

**2000 LEGISLATIVE SUMMARY
AWS OF INTEREST TO FLORIDA LAW ENFORCEMENT**

This Legal Bulletin contains summaries of most laws passed by the 2000 Florida Legislature that are of interest to the Florida law enforcement community. In addition to the summaries of the laws, you will find an index at the end of this document 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.

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 Craig Rockenstein, Fern Rosenwasser, Steve Brady, John Kemner, Greg Cowsert, and Jilliane Hoffman for the many hours 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>.

This year's Summary includes "hot links" to the actual text of the bills. If you access our Summary via the Internet, you can link directly. If you have a printed copy of the Summary, you can use the web address for each link to independently access bills of interest. You will need the Adobe Acrobat reader to read the bills. Since we are providing links to the text of the bills, our summaries are less detailed than in the past. Please note that we have not discussed every element of every law, so any law of interest should be reviewed in its complete form to determine its impact. *Do not rely solely on our summary for a complete understanding of a bill of interest!* Law enforcement officers should check with their chain of command and agency legal advisors to determine the effect specific legislation will have upon agency operations and policies. If you have any suggestions or comments, please feel free to contact me.

Michael Ramage

FDLE General Counsel
michaelramage@fdle.state.fl.us
P.O. Box 1489
Tallahassee, FL 32302
(850) 410-7676

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:

Department of State

Bureau of Administrative Code
401 South Monroe Street, Elliott Building
Tallahassee, FL 32399-0250
(850) 488-8427 {SunCom 278-8427}

House Documents Office

Room 325, The Capitol
Tallahassee, FL 32399-1300
(850) 488-7475 {SunCom 278-7475}

Senate Documents Office

Room 303, The Capitol
Tallahassee, FL 32399-1100
(850) 487-5285 {SunCom 277-5285}

A SPECIAL NOTE TO OUR
"LEGISLATIVE SUMMARY" READERS

The FDLE LEGISLATIVE SUMMARY © is now posted on FDLE's Internet Site.
A printed copy of the Summary will no longer be mailed to you unless you specifically request each year to be retained on our printed copy mailing list.
If you have Internet access, help us reduce our expenses in producing this Summary by accessing it at our FDLE website: www.fdle.state.fl.us
Instructions on how to receive a printed copy next year appear below.

COPYRIGHT © 2000

By The Florida Department of Law Enforcement

The FDLE LEGISLATIVE SUMMARY is copyrighted by FDLE. FDLE grants permission for the SUMMARY to be copied or reproduced for purposes of distribution to members of the Florida law enforcement community or for use in training members of the criminal justice community of Florida, provided that acknowledgment of FDLE as the developer of the Summary is made and retained in any copy so distributed. Other use or secondary distribution is prohibited absent express permission of FDLE.

Those seeking additional authorization for distribution of this Summary should make a request in writing to:

FDLE Office of General Counsel, Attention Fern Rosenwasser, P.O. Box
1489, Tallahassee, Florida 32302

**IF YOU WISH TO CONTINUE TO RECEIVE A HARD COPY OF THE SUMMARY IN 2001,
SEND AN EMAIL TO rachelmalone@fdle.state.fl.us, PHOTOCOPY THIS PAGE,
COMPLETE THE COPY AND FAX TO (850) 410-7699 OR MAIL TO:
FDLE OFFICE OF GENERAL COUNSEL, ATTN: RACHEL MALONE,
P.O. BOX 1489,
TALLAHASSEE, FLORIDA 32302:**

**YES! Please continue to include me on the mailing list for a printed copy of
next year's FDLE's Legislative Summary:**

Date:

Print Name:

Title:

Mailing Address:

Signature:

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
OFFICE OF GENERAL COUNSEL



2000 LEGISLATIVE SUMMARY

House Bill 65 (Ch. 2000-111): Nuisance Abatement; Stolen Property; Counties; Municipalities; Crimes and Penalties

