

**2015 LEGISLATIVE SUMMARY
LAWS OF INTEREST TO FLORIDA LAW ENFORCEMENT**

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 2015 Florida Legislature. 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>. We have not discussed every element of every summarized law. 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 further explained below.

This year's Summary is the product of the combined efforts of many within the FDLE Office of General Counsel including Deputy General Counsel Joe White, Regional Legal Advisor Jason Jones, Assistant General Counsels John Booth, Fern Rosenwasser, Jim Martin, Grace Jaye, Shehla Milliron, Linton Eason, Jeff Dambly, Wes Petkovsek, Rebecca Cambria, Janine Robinson, and Government Analyst Jill Sweeny, J.D.. 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, copy and paste the link into your Internet browser to access a bill. Some laws of interest to you may have been omitted. *Do not rely solely on our summary for a complete understanding of any bill or the 2015 Session.* 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.

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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

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

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
OFFICE OF GENERAL COUNSEL



2015 LEGISLATIVE SUMMARY

House Bill 27 (Ch. 2015-85): Driver Licenses and Identification Cards; Veterans; Military; Department of Highway Safety and Motor Vehicles

This bill amends several provisions of Chapter 322 regarding driver licenses. The bill provides for the Department of Highway Safety and Motor Vehicles to accept military identification cards as evidence of a social security card number for purposes of applying for an identification card. The bill also changes the veteran designation on driver licenses and identification cards from the current "V" to "Veteran" for those who choose to have such a designation. *Effective Date: July 1, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/0027/BillText/er/PDF>

House Bill 41 (Ch. 2015-101): Hazardous Walking Conditions; Gabby's Law for Student Safety; Municipalities; Law Enforcement Officers; Agencies; Schools; Students

This bill, known as "Gabby's Law for Student Safety," amends F.S. 1006.23 to better identify and correct hazardous walking conditions for children walking to school. This bill creates a position of responsibility for law enforcement in the identification of hazardous conditions. When a school superintendent requests review of a potentially hazardous condition, this bill adds a position for a representative of the municipal law enforcement agency into the group of persons responsible for collectively reviewing the potentially hazardous condition to determine if a hazard exists. *Effective Date: July 1, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/0041/BillText/er/PDF>

House Bill 71 (Ch. 2015-131): Service Animals; Persons with Disabilities; Crimes and Penalties; Sentencing

This bill amends F.S. 413.08 regarding the rights and responsibilities of a person with a disability, and the ability of persons to use service animals. This bill defines an individual with a disability as one who "has a physical or mental impairment that substantially limits one or more major life activities of the individual." This bill also provides definitions for "major life activity," and "physical or mental impairment." This bill provides that public accommodations must modify its policies, practices and procedures to permit the use of a service animal, and it

prohibits a public accommodation from inquiring about the nature or extent of an individual's disability.

This bill amends the penalty for the misdemeanor offense of interfering with the admittance or enjoyment of a public accommodation by a person with a disability to include 30 hours of community service for an organization that serves individuals with disabilities. This bill prohibits a person from knowingly and willfully misrepresenting themselves, through conduct or verbal or written communication, as using a service animal and being qualified to do so. This bill also prohibits misrepresenting one's self to be a trainer of service animals. These offenses are second-degree misdemeanors, with the requirement of 30 hours of community service for an organization that serves individuals with disabilities. ***Effective Date: July 1, 2015.***

<https://www.flsenate.gov/Session/Bill/2015/0071/BillText/er/PDF>

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| House Bill 115 (Ch. 2015-132): Sentencing; Agencies; Counties; Municipalities; Courts; Crimes and Penalties; Fraud; Victims |
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This bill amends F.S. 775.089 to add governmental entities and political subdivisions as defined in F.S. 11.45, to the definition of "victim" when such entities or subdivisions are a direct victim of the defendant's offense or criminal episode and not merely providing public services in response to the offense or criminal episode. This bill further amends F.S. 775.089 to include the victim's trade association if the offense is a violation of F.S. 540.11(3)(a)3, involving the sale, or possession for purchase or sale, of physical articles and the victim has granted the trade association written authorization to represent the victim's interests in criminal legal proceedings and to collect restitution on the victim's behalf. The restitution obligation in F.S. 540.11(3)(a)3, applies only to physical articles and does not apply to electronic articles or digital files that are distributed or made available online.

This bill creates F.S. 838.23 to provide that a person convicted of any offense in this chapter must be ordered by the sentencing judge to make restitution to the victim of the offense if, after conducting a hearing, the judge finds that the victim suffered an actual financial loss caused directly or indirectly by the person's offense or an actual financial loss related to the person's criminal episode. A person who is convicted of any offense in this chapter must be ordered to perform 250 hours of community service. Both restitution and community service work are in addition to any fine or sentence that may be imposed and may not be in lieu thereof.

This bill creates F.S. 839.27 to require that any person convicted of any offense in this chapter must be ordered by the sentencing judge to make restitution to the victim of the offense if, after conducting a hearing, the judge finds that the victim suffered an actual financial loss caused directly or indirectly by the defendant's offense or an actual financial loss related to the person's criminal episode. A person who is convicted of any offense in this chapter must also perform 250 hours of community service. Restitution and community service work must be in addition to any fine or sentence that may be imposed and may not be in lieu thereof. ***Effective Date: October 1, 2015.***

<http://www.flsenate.gov/Session/Bill/2015/0115/BillText/er/PDF>

Senate Bill 132 (Ch. 2015-11): Disabled Parking Permits; Veterans; Department of Highway Safety and Motor Vehicles

This bill amends F.S. 320.0848 to allow renewal or replacement of a disabled parking permit for a veteran who has been previously evaluated and certified by the U.S. Department of Veterans Affairs or any branch of the U.S. Armed Forces as permanently and totally disabled from a service-connected disability, to provide a U.S. Department of Veterans Affairs Form Letter 27-333, or its equivalent, issued within the last 12 months, in lieu of a certificate of disability. *Effective Date: July 1, 2015.*

<http://www.flsenate.gov/Session/Bill/2015/0132/BillText/er/PDF>

House Bill 133 (Ch. 2015-133): Sexual Offenses; "43 Days Initiative Act"; Statute of Limitations; Sexting; Crimes and Penalties; Licenses

This bill, referred to as the "43 Days Initiative Act," amends F.S. 775.15, the statute of limitations law, by extending the current statute of limitations time period for a first or second degree felony sexual battery when the victim is 16 years or older at the time of the offense and does not report the crime within 72 hours. This bill provides a statute of limitations of 8 years for these offenses instead of the previous 3 or 4 year time period. Under this bill, if a 16 year old or older victim of a second degree felony sexual battery or an 18 year old or older victim of a first degree felony sexual battery reports the crime within 72 hours, current law is applicable and there is no time limitation for bringing a prosecution. This bill can be applied retroactively as long as the offense will not be time-barred on or before July 1, 2015.

This bill also amends F.S. 847.0141, referred to as the "sexting statute," to require the issuance of a non-criminal citation for first violations. In lieu of a court appearance or upon the court determining that the minor committed the non-criminal violation, the sanctions may include participation in a community service program or authorized cyber-safety program and the payment a \$60 civil penalty. A minor who fails to comply with the citation waives the right to contest and the court may impose any of the above penalties or issue an order to show cause. Upon a finding of contempt, the court may impose other penalties, including the withholding of the issuance of or suspension of a driver license for 30 days.

