons with Disabilities; Correctional Officers; Crimes and Penalties

This bill relates to sexually violent predators (SVP) who have been committed to the Department of Children and Families' (DCF) treatment facility pursuant to the "Jimmy Rice Act" in F.S. Chapter 394. As part of the bill creates F.S. 394.9223 that will authorize the use of non-lethal force under certain circumstances by employees of the state's civil commitment facility against persons committed to the program. Makes it a first-degree misdemeanor for an employee to commit a battery, with malicious intent, upon a person confined in a such facility. Makes it a third-degree felony for an employee to commit, with malicious intent, a battery or inflict cruel or inhuman treatment by neglect, or otherwise, and in doing so, causing bodily harm, permanent disability, or permanent disfigurement, to a person confined in a facility. Creates F.S. 394.9221 and amends F.S. 916.1091 to authorize DCF, the Agency for Persons with Disabilities, and specified contracting entities to meet the criteria of "employing agency" within the meaning of F.S. 943.10, and to employ certified correctional officers as facility security personnel. *Effective Date: June 27, 2007.*

<http://www.flsenate.gov/data/session/2007/Senate/bills/billtext/pdf/s2866er.pdf>

House Bill 7107 (Ch. 2007-85): Child Support Enforcement; Minors; Paternity Actions; Sheriffs; Service of Process; Crimes and Penalties

This 11-page bill deals with a number of issues related to child support enforcement, including how process is served in such cases. Revises F.S. 409.257 to allow for service of process and orders in child support and paternity cases to be made in accordance with F.S. Chapter 48, including constructive service of notice by publication under F.S. Chapter 49. Amends the language in F.S. 742.09, penalizing the publication of the names of persons involved in paternity actions, to make the law inapplicable to cases involving the service of process by publication. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h710702er.pdf>

House Bill 7111 (Ch. 2007-127): Guardians; Background Checks; Clerk of Court; Florida Department of Law Enforcement

Revises and creates language in F.S. 744.3135 concerning background checks for nonprofessional and professional guardians, including duties that must performed by the Clerk of Court. *Effective Date: July 1, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h711101er.pdf>

House Bill 7159 (Ch. 2007-249): Public Records; Lifeline Assistance Plan; Telecommunications Carriers; Personal Identifying Information; Public Service Commission; Crimes and Penalties

Creates F.S. 364.107 that provides an exemption from public records release requirements for personal identifying information of a participant in a telecommunications carrier's Lifeline Assistance Plan that is held by the Public Service Commission. Intentional illegal disclosure of such information is a second-degree misdemeanor. *Effective Date: June 27, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h715902er.pdf>

House Bill 7173 (Ch. 2007-223): Fish and Wildlife Conservation Commission; Marine Life; Blue Crabs; Spiny Lobsters; Fishing Licenses; Hunting Licenses; Crimes and Penalties

The 55-page bill covers many areas of law relating to the Fish and Wildlife Conservation Commission [FWCC]. Amends F.S. 20.331 to clarify the FWCC's constitutional authority over marine life. Revises numerous sections of F.S. Chapter 370 that apply to the administration of the blue crab fishing program, including administrative and criminal penalties. Also amends numerous provisions in F.S. Chapter 370 that apply to the administration of the spiny lobster fishing program, including administrative and criminal penalties. *Effective October 1, 2007*, the bill also increases the fees in F.S. 372.57 for recreational hunting and fishing licenses for both residents and nonresidents. The full text of this bill should be reviewed due to the substantial amount of statutory revisions. *Effective Date: July 1, 2007, except as the bill provides otherwise.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h717302er.pdf>

House Bill 7193 (Ch. 2007-250): Public Records; Census Information; State Agencies; Counties; Municipalities

Creates F.S. 119.071(1)(g) that provides an exemption from public records release requirements for specified United States Census Bureau address information held by an agency, provides an exception to the exemption, and authorizes access to other related confidential or exempt information. *Effective Date: June 27, 2007.*

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h719301er.pdf>

House Bill 7197 (Ch. 2007-251): Public Records; Social Security Numbers; Bank Accounts; Debit Cards; Charge Cards; Credit Cards; Financial Account Numbers; State Agencies; Counties; Municipalities; Court Files/Records; Clerk of Court; Courts; Repeals

This 18-page bill reenacts and amends numerous sections of F.S. 119.07 and F.S. 119.071 as such relate to public records release requirements concerning social security numbers and bank account, debit, charge, and credit card numbers. Creates F.S. 119.0714 and renumbers and amends F.S. 119.07(6) by consolidating and revising current public records exemptions applicable to court files, court records, and official records; revises the date on

which automatic redaction of social security numbers and financial account numbers by court clerks is required. Also repeals F.S. 215.322(6) relating to possession of credit card account numbers in the possession of a state agency, a unit of local government, or the judicial branch. **Effective Date: October 1, 2007.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h719701er.pdf>

House Bill 7201 (Ch. 2007-204): Public Records; Economic Development Agency; Trade Secrets; Repeals; Office of Tourism, Trade, and Economic Development; Counties; Municipalities; Crimes and Penalties

This 9-page bill amends F.S. 288.075, which provides an exemption from public records release requirements for information related to business activities and trade secrets held by an economic development agency. Provides a specific exemption for "proprietary confidential business information." Illegal release of exempt material is a second-degree misdemeanor per F.S. 288.075(7). Also repeals F.S. 288.1067 that relates to the confidentiality of records held by the Office of Tourism, Trade, and Economic Development, Enterprise Florida, Inc., or county or municipal governmental entities pursuant to specified incentive programs. **Effective Date: July 1, 2007.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h720101er.pdf>

House Bill 7205 (Ch. 2007-258): Consumer Protection; Fair Trade; Recreational Vehicle Manufacturers/Dealers/Importers; Department of Highway Safety and Motor Vehicles; Crimes and Penalties

This 27-page bill creates numerous sections of F.S. Chapter 320 that relate to recreational vehicle manufacturers, dealers, and importers. It creates definitions, laws and authorizes regulations governing the relationship between Recreational Vehicle dealers and manufacturers in an attempt to protect the residents of the state. This bill addresses consumer protection and fair trade issues between the many dealers and manufacturers who do business within Florida. The Department of Highway Safety and Motor Vehicles is primarily responsible for enforcing the bill's provisions. Violation of new F.S. 320.3211 is a second-degree misdemeanor in addition to any civil and administrative remedies relating to violation of F.S.S. 320.3201 through 320.3211. **Effective Date: October 1, 2007.**

<http://www.flsenate.gov/data/session/2007/House/bills/billtext/pdf/h720502er.pdf>

EFFECTIVE DATES OF 2007 LAWS

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Please See Summaries for Details

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