Amends F.S. 893.138 by adding dealing in stolen property to the list of offenses which a local government can use to have property declared a public nuisance. Now any place or premises which has been used on more than two occasions within a six-month period for prostitution, certain narcotics offenses, or dealing in stolen property, or used for the purpose of conducting a pattern of criminal street gang activity as defined in F.S. 874.03, may be declared a public nuisance and abated. Provides for abatement procedures and increases the total amount of fines a county or municipality can collect to \$15,000. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0065er.pdf>

House Bill 69 (Ch. 2000-119): Juveniles; “Habitual Juvenile Offender Accountability Act”; State Attorneys; Adult Prosecution; Sentencing; Judges; Crimes and Penalties

Revises F.S. 985.227(2)(b) to now require a state attorney to file an information in adult court against a juvenile who was 16 or 17 years of age at the time of the commission of a forcible felony, as defined in F.S. 776.08, when the juvenile had previously been adjudicated delinquent for or had adjudication withheld for three felony offenses, each of which occurred at least 45 days apart from each other. This eliminates a previous criterion by which the state attorney had been required to file an information against a juvenile of any age when that person had committed a specified felony and had been adjudicated delinquent for committing a felony at three or more separate adjudicatory hearings and three of which had resulted in residential commitments. Also adds language allowing the state attorney to decline to file an information if he or she has good cause to believe that exceptional circumstances exist which preclude the prosecution of the juvenile in adult court. Further amends F.S. 985.233 to require a judge to impose adult sanctions on a convicted juvenile who has been transferred to adult court under the provisions of F.S. 985.226(2)(a) or F.S. 985.227(2)(a) or (b). [See SB 1548, Chapter 2000-136, for other provisions regarding adult prosecution of juveniles.] **Effective Date: April 18, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0069er.pdf>

House Bill 75 (Ch. 2000-116): Nitrous Oxide; Chemical Substances; Crimes and Penalties

Amends F.S. 877.111 by creating the offense of “unlawful distribution of nitrous oxide”, a third-degree felony. Under the new law, any person who knowingly distributes, sells, purchases, transfers, or possesses more than 16 grams of nitrous oxide is guilty of the offense unless the nitrous oxide is possessed: (1) As part of the care or treatment of a disease or injury by a doctor, nurse, dentist, or veterinarian; or (2) As a food processing propellant; or (3) As a semiconductor oxidizer; or (4) As an analytical chemistry oxidizer in atomic absorption spectrometry; or (5) In the production of chemicals used to inflate airbags; or (6) As an oxidizer for chemical production, combustion, or jet propulsion; or (7) When mixed with not less than 100 parts per million of sulfur dioxide. The law also specifies that proof that a person has discharged, or aided another in discharging, nitrous oxide to inflate a balloon or any other object suitable for subsequent inhalation creates an inference that the use of the nitrous oxide was for a purpose other than those contained in the 7 above-listed exemptions. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0075er.pdf>

Senate Bill 86 (Ch. 2000-143): Residential Swimming Pools; “Preston de Ibern/McKenzie Merriam Residential Swimming Pool Safety Act”; Crimes and Penalties

To address the problem of drowning deaths of young children and frail adults, this bill creates new sections in Chapter 515 that establish pool safety feature requirements and options, as well as a drowning prevention education program. The standards apply to new residential swimming pools, hot tubs, and nonportable spas. Failure to equip such pools with at least one safety feature is a second-degree misdemeanor. **Effective Date: October 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0086er.pdf>

Senate Bill 94 (Ch. 2000-167): Disability Retirement Benefits; Special Risk Officers; Employers and Employees

Amends F.S. 121.091 by increasing the minimum in the line of duty disability benefit for Special Risk Class members who retire on or after July 1, 2000, from 42 percent to 65 percent of the average monthly compensation. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0094er.pdf>

Senate Bill 150 (Ch. 2000-194): Dog and Cat Pelts; Crimes and Penalties

Creates F.S. 823.123 that prohibits the killing of dogs and cats for their pelts. Makes it illegal to sell, give away, or possess with the intent to sell or give away, a dog or cat for the purpose of killing it for its pelt. Also creates F.S. 823.1231 that makes it illegal to sell, give away, or possess with the intent to sell or give away cat or dog pelts; prohibits the sale of any clothing containing dog or cat fur; and criminalizes the shipping or transporting of such pelts by a common carrier. Criminal penalties vary from first-degree misdemeanors to third-degree felonies. Also includes civil penalties of up to \$5,000 for each violation. **Effective date: June 5, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0150er.pdf>