This bill also amends F.S. 985.0301 to provide exclusive jurisdiction to the circuit court for a noncriminal violation that has been assigned to a juvenile court by law. *Effective Date: July 1, 2015.*

<http://www.flsenate.gov/Session/Bill/2015/0133/BillText/er/PDF>

House Bill 145 (Ch. 2015-103): Commercial Motor Vehicle Review Board; Florida Highway Patrol; Law Enforcement Officers

This bill amends F.S. 316.545 by deleting the requirement that an officer with the Florida Highway Patrol who has reason to believe that the weight of a vehicle and load is unlawful, must have the vehicle driven to the nearest weigh station or public scales. The bill adds language that if a driver is issued a citation for exceeding weight limits by means of a portable scale, the driver may request weight verification at the nearest fixed scale or certified public scale and the officer who issued the citation must escort the driver at all times and must attend the reweighing. This bill also provides that if the vehicle is found to be in compliance with weight requirements at the fixed scale, the citation is void. The bill adds four additional

Governor-appointed members to the Commercial Motor Review Board. The bill also deletes language allowing a permanent member of board to designate one additional person to be a member of the board; and, deletes language allowing the board to meet as a single or subgroup. *Effective Date: July 1, 2015.*

<http://www.flsenate.gov/Session/Bill/2015/0145/BillText/er/PDF>

House Bill 157 (Ch. 2015-166): Fraud; Courts; Crimes and Penalties; Counties; Identity Theft; Civil Actions/Damages/Liability

This bill makes several revisions to Chapter 817 regarding fraud. The bill creates F.S. 817.011 which provides a definition of "business entity" and "victim" for the purpose of creating a means for victims of identity theft and fraud to clear their credit with business entities who were defrauded through theft of the victim's identity. Business entities are provided a limitation on civil liability with regard to providing or refusing to provide information on the fraudulent transaction when requested by the victim using the process established in the new statute. This bill grants an affirmative defense to business entities when a victim brings a civil suit to enforce this section. The business entity's affirmative defense is by affidavit and the burden of proof is preponderance of the evidence. The affirmative defense is that the business entity has made a diligent search of its records and the records the victim requested pursuant to this statute either do not exist or are not reasonably available. This bill amends F.S. 817.17 to add a county or other political subdivision to the list of entities for which wrongful use of their identities may result in criminal penalties. The amendment provides that violations of this section are misdemeanors of the second degree. This bill creates F.S. 817.414 which prohibits the sale of counterfeit security signs and decals. Persons who willfully sell such items without the express written consent of the company purportedly owning the signs commit, for the first offense, a misdemeanor of the second degree; and, for a second or subsequent offense, a misdemeanor of the first degree. *Effective Date: October 1, 2015.*

<http://www.flsenate.gov/Session/Bill/2015/0157/BillText/er/PDF>

Senate Bill 160 (Ch. 2015-81): Rural Letter Carriers; Vehicles

This bill amends F.S. 316.614 to state that a rural letter carrier of the United States Postal Service is not required to wear a seat belt while performing his or her employment duties on a designated postal route. *Effective date: May 22, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/0160/BillText/er/PDF>

Senate Bill 172 (Ch. 2015-39): Local Government Pension Reform; Law Enforcement Officers; Retirement; Counties; Municipalities; Tax Revenues

This bill outlines reforms to local government pension plans, specifically firefighter pensions in Chapter 175 and municipal police pensions in Chapter 185. New conditions are added to receive distributions of insurance premium tax revenues, and definitions are added for "additional premium tax revenues," "base premium tax revenues," "defined contribution plans," "minimum benefits," and "minimum standards." Additional reporting duties and requirements are outlined for plan board of trustees to provide increased transparency of administrative budgets. The calculation of retirement benefits is changed from a 2% accrual rate to a 2.75% accrual rate; limited deviations from this rate are outlined. Base premium tax revenues must be

used to fund minimum benefits; if additional premium tax revenues are more than the amount received in 2012, 50% must be used for minimum benefits and 50% must go to a defined contribution plan to fund special benefits. In addition to the defined benefit plan component of a local law plan, plan sponsors must have a defined contribution plan component within the local law plan by October 1, 2015; allowances for deviations are outlined. **Effective Date: July 1, 2015.**

<http://www.flsenate.gov/Session/Bill/2015/0172/BillText/er/PDF>

House Bill 185 (Ch. 2015-86): Public Records/Servicemembers and Families; Agencies; Exemptions; Military

This bill amends F.S. 119.071(5) to exempt from public records disclosure certain information for current, former or reserve members of the Armed Forces of the United States or the National Guard, including spouses and dependents; and defines "servicemember" and the "identification and location information" to be exempted. F.S. 119.071(5)(k)1.a. (I), (II) and (III) define and exempt "identification and location information" to include home address, telephone number(s) (including personal communication device), dates of birth, place of employment of the servicemember, spouse or dependent. The name and location of a school or day care facility attended by the servicemember's spouse or dependent are also included. F.S. 119.071(5)(k)2 states that "identification" and "location information" held by an agency is exempt if a servicemember submits to an agency that has custody of the information a written request to exempt the information; and a written statement that the servicemember has made reasonable efforts to protect the information from being accessible through other means available to the public. This exemption also applies to information held on or before the effective date. **Effective Date: June 2, 2015.**

<http://www.flsenate.gov/Session/Bill/2015/0185/BillText/er/PDF>

House Bill 193 (Ch. 2015-136): Crime Stoppers Trust Fund; Counties

This bill amends F.S. 16.555 to expand a county's use of the Crime Stoppers Trust Fund to include the use of funds to purchase and distribute promotional items to increase public awareness of and educate the public about Crime Stoppers. **Effective Date: July 1, 2015.**

<http://www.flsenate.gov/Session/Bill/2015/0193/BillText/er/PDF>

House Bill 197 (Ch. 2015-137): Tracking Devices or Tracking Applications; Crimes and Penalties

This bill creates F.S. 934.425 to regulate the installation of tracking devices or tracking applications by private citizens. This bill makes it illegal for a person to install a tracking device or application on another person's property without the other person's consent and defines the situations when consent is presumed to be revoked. A person who violates this section commits a second degree misdemeanor. This bill also provides exceptions for parents or caregivers installing a tracking device or application in certain circumstances and addresses the installation by private investigators and repossession services. This bill does not apply to law enforcement officers conducting a criminal investigation. **Effective Date: October 1, 2015.**

<https://www.flsenate.gov/Session/Bill/2015/0197/BillText/er/PDF>

House Bill 201 (Ch. 2015-168): Diabetes Awareness Training for Law Enforcement Officers; "Arthur Green, Jr., Act"; Florida Department of Law Enforcement

This bill titled the "Arthur Green, Jr., Act" creates F.S. 943.1726 and requires FDLE to establish an online continuing employment training curriculum related to diabetic emergencies. The new curriculum must, at a minimum, provide instruction on recognition of symptoms of a diabetic emergency, distinguishing such an emergency from alcohol intoxication or drug overdose, and include appropriate first aid information. The training may count toward the 40 hours of mandatory retraining for continued employment or appointment required under F.S. 943.135. *Effective Date: October 1, 2015.*

<http://www.flsenate.gov/Session/Bill/2015/0201/BillText/er/PDF>

Senate Bill 248 (Ch. 2015-41): Public Records/Body Camera Recording Made by a Law Enforcement Officer; Exemptions; Confidentiality; Agencies

This bill amends F.S. 119.071 by providing that a law enforcement officer's body camera recordings are confidential and exempt from public disclosure when taken inside a private residence, inside a health care or social services facility, or in a place that a reasonable person would expect to be private. This bill provides exceptions for disclosure by law enforcement agencies as part of their official duties and allows disclosure to the person recorded. This bill requires retention of the records for at least 90 days. *Effective Date: July 1, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/0248/BillText/er/PDF>

Senate Bill 264 (Ch. 2015-15): Traffic Enforcement Agencies and Traffic Citations; Counties; Municipalities

This bill amends and expands F.S. 316.640 and F.S. 316.660 to designate counties and municipalities as a traffic enforcement agency for purposes of this section. This bill provides that traffic enforcement agencies are prohibited from the establishment of traffic citation quotas, and requires a traffic enforcement agency to submit a report of its revenue from traffic citations if said revenue exceeds 33 percent of the total expenses that the county or municipality incurs to operate the law enforcement agency within the fiscal year. This report, if required, must be filed with the Legislative Auditing Committee and must detail total revenue from traffic citations and its total law enforcement expenses within six months after the end of the fiscal year. *Effective Date: July 1, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/0264/BillText/er/PDF>

Senate Bill 290 (Ch. 2015-44): Carrying a Concealed Weapon or a Concealed Firearm; Licenses

This bill amends F.S. 790.01 to provide an exemption from the requirement to possess a license to carry a concealed weapon or firearm when evacuating pursuant to a mandatory evacuation during a declared state of emergency. The bill defines "in the act of evacuating" as "the immediate and urgent movement of a person away from the evacuation zone within 48 hours after a mandatory evacuation." *Effective Date: May 21, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/0290/BillText/er/PDF>

House Bill 305 (Ch. 2015-89): Unlawful Detention by a Transient Occupant; Trespass; Law Enforcement Officers; Crimes and Penalties; Civil Action/Damages/Liability

This bill creates F.S. 82.045 and provides the owner or rightful resident of residential property an alternative to filing a civil action in order to remove from the residence invited guest(s) whom have subsequently refused to vacate the property upon request. This bill defines a "transient occupant," nonexclusively, as a person whose residency in a dwelling intended for residential use has occurred for a brief length of time, not pursuant to a lease, and whose occupancy was intended as transient in nature. This bill further provides a non-exhaustive list of factors which may be relied upon to conclude that an individual is indeed a "transient occupant." This bill further provides that such an occupant "unlawfully detains" a residential property if the person is a transient occupant as defined, and remains in occupancy of the residential property after the party entitled to possession of the property has directed the transient to leave. Should the transient occupant refuse this request to leave, the person entitled to possess the property may subsequently provide a sworn affidavit to a law enforcement officer setting forth facts which indicate that the individual in question indeed is a transient occupant who is unlawfully detaining residential property. The affidavit must include any applicable factors tending to identify a transient occupant, as provided within the statute. Upon receipt of such an affidavit, any law enforcement officer may direct the transient occupant to surrender possession of the residential property. Failure to comply with this order renders the occupant in violation of F.S. 810.08, criminal trespassing. In any prosecution for violation of F.S. 810.08 pursuant to this section, the prosecution need not prove that the defendant actually legally met the definition of a transient occupant, as this statute explicitly states that the same shall not become an element of trespassing. A person wrongfully removed from a property pursuant to this section does not have a cause of action against the law enforcement officer or law enforcement agency absent a showing of bad faith by the law enforcement officer. *Effective Date: July 1, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/0305/BillText/er/PDF>

House Bill 329 (Ch. 2015-91): Special License Plates; Military; Veterans; Department of Highway Safety and Motor Vehicles; Vehicles

This bill amends F.S. 320.089 to create new special license plates for Combat Action Badge recipients, Combat Action Ribbon recipients, Air Force Combat Action Medal recipients, Distinguished Flying Cross recipients, Women Veterans, World War II Veterans, and Navy Submariners. This bill specifies that any revenue generated from the Woman Veteran license plates be deposited into the Operations and Maintenance Trust Fund administered by the Department of Veterans' Affairs. *Effective Date: July 1, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/0329/BillText/er/PDF>

Senate Bill 342 (Ch. 2015-17): No Contact Orders; Pretrial Release; Courts; Victims

This bill amends F.S. 903.047, which addresses conditions of pretrial release. While "no contact with the victim" has always been a standard condition of pretrial release, what constitutes "contact" has been heretofore undefined by statute. This amendment defines the prohibited acts which would constitute "contact." Communicating orally or in any written form, either in person, telephonically, electronically, or in any other manner, directly or indirectly through a third person, is included as "contact" under the bill. In addition this bill adds being within 500

feet of the victim's or other named person's residence (even if shared with the Defendant), vehicle, place of employment, or a specified place regularly frequented by such person. In essence, the requirements of "no contact" for pretrial release are being brought in line with the general requirements of "no contact" as applied to civil injunctions. This bill also adds language to reinforce the fact that an order of no contact is effective immediately and enforceable until the end of pretrial release or modification by the court. Finally, this bill requires the defendant to be given a copy of the order of no contact, which specifies the acts prohibited by said order. This must be given to the defendant prior to release from custody. **Effective Date: October 1, 2015.**

<https://www.flsenate.gov/Session/Bill/2015/0342/BillText/er/PDF>

House Bill 369 (Ch. 2015-172): Human Trafficking; Agencies; Counties; Municipalities

This bill creates F.S. 787.29, which provides that the Department of Transportation must create public awareness signs concerning human trafficking and display them at specific locations throughout the state. Emergency rooms and certain private businesses are also required to conspicuously display the signs. The signs are required to be in both English and Spanish and no smaller than 8.5 x 11 inches. Subsection four of the bill specifies the language required to be placed on the signs. The sign notifies readers of specific resources if they or someone they know is being held against their will and forced to work. The notice further states that victims of human trafficking are protected under both United States and Florida law. This bill provides that county commissions may adopt ordinances to enforce subsection three, requiring certain private businesses to conspicuously display the notices. However, failure to display the notices would be a non-criminal violation punishable by fine. **Effective Date: January 1, 2016.**

<http://www.flsenate.gov/Session/Bill/2015/0369/BillText/er/PDF>

Senate Bill 378 (Ch. 2015-46): Juvenile Justice; Minors; Crimes and Penalties; Law Enforcement Officers

This bill amends F.S. 985.12 to authorize law enforcement officers that make contact with a juvenile, who admits to committing a misdemeanor offense, the discretion to issue a simple warning, inform the juvenile's parents or guardians of the misdemeanor offense, issue a civil citation, or require participation in a similar diversion program. Based on an assessment of the juvenile, the diversion program may assess up to 50 hours of community service, and require participation in intervention services, including family counseling, urinalysis monitoring, and substance abuse and mental health treatment services. This bill expands the use of the juvenile civil citation to juveniles who have committed up to three misdemeanor offenses. The option of issuing a civil citation was previously only available to juveniles who admitted to committing a first-time misdemeanor offense. This bill also specifies that if an arrest is made, a law enforcement officer must provide written documentation as to why an arrest is warranted. **Effective Date: October 1, 2015.**