Senate Bill 154 (Ch. 2000-314): “Florida Vexatious Litigant Law”; Civil Actions; Clerks of Court; Judges; Courts

Creates a means to deter repeat filings of frivolous civil lawsuits by *pro se* litigants. The act provides that certain *pro se* litigants may not proceed with a civil lawsuit unless they furnish security to cover the defendant’s reasonable expenses of litigation, including attorney’s fees and taxable costs. The act also allows a court to enter a pre-filing order prohibiting vexatious litigants from filing a *pro se* civil action without first obtaining leave from the administrative judge of that circuit. The act indicates that the disobedience of such an order may be punished as contempt of court by the administrative judge. The act gives specific directions to the clerk in relation to actual and proposed filing of such vexatious litigation. The phrase “vexatious litigant” is defined as a person who has filed five or more actions (other than in Small Claims Court) in the prior five years, which actions have been finally and adversely determined against such person. **Effective Date: October 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0154er.pdf>

Senate Bill 160 (Ch. 2000-142): “Partial-Birth Abortion Act”; Pregnancy Termination; Crimes and Penalties

Creates sections in Chapter 782, including F.S. 782.34 that provides that performance of the procedure defined as a "partial-birth abortion" constitutes a felony of the second degree. Provides other definitions and exceptions from prosecution. The patient receiving the procedure may not be prosecuted. **Effective Date: May 25, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0160er.pdf>

House Bill 181 (Ch. 2000-243): Ethics; Commission on Ethics; Department of State; Judges; Financial Disclosure; Employers and Employees; Repeal; Public Officers; Crimes and Penalties

42-page bill revises a number of sections of Chapter 112 and Chapter 440 relating to ethics and the requirement of specified “officers” and judges to annually file financial disclosure reports that concern, among other categories,

liabilities and gift receipts. Amends the definitions various terms in F.S. 112.312, including “gift, consideration, and liability.” The Commission on Ethics, not the Department of State, will be the new recipient of the required reports. Late filing of the reports leads to the imposition of a \$25 per day fine, up to a maximum fine of \$1,500. Expands the categories of “local officers” who are required to file reports. Requires specified persons to file reports within 60 days after leaving a position of employment that requires financial disclosure report filing. Adds new categories of “income” and “liability” that must be disclosed in the report. Creates F.S. 112.3232 concerning compelled testimony before the Commission on Ethics and possible self-incrimination. Repeals F.S.S. 839.08, 839.09, 839.091, and 839.10, misdemeanor offenses concerning public officers or board members purchasing supplies or bidding for public work. **Effective Date: January 1, 2001.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0181er.pdf>

Senate Bill 184 (Ch. 2000-230): Concealed Handcuff Key; Crimes and Penalties

Creates F.S. 843.021 that makes possession of a concealed handcuff key by a person who has been handcuffed by a law enforcement officer a felony of the third degree. Provides that it is a defense if the subject "actually and effectively" discloses to the law enforcement officer that the subject is in possession of said handcuff key immediately upon being placed into custody. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0184er.pdf>

House Bill 205 (Ch. 2000-229): “Trooper Robert Smith Act”; Pretrial Detention; Judges; DUI Manslaughter; Rules of Criminal Procedure; Crimes and Penalties