<https://www.flsenate.gov/Session/Bill/2015/0378/BillText/er/PDF>

House Bill 439 (Ch. 2015-92): Department of Legal Affairs; Office of Statewide Prosecutor; Awards; Victims; Human Trafficking

This bill, in part, amends F.S. 16.56 to expand the jurisdiction of the Office of Statewide Prosecution, to include current human trafficking violations specified in F.S. 16.56(1)(a)15., that were facilitated by or connected to the use of the Internet. This bill amends F.S. 16.62, to authorize the department to spend no more than \$20,000 annually to support costs associated with the agency's Law Enforcement Officer of the Year and Victims Services recognition and awards program. This bill amends F.S. 960.03, to expand the definition of the term "crime" as used in determining victim assistance awards to include a forcible felony committed by an adult or juvenile which directly results in psychiatric or psychological injury. This bill revises provisions concerning acts which result in the injury or death that are intentionally inflicted through the use of a motor vehicle, boat, or aircraft; and expands the definition of the term "disabled adult" to include a person who has a mental illness or has one or more physical limitations. This bill creates F.S. 960.196, which provides for relocation assistance for victims of human trafficking. This bill amends F.S. 960.198, to prohibit a relocation award for a domestic violence claim when there has been a previous human trafficking relocation award. *Effective Date: July 1, 2015.*

<http://www.flsenate.gov/Session/Bill/2015/0439/BillText/c2/PDF>

House Bill 465 (Ch. 2015-145): Human Trafficking; Courts; Crimes and Penalties; Sentencing; Criminal History Information; Vehicles; Clerks of the Court; Victims; Expunction; State Attorney; Law Enforcement Agencies

This bill amends F.S. 796.07 to create tiered penalties for procurement of people for human trafficking. In procuring a person for human trafficking as defined in F.S. 796.07(2)(f), the offender commits a first degree misdemeanor for a first violation. A second violation is a felony of the third degree and a third or subsequent violation is a felony of the second degree. In addition, the court must sentence a person convicted of a second or subsequent violation of F.S. 796.07(2)(f) to a mandatory minimum period of incarceration of ten days. The court must order a person convicted of a violation of F.S. 796.07(2)(f) to perform 100 hours of community service, and pay for and attend an educational program on the negative effects of prostitution and human trafficking.

If the person who violated F.S. 796.07(2)(f) used a vehicle in the course of the violation, the judge upon the person's conviction, may issue an order for the impoundment or immobilization of the vehicle for a period of up to 60 days. The order must include the names and telephone numbers of all immobilization agencies meeting all of the conditions of F.S. 316.193(13). The clerk of the court must send notice by certified mail, return receipt requested, to the registered owner of the vehicle, if the registered owner is someone other than the defendant. The registered owner may ask the court to dismiss the order. The court must dismiss the order and the owner will incur no costs, if the owner alleges, and the court finds to be true, any of the following: The owner's family has no other private or public means of transportation; the vehicle was stolen at the time of the offense; the owner purchased the vehicle after the offense was committed, and the sale was not made to circumvent the order; or, the vehicle is owned by the defendant but operated solely by the employees of the defendant or employees of a business owned by the defendant. If the court denies the request to dismiss the order, the petitioner may request an evidentiary hearing. If, at the evidentiary hearing, the court finds to be true any of the circumstances described in F.S. 796.07(5)(d)2.a-d, the court must dismiss

the order and the owner of the vehicle will incur no costs.

This bill further amends F.S. 943.0583(2) to add that any court in the circuit in which the trafficking victim/petitioner was arrested, so long as the court has jurisdiction over the class of offense or offenses sought to be expunged, may order the expunction of arrests directly relating to the victim/petitioner's activities while a victim of human trafficking. The provision further clarifies that the petition for expunction need not be filed in the court where the victim/petitioner's criminal proceeding or proceedings originally occurred. This bill further amends F.S. 943.0583(7) to add (c) which requires the court to allow an advocate from a state attorney's office, law enforcement agency, safe house or safe foster home as defined in F.S. 409.1678(1), or a residential facility offering services to adult victims of human trafficking to be present with the victim/petitioner during any court proceedings or hearings under this subsection, if the victim/petitioner has made such a request and the advocate is able to be present. **Effective Date: October 1, 2015.**

<http://www.flSenate.gov/Session/Bill/2015/0465/BillText/er/PDF>

House Bill 467 (Ch. 2015-146): Public Records/Human Trafficking Victims; Law Enforcement Agencies; Law Enforcement Officers; Exemptions; Confidentiality; Expunction

This bill amends F.S. 119.071(2)(h)1.a. and expands privileged criminal intelligence or investigative information to include information that reveals the identity of a person under age 18, who is human trafficking victim pursuant to F.S. 787.06(3)(a). Such information is confidential and exempt, but may be disclosed by a law enforcement agency in furtherance of its official duties and responsibilities; if release of such information would assist in locating or identifying a person believed to be missing or endangered; or to another governmental agency in furtherance of its official duties and responsibilities.

The bill amends F.S. 943.0583 to add a new subsection (11) and makes any information that reveals or may reveal the identity of a victim of human trafficking, whose criminal history record has been ordered expunged, confidential and exempt from release. The new subsection also provides that such confidential and exempt information may be disclosed by a law enforcement agency in furtherance of its official duties and responsibilities; if release of such information would assist in locating or identifying a person believed to be missing or endangered; or to another governmental agency in furtherance of its official duties and responsibilities. This exemption also applies to information held on or before the effective date. **Effective Date: October 1, 2015.**

<http://www.flSenate.gov/Session/Bill/2015/0467/BillText/er/PDF>

House Bill 469 (Ch. 2015-147): Public Records/Residential Facilities Serving Victims of Sexual Exploitation; Confidentiality; Exemptions; Victims; Human Trafficking

This bill amends F.S. 409.1678 and F.S. 787.06 by providing that information held by an agency about the location of safe houses and other facilities serving victims of sexual exploitation, and the location of facilities that serve victims of human trafficking involving commercial sexual activity, is confidential and exempt from public disclosure. **Effective Date: October 1, 2015.**

<https://www.flsenate.gov/Session/Bill/2015/0469/BillText/er/PDF>

Senate Bill 526 (Ch. 2015-23): Notaries Public; Oaths and Affirmations; Law Enforcement Officers

This bill amends F.S. 117.10 to allow law enforcement and corrections officers, in the performance of their official duties, to administer an oath or affirmation through reliable electronic means. This is an addition to the established ability of officers to administer oaths in person. This bill defines "reliable electronic means" as means "compliant with criminal justice information system security measures." This bill also allows for oaths administered through electronic means to be used for the verification of documents pursuant to F.S. 92.50 and F.S. 92.525. *Effective Date: July 1, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/0526/BillText/Filed/PDF>

Senate Bill 538 (Ch. 2015-24): Sexual Cyberharassment; Sexually Explicit Images; Warrants; Crimes and Penalties; Sentencing; Law Enforcement Officers; Civil Actions/Damages/Liability

The bill creates F.S. 784.049 to prohibit sexual cyberharassment of a person. To "sexually cyberharass," means to publish a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without such person's consent, for no legitimate purpose, and with the intent to cause substantial emotional distress to such person. A first offense is a first degree misdemeanor. A second or subsequent offense is a third degree felony.

This bill amends F.S. 901.15, to permit a law enforcement officer to arrest a person, without a warrant, when there is probable cause to believe that the person committed the crime of sexual cyberharassment. This bill also amends F.S. 933.18, to authorize a search warrant for a private dwelling if there is evidence relating to the instrumentality or means by which sexual cyberharassment has been committed, or evidence relevant to proving that sexual cyberharassment has been committed.

This bill provides for an aggrieved person to initiate a civil action against a person who commits sexual cyberharassment to obtain relief including injunctive relief; five thousand dollars or actual damages incurred, whichever is greater; and reasonable attorney fees and costs.

A violation of this section is committed when any conduct that is an element of the offense, or any harm to the depicted person resulting from the offense, occurs within Florida. *Effective Date: October 1, 2015.*

<http://www.flsenate.gov/Session/Bill/2015/0538/BillText/er/PDF>

Senate Bill 570 (Ch. 2015-51): Service of Process of Witness Subpoenas; Mail

This bill amends F.S. 48.031 to allow service of a witness subpoena in a civil traffic case by United States mail directed to the witness at the last known address at least 7 days prior to the date of the witness' required appearance. *Effective Date: July 1, 2015.*

<http://www.flsenate.gov/Session/Bill/2015/0570/BillText/er/PDF>

House Bill 641 (Ch. 2015-93): Amusement Games or Machines; "Family Amusement Games Act"; Gambling; Department of Revenue; Sentencing; Crimes and Penalties

This bill creates F.S. 546.10 to regulate the operation of skill-based amusement games or machines at specified locations to ensure compliance with the requirements of Florida law in order to prevent expansion of casino-style gambling. This bill specifically clarifies the operation and use of amusement games or machines, in contrast to slot machines, to ensure that provisions regulating these devices are not subject to abuse or interpreted in any manner that would create an exception to the state's general prohibitions against gambling. Included are sentences that may be imposed for a violation of the provision of F.S. 546.10. This bill repeals F.S. 849.161. *Effective Date: July 1, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/0641/BillText/er/PDF>

Senate Bill 672 (Ch. 2015-59): Service of Process; Witness Subpoenas

This bill amends F.S. 48.031 to differentiate service requirements depending on whether the criminal subpoena is for a court appearance, or a deposition. The new language will allow a criminal witness subpoena commanding the witness to appear for a deposition to be posted by a person authorized to serve process at the witness' residence if one attempt to serve the subpoena has failed. A criminal witness subpoena commanding the witness to appear for a court appearance may be posted by a person authorized to serve process at the witness' residence if three attempts to serve the subpoena, which were attempted at different times of the day or night on different dates, have failed. Regardless whether the subpoena is for a deposition or court appearance, the posting must occur at least five days before the date of the witness' required appearance. *Effective Date: July 1, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/0672/BillText/er/PDF>

House Bill 697 (Ch. 2015-120): Public Health Emergencies; Quarantine; Isolation; Crimes and Penalties; Law Enforcement Officers; Department of Health

This bill amends F.S. 381.00315 to empower the State Health Officer with specific powers to issue public health advisories and order isolations, in addition to the established powers of declaring public health emergencies and ordering quarantines. This bill provides definitions for "isolation" and "quarantine." The bill amends F.S. 381.0012 and F.S. 381.00315 to authorize law enforcement officers to assist the Department of Health in enforcing isolation and quarantine orders. This bill makes the violation of an order of isolation a second degree misdemeanor, expanding on the prior criminal offense for a violation of quarantine. This bill also creates a second degree misdemeanor for a person willfully claiming, with intent to defraud, that he or she has contracted a communicable disease in order to obtain goods, products or services during a declared public health emergency. Additionally, a false report to law enforcement on the same subject matter will also be a second degree misdemeanor. *Effective Date: July 1, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/0697/BillText/er/PDF>

House Bill 751 (Ch. 2015-123): "Emergency Treatment and Recovery Act" Emergency Treatment for Opioid Overdose; Emergency Responders; Law Enforcement Officers; Civil Immunity; Prescriptions; Practitioners

This bill provides for, and encourages, the prescription of emergency opioid antagonists to patients and caregivers. Authorized health care practitioners may prescribe and dispense to patients or caregivers, and pharmacists may dispense per the prescription. Patients or caregivers are authorized to store, possess, and administer opioid antagonists in emergency situations to a person believed in good faith to be experiencing an opioid overdose regardless if that person has a prescription for the antagonist. Under the new F.S. 381.887, emergency responders, including law enforcement officers, are authorized to possess, store, and administer emergency opioid antagonists. Civil immunity is provided for those who possess, administer, prescribe, dispense, and store in compliance with F.S. 768.13 (Good Samaritan Act); civil, criminal, and professional liability is provided for authorized health care practitioners as a result of prescribing; civil, criminal, and professional immunity is provided as a result of dispensing. This bill does not limit existing immunities for emergency responders. *Effective Date: June 10, 2015.*

<http://www.flsenate.gov/Session/Bill/2015/0751/BillText/er/PDF>

Senate Bill 766 (Ch. 2015-26): Surveillance by Drone; Civil Actions/Damages/Liability; License

This bill amends F.S. 934.50 regarding the use of drones. Previously, F.S. 934.50 only related to law enforcement's use of drones, providing a general prohibition against their use to obtain evidence or other information, while carving out enumerated exceptions. This bill expands the scope of F.S. 934.50 to generally reach surveillance and the capturing of images by drones, either by government or private entities. This bill provides a definition for "surveillance," and states that a person has a reasonable expectation of privacy on private real property if they are not observable by persons located on ground level in a place they have a legal right to be, regardless of whether or not they are observable by drone. This bill prohibits the use of drones to capture images of private real property, or persons thereupon, with the intent to conduct surveillance. F.S. 934.50 previously created a civil cause of action against a law enforcement agency for violation of the statute; however, this bill expands that right to also include injunctive relief against further surveillance. The prevailing party will also have the right to seek attorney fees. Punitive damages may be levied in certain circumstances.

This bill provides additional exceptions to those already in place in F.S. 934.50. This bill provides that a person licensed by the state may use a drone to capture images if within the scope of the state's provided license, or for purposes of capturing images by or for an electric, water, or natural gas utility company. *Effective Date: July 1, 2015.*

<http://www.flsenate.gov/Session/Bill/2015/0766/BillText/er/PDF>

House Bill 897 (Ch. 2015-34): Controlled Substances; Synthetic Cannabinoids; Sentencing; Crimes and Penalties

This bill concerns controlled substances and synthetic cannabinoid-mimicking compounds such as "Spice" and "K2," and adds five of these types of substances to the controlled substances schedule in F.S. 893.03(1)(c). Also included are criminal penalties that may be imposed for

violation of the laws concerning the newly-added controlled substances. **Effective Date: May 14, 2015.**

<http://www.flsenate.gov/Session/Bill/2015/0897/BillText/er/PDF>

Senate Bill 954 (Ch. 2015-67): Involuntary Examination of Minors; Schools; Law Enforcement Agencies; Law Enforcement Officers; Department of Children and Families

This bill amends F.S. 381.0056, by revising the definition of “emergency health needs” for a school health services program to include an onsite evaluation for illness or injury and allow for a student’s release to a law enforcement officer. This bill amends F.S. 1002.20 and F.S. 1002.33 by requiring a public or charter school principal or the principal’s designee to immediately notify the parent of a student who is removed from school, school transportation, or a school-sponsored activity and taken to a receiving facility for an involuntary examination. Notification may be delayed for no more than 24 hours after the student is removed if the principal or the designee deems the delay to be in the student’s best interest and if a report has been submitted to the Department of Children and Families Central Abuse Hotline based upon knowledge or suspicion of abuse, abandonment, or neglect. Each district school board and each charter school governing board must develop policies and procedures for notification and the school health services plan must also provide provisions for such notification. This bill also amends F.S. 394.4599 to allow for a health care surrogate or proxy as an individual who may act on behalf of an individual involuntarily admitted to a facility. This bill also requires a receiving facility to give notice of the whereabouts of a minor who is being involuntarily held for examination to the minor’s parent, guardian, caregiver, or guardian advocate, in person or by telephone or other form of electronic communication, immediately after the minor’s arrival at the facility. The facility may delay notification for no more than 24 hours after the minor’s arrival, if the facility has submitted a report to the Department of Children and Families Central Abuse Hotline based upon knowledge or suspicion of abuse, abandonment, or neglect and if the facility deems a delay in notification to be in the minor’s best interest. The receiving facility must attempt to notify the minor’s parent, guardian, caregiver, or guardian advocate until the receiving facility receives confirmation verbally, by telephone, some other form of electronic communication, or by recorded message that the notification has been received. The receiving facility must attempt this at least once every hour during the first 12 hours after the minor’s arrival and once every 24 hours thereafter. The attempts must continue until such confirmation is received, unless the minor is released at the end of the 72-hour examination period, or until a petition for involuntary placement is filed with the court pursuant to F.S. 394.463(2)(i). The receiving facility may seek assistance from a law enforcement agency if the facility has not received confirmation that notification has been received within 24 hours after the minor’s arrival. The receiving facility must document the notification attempts in the minor’s clinical record. **Effective Date: July 1, 2015.**

<https://www.flsenate.gov/Session/Bill/2015/0954/BillText/er/PDF>

Senate Bill 1010 (Ch. 2015-29): False Personation; Department of Financial Services; Firefighters; Crimes and Penalties; Licenses

This bill amends F.S. 843.08 to include firefighter, fire or arson investigator with the Department of Financial Services to the list of officials who are prohibited from being falsely personated. It also prohibits the sale or transfer of specified badges bearing in any manner or

combination the words “fire department” and prohibits the ownership or operation of vehicles marked or identified by the words “fire department”. This bill defines “watchman” as a security officer licensed under chapter 493. This bill amends F.S. 843.085 to require that the person intended to mislead or cause another person to believe that he or she is a member of the agency authorized to wear or display the badge or other indicia of authority. ***Effective Date: October 1, 2015.***

<https://www.flSenate.gov/Session/Bill/2015/1010/BillText/er/PDF>

House Bill 1055 (Ch. 2015-177): Child Protection; Critical Incident Rapid Response Team; Child Abuse; Physicians; Department of Health

This bill amends F.S. 39.2015 to require, at a minimum, a child protection team medical director on any Critical Incident Rapid Response Team (CIRRT). Additionally, the bill amends F.S. 458.3175 and F.S. 459.0066 by adding criminal child abuse and neglect cases as an authorized use of the expert witness certificate for physicians. ***Effective Date: July 1, 2015.***

<https://www.flSenate.gov/Session/Bill/2015/1055/BillText/er/PDF>

House Bill 1069 (Ch. 2015-178): Defendants in Specialized Courts, Courts; Clerks of Court; Counties

This bill amends and expands F.S. 910.035(5) by allowing a person eligible to participate in a problem-solving court to have his or her case transferred to another county. This bill defines “problem-solving court” as a drug court, a veteran’s court, or a mental health court. This bill requires a person who is eligible to participate in a problem-solving court to have his or her case transferred to another county upon request by the person or the court if the person agrees to the transfer, the authorized representative of the trial court consults with the authorized representative of the problem-solving court in the county where the case is desired to be transferred, and both authorized representatives agree to the transfer. If the requirements are met, the trial court must enter a transfer order directing the clerk to transfer the case. Any transfer orders must include specified documents depending on whether the case is pre-trial or postadjudicatory. After the transfer takes place, the receiving clerk must set the matter for a hearing before the problem-solving court judge to ensure the defendant’s entry in the problem-solving court. Upon successful completion of the problem-solving court, the jurisdiction to which the case has been transferred must dispose of the case. If the defendant does not successfully complete the problem-solving court, the jurisdiction to which the case has been transferred must dispose of the case within the guidelines of the Criminal Punishment Code. ***Effective Date: July 1, 2015.***

<https://www.flSenate.gov/Session/Bill/2015/1069/BillText/er/PDF>

House Bill 1127 (Ch. 2015-179): Insurance Fraud; Courts; Crimes and Penalties; Sentencing; Agency for Health Care Administration; License; Providers

This bill repeals F.S. 400.993, and amends F.S. 400.9935(3) and (4). Charges made by clinics that are required to be licensed under this part, but are not licensed, are unlawful, noncompensable, and unenforceable. Persons who knowingly make or cause to be made such charges commit theft as defined and punishable as provided in F.S. 812.014. Persons who: establish, operate, manage, or maintain unlicensed clinics, regardless of whether the Agency for Health Care Administration (agency) notifies them of such; or, offer or advertise services

requiring licensure as a clinic under this part and part II of Chapter 408 without a license given certain circumstances, commit a felony of the third degree. Persons convicted of a second or subsequent violation commit a felony of the second degree. If the agency provides notice or the person is arrested for a violation, then each day that this part is violated constitutes a separate offense. "Convicted" for purposes of this section means a determination of guilt resulting from a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld.

Providers who are aware of the operation of an unlicensed clinic must report the clinic to the agency. The agency must report to the provider's licensing board a failure to report a clinic that the provider knows or has reasonable cause to suspect is unlicensed. Further, a person who files false or misleading license applications or renewal information or fails to report information to the agency as required by F.S. 408.810(3) commits a third degree felony. F.S. 626.9895 is repealed. **Effective Date: October 1, 2015.**

<http://www.flsenate.gov/Session/Bill/2015/1127/BillText/er/PDF>

House Bill 7001 (Ch. 2015-82): Interception of Wire, Oral, or Electronic Communication; Minors

This bill amends F.S. 934.03 to allow for a child under 18 years of age to intercept and record an oral communication without consent if the child is a party to the communication and reasonably believes that recording the communication will capture a statement by another party that he or she intends to commit, is committing, or has committed an unlawful sexual act or an unlawful act of physical force or violence against the child. **Effective Date: July 1, 2015.**

<https://www.flsenate.gov/Session/Bill/2015/7001/BillText/er/PDF>

House Bill 7021 (Ch. 2015-161): Fish and Wildlife Conservation Commission; Water Skiing; Parasailing; Personal Watercraft; Vessels; Law Enforcement Agencies; Law Enforcement Officers; Wildlife; Fishing; U.S. Coast Guard; Crimes and Penalties; Licenses

This bill amends F.S. 327.37, F.S. 327.39 and F.S. 327.50, which require wearing a personal flotation device while water skiing, parasailing, aquaplaning, while operating a personal watercraft, or for children under 6 years of age on board a vessel, to remove reference to personal flotation device "type codes" (I, II, III, IV, and V) and replace them with the phrase "and used in accordance with the U. S. Coast Guard approval label" in recognition of October, 2014 revisions to U.S. Coast Guard regulations eliminating personal flotation device classification by "type code." This bill also amends the effective and expiration dates of tarpon tags in F.S. 379.357 to make the tags valid for the calendar year, January 1 to December 31, rather than the fiscal year of July 1 to June 30. This bill amends F.S. 379.3751 regarding licenses to take or trap alligators to add several new statutory exemptions to the licensure requirement. This bill creates F.S. 379.412, and provides new penalties for unlawful wildlife and freshwater fish feeding. **Effective Date: June 11, 2015.**

<http://www.flsenate.gov/Session/Bill/2015/7021/BillText/er/PDF>

Senate Bill 7032 (Ch. 2015-77): Public Records/Reports of a Deceased Child; Victims; Death; Confidentiality; Exemptions; Child Abuse; Agencies

This bill amends F.S. 383.412 by providing that any information held by the State Child Abuse Death Review Committee which reveals the identity of the surviving siblings of a deceased child whose death was the result of abuse or neglect is confidential and exempt from public disclosure. This bill also protects from public disclosure any information that reveals the identity of a deceased child whose death is reported to the abuse hotline but determined not to be the result of abuse or neglect. *Effective Date: May 21, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/7032/BillText/er/PDF>

Senate Bill 7034 (Ch. 2015-78): OGSR/Stalking Victims Identifying Information; Public Records; Exemptions; Law Enforcement Agencies; Law Enforcement Officers

This bill, in accordance with the Open Government Sunset Review Act, amends F.S. 97.0585(3), (4) and (5) relating to exempting from public records certain information of person identified as victims of stalking or aggravated stalking. Subsection (4) of F.S. 97.0585 has been redesignated as subsection (3) of that section. The text and content of F.S. 97.0585 (3) and (5) have been transferred to and renumbered as F.S. 741.4651. F.S. 741.4651 exempts the names, addresses and telephone numbers of victims of stalking or aggravated stalking, from F.S. 119.07(1) and Section 24(a), Article I of the State Constitution. *Effective Date: October 1, 2015.*

<http://www.flsenate.gov/Session/Bill/2015/7034/BillText/er/PDF>

Senate Bill 7040 (Ch. 2015-32): Public Records/E-mail Addresses/Department of Highway Safety and Motor Vehicles; Exemptions

This bill amends F.S. 119.0712 by providing that email addresses collected by the Department of Highway Safety and Motor Vehicles for vehicle title, motor vehicle license or driver license purposes are exempt from public disclosure. *Effective Date: July 1, 2015.*

<https://www.flsenate.gov/Session/Bill/2015/7040/BillText/er/PDF>

House Bill 7055 (Ch. 2015-163): Highway Safety and Motor Vehicles; Law Enforcement Officers; Correctional Officers; Deaths; Golf Carts; Motor Vehicles; Department of Transportation; Crimes and Penalties; Specialty License Plates

This bill amends F.S. 112.19 to authorize the officer's employing agency to pay up to \$5,000 directly toward the venue expenses associated with the funeral and burial services of an officer killed in the line of duty. This is in addition to the \$1,000 in funeral and burial expenses already provided in the statute.

This bill amends F.S. 316.212(1) to allow a golf cart to be operated on a two-lane county road located within the jurisdiction of a municipality designated by that municipality for use by golf carts.

This bill amends F.S. 316.228, which requires operators of vehicles transporting a load that extends beyond its sides or more than 4 feet beyond its rear, to attach red flags. The size of the required red hazard flags are revised from 12-inch squares to 18-inch squares.

This bill amends F.S. 316.515(14), to authorize the Department of Transportation to issue a permit allowing manufactured buildings to be transported in multiple sections or single units on an overlength trailer of no more than 80 feet.

This bill also amends F.S. 318.18(21) to increase the fine for a violation of unlawfully displaying vehicles for sale, hire, or rental from \$100 to \$500.

This bill amends F.S. 320.08056 and F.S. 320.08058, governing specialty license plates, to remove the Corrections Foundation, Children First, and the Veterans of Foreign Wars license plates. **Effective Date: October 1, 2015.**

<http://www.flsenate.gov/Session/Bill/2015/7055/BillText/er/PDF>

House Bill 7061 (Ch. 2015-99): Public Records/Florida RICO Act Investigations; Law Enforcement Agencies; Law Enforcement Officers; Confidentiality; Exemptions

This bill amends F.S. 895.06 to make information held by an investigative agency, pursuant to a Florida RICO Act investigation confidential and exempt from public records disclosure. Such confidential and exempt information may be released by the investigating agency to a government entity in the performance of official duties; or a court or tribunal. The confidentiality and exempt nature of the information ceases when all investigations relating to or pertaining to the information are completed, unless otherwise protected by law or other statutory exemption. An investigation is "completed" once the investigating agency has either filed an action; or the investigation is closed without filing an action. **Effective Date: July 1, 2015.**

<http://www.flsenate.gov/Session/Bill/2015/7061/BillText/er/PDF>

Senate Bill 7078 (Ch. 2015-79): Child Welfare; Critical Incident Rapid Response Team; Department of Children and Families; Child Protection Team; Child Abuse; Death

This bill amends F.S. 39.2015 to allow a Critical Incident Rapid Response Team to be deployed, at the Secretary of Department of Children and Families' discretion, for other cases involving child deaths, including but not limited to, a death or serious injury occurring during an open investigation. This bill also amends F.S. 39.3068(3) to require a multi-agency staffing to be convened for cases of alleged medical neglect, clarifying that the staffing shall be convened only if medical neglect concerning a child is substantiated by the child protection team. This bill amends F.S. 383.402 by clarifying the intent of the Legislature to establish a statewide multidisciplinary, multiagency, epidemiological child abuse death assessment and prevention system that consists of state and local review committees. This bill revises the make-up of the state child abuse death review committee to add a substance abuse treatment professional to the committee membership. This bill further requires the committee to develop statewide uniform guidelines, standards, and protocols, including a protocol for standardized data collection and reporting for local child abuse death review committees. The committee must also develop statewide uniform guidelines for reviewing deaths that are the result of child abuse. This bill clarifies that the local review committee is to conduct individual case reviews of deaths, generate information for the state committee, make recommendations, and implement improvements at the local level. This bill authorizes the State Surgeon General to convene the

committee. This bill also specifies who must be included as representatives in the local committee membership. ***Effective Date: July 1, 2015.***

<https://www.flsenate.gov/Session/Bill/2015/7078/BillText/er/PDF>

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| <p style="text-align: center;">Bills of Interest to Florida Law Enforcement Passed in the 2015 Legislative Session And Vetoed by the Governor</p> |
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- HB 755 Convenience Business Security (Vetoed on June 2, 2015).
- HB 997 Public Records/Department of Agriculture and Consumer Services (Vetoed on June 16, 2015).

**Bills of Interest to Florida Law Enforcement Passed in the 2015 Legislative Session
Arranged by Laws of Florida Chapter Number**

| <u>Chapter Number</u> | <u>Bill Number</u> | <u>Effective Date</u> | <u>Subject</u> |
|------------------------------|---------------------------|------------------------------|---|
| 2015-11 | SB 132 | July 1, 2015 | Disabled Parking Permits |
| 2015-15 | SB 264 | July 1, 2015 | Traffic Enforcement Agencies and Traffic Citations |
| 2015-17 | SB 342 | October 1, 2015 | No Contact Orders |
| 2015-23 | SB 526 | July 1, 2015 | Notaries Public |
| 2015-24 | SB 538 | October 1, 2015 | Sexual Cyberharassment |
| 2015-26 | SB 766 | July 1, 2015 | Surveillance by Drone |
| 2015-29 | SB 1010 | October 1, 2015 | False Personation |
| 2015-32 | SB 7040 | July 1, 2015 | Public Records/E-mail Addresses/Department of Highway Safety and Motor Vehicles |
| 2015-34 | HB 897 | May 14, 2015 | Controlled Substances |
| 2015-39 | SB 172 | July 1, 2015 | Local Government Pension Reform |
| 2015-41 | SB 248 | July 1, 2015 | Public Records/Body Camera Recording Made by a Law Enforcement Officer |
| 2015-44 | SB 290 | May 21, 2015 | Carrying a Concealed Weapon or a Concealed Firearm |
| 2015-46 | SB 378 | October 1, 2015 | Juvenile Justice |
| 2015-51 | SB 570 | July 1, 2015 | Service of Process of Witness Subpoenas |
| 2015-59 | SB 672 | July 1, 2015 | Service of Process |
| 2015-67 | SB 954 | July 1, 2015 | Involuntary Examination of Minors |
| 2015-77 | SB 7032 | May 21, 2015 | Public Records/Reports of a Deceased Child |
| 2015-78 | SB 7034 | October 1, 2015 | OGSR/Stalking Victims Identifying Information |
| 2015-79 | SB 7078 | July 1, 2015 | Child Welfare |
| 2015-81 | SB 160 | May 22, 2015 | Rural Letter Carriers |
| 2015-82 | HB 7001 | July 1, 2015 | Interception of Wire, Oral, or Electronic Communication |
| 2015-85 | HB 27 | July 1, 2015 | Driver Licenses and Identification Cards |
| 2015-86 | HB 185 | June 2, 2015 | Public Records/ Servicemembers and Families |
| 2015-89 | HB 305 | July 1, 2015 | Unlawful Detention by a Transient Occupant |
| 2015-91 | HB 329 | July 1, 2015 | Special License Plates |
| 2015-92 | HB 439 | July 1, 2015 | Department of Legal Affairs |
| 2015-93 | HB 641 | July 1, 2015 | Amusement Games or Machines |
| 2015-99 | HB 7061 | July 1, 2015 | Public Records/Florida RICO Act Investigations |
| 2015-101 | HB 41 | July 1, 2015 | Hazardous Walking Conditions |
| 2015-103 | HB 145 | July 1, 2015 | Commercial Motor Vehicle Review Board |
| 2015-120 | HB 697 | July 1, 2015 | Public Health Emergencies |
| 2015-123 | HB 751 | June 10, 2015 | Emergency Treatment for Opioid Overdose |
| 2015-131 | HB 71 | July 1, 2015 | Service Animals |
| 2015-132 | HB 115 | October 1, 2015 | Sentencing |

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|----------|---------|-----------------|--|
| 2015-133 | HB 133 | July 1, 2015 | Sexual Offenses |
| 2015-136 | HB 193 | July 1, 2015 | Crime Stoppers Trust Fund |
| 2015-137 | HB 197 | October 1, 2015 | Tracking Devices or Tracking Applications |
| 2015-145 | HB 465 | October 1, 2015 | Human Trafficking |
| 2015-146 | HB 467 | October 1, 2015 | Public Records/Human Trafficking Victims |
| 2015-147 | HB 469 | October 1, 2015 | Public Records/Residential Facilities Serving Victims of Sexual Exploitation |
| 2015-161 | HB 7021 | June 11, 2015 | Fish and Wildlife Conservation Commission |
| 2015-163 | HB 7055 | October 1, 2015 | Highway Safety and Motor Vehicles |
| 2015-166 | HB 157 | October 1, 2015 | Fraud |
| 2015-168 | HB 201 | October 1, 2015 | Diabetes Awareness Training for Law Enforcement Officers |
| 2015-172 | HB 369 | January 1, 2016 | Human Trafficking |
| 2015-177 | HB 1055 | July 1, 2015 | Child Protection |
| 2015-178 | HB 1069 | July 1, 2015 | Defendants in Specialized Courts |
| 2015-179 | HB 1127 | October 1, 2015 | Insurance Fraud |

**Bills of Interest to Florida Law Enforcement Passed in the 2015 Legislative Session
Arranged by Effective Date**

| <u>Effective Date</u> | <u>Chapter Number</u> | <u>Bill Number</u> | <u>Subject</u> |
|-----------------------|-----------------------|--------------------|--|
| May 14, 2015 | 2015-34 | HB 897 | Controlled Substances |
| May 21, 2015 | 2015-44 | SB 290 | Carrying a Concealed Weapon or a Concealed Firearm |
| May 21, 2015 | 2015-77 | SB 7032 | Public Records/Reports of a Deceased Child |
| May 22, 2015 | 2015-81 | SB 160 | Rural Letter Carriers |
| June 2, 2015 | 2015-86 | HB 185 | Public Records/ Servicemembers and Families |
| June 10, 2015 | 2015-123 | HB 751 | Emergency Treatment for Opioid Overdose |
| June 11, 2015 | 2015-161 | HB 7021 | Fish and Wildlife Conservation Commission |
| July 1, 2015 | 2015-11 | SB 132 | Disabled Parking Permits |
| July 1, 2015 | 2015-15 | SB 264 | Traffic Enforcement Agencies and Traffic Citations |
| July 1, 2015 | 2015-23 | SB 526 | Notaries Public |
| July 1, 2015 | 2015-26 | SB 766 | Surveillance by Drone |
| July 1, 2015 | 2015-32 | SB 7040 | Public Records/E-mail Addresses/ Department of Highway Safety and Motor Vehicles |
| July 1, 2015 | 2015-39 | SB 172 | Local Government Pension Reform |
| July 1, 2015 | 2015-41 | SB 248 | Public Records/Body Camera Recording Made by a Law Enforcement Officer |
| July 1, 2015 | 2015-51 | SB 570 | Service of Process of Witness Subpoenas |
| July 1, 2015 | 2015-59 | SB 672 | Service of Process |
| July 1, 2015 | 2015-67 | SB 954 | Involuntary Examination of Minors |
| July 1, 2015 | 2015-79 | SB 7078 | Child Welfare |
| July 1, 2015 | 2015-82 | HB 7001 | Interception of Wire, Oral, or Electronic Communication |
| July 1, 2015 | 2015-85 | HB 27 | Driver Licenses and Identification Cards |
| July 1, 2015 | 2015-89 | HB 305 | Unlawful Detention by a Transient Occupant |
| July 1, 2015 | 2015-91 | HB 329 | Special License Plates |
| July 1, 2015 | 2015-92 | HB 439 | Department of Legal Affairs |
| July 1, 2015 | 2015-93 | HB 641 | Amusement Games or Machines |
| July 1, 2015 | 2015-99 | HB 7061 | Public Records/Florida RICO Act Investigations |
| July 1, 2015 | 2015-101 | HB 41 | Hazardous Walking Conditions |
| July 1, 2015 | 2015-103 | HB 145 | Commercial Motor Vehicle Review Board |
| July 1, 2015 | 2015-120 | HB 697 | Public Health Emergencies |
| July 1, 2015 | 2015-131 | HB 71 | Service Animals |
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