Creates the “Trooper Robert Smith Act” to authorize a court to order pretrial detention of a person charged with DUI manslaughter under certain conditions. Act amends F.S. 907.041 to allow the pretrial detention of a defendant charged with DUI manslaughter when the court finds that there is a substantial probability that the defendant committed that crime and that he or she poses a threat of harm to the community. The act sets forth conditions that would support the court’s finding that the defendant poses such a threat. The 90-day time limit placed on pretrial detainees who pose a danger to the community is eliminated and an oral motion by the state attorney to prove the need for pretrial detention is allowed any time the defendant is before the court for a bail hearing. The act requires cancellation of bond where no formal charges have been brought against the defendant within 365 days of arrest. Florida Rules of Criminal Procedure 3.131 and 3.132, relating to pretrial release and detention, are repealed to the extent they are inconsistent with the act. (See HB 607, Chapter 2000-178, for other new provisions concerning pretrial detention, etc.) **Effective Date: October 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0205er.pdf>

Senate Bill 220 (Ch. 2000-372): Unlicensed Contractors; Crimes and Penalties

Among numerous changes relating to regulation of various professions, creates new felony and misdemeanor offenses concerning unlicensed contractors in F.S. 489.531(3). **Effective Date: July 1, 2000, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0220er.pdf>

Senate Bill 268 (Ch. 2000-315): Insanity Defense; Trial

Creates F.S. 775.027 that establishes that all persons are presumed to be sane, and provides factors for establishing insanity as a criminal defense. Provides that mental infirmity, disease, or defect does not constitute a criminal defense unless the stated criteria are satisfied. Provides that the defendant has the burden of establishing the defense of insanity by clear and convincing evidence. **Effective Date: June 19, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0268er.pdf>

House Bill 295 (Ch. 2000-274): Public Office; Elections; Law Enforcement Officers

Amends F.S. 99.012(5) by eliminating the requirement that a subordinate officer, deputy sheriff, or police officer who is seeking public office, and who is not required to resign to run for that office, must, upon qualifying, take a leave of absence without pay during the period of his or her candidacy. However, pursuant to the remaining language in F.S. 99.012(5), a subordinate officer, deputy sheriff or police officer must still resign his or her position, effective upon qualifying, if that person is seeking a public office that is currently held by an officer who has the power to appoint, employ, promote, or otherwise supervise the person who has qualified as a candidate. **Effective Date: June 12, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0295er.pdf>

House Bill 301 (Ch. 2000-138): "Florida Title Loan Act"; Department of Banking & Finance; Second Hand Dealers; Motor Vehicles; Crimes and Penalties; Counties; Municipalities

Creates the "Florida Title Loan Act" in a yet undesignated chapter. This 28-page bill encompasses procedures relating to title loan transactions. It requires the Department of Banking & Finance to regulate and license title loan lenders; sets fees and bond requirements; creates felony and misdemeanor offenses for violations of the act; caps title loan interest rates at a maximum 30 percent per annum; requires a title loan agreement; establishes record keeping and inspection requirements; provides for repossessing and reclaiming repossessed

motor vehicles; and provides for lost title loan agreements, etc. The act also removes title loan transaction references from Chapter 538, F.S., which governs secondhand dealers. In addition, the bill permits counties and municipalities to establish ordinances that are more restrictive, in whole or in part, than the provisions of this act. **Effective Date: October 1, 2000, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0301er.pdf>

Senate Bill 318 (Ch. 2000-357): Interference with Custody; Domestic Violence; Public Records; Sheriffs; State Attorneys

Creates language in F.S. 787.03(6), concerning interference with custody laws, which provides public records exemption for information provided to sheriffs and state attorneys by persons who take minor children when fleeing from domestic violence situations. [See also Senate Bill 320, Chapter 2000-231.] **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0318er.pdf>

Senate Bill 320 (Ch. 2000-231): Interference with Custody; Domestic Violence; Crimes and Penalties

Adds a new defense to F.S. 787.03(4) governing interference with custody offenses. A defendant may assert the defense when he or she has been a victim of an act of domestic violence or has reasonable cause to believe that his or her interference with custody was necessary to protect himself or herself from an act of domestic violence. Also amends F.S. 787.03(6), relating to the defense from conviction for the act of taking of a child or incompetent person in order to protect the child/incompetent person from an act of domestic violence. Requirements for the defense include reports to the Sheriff or State Attorney with jurisdiction over the area from where the child/incompetent person was removed; ongoing notification of address and telephone number of the removing and removed parties to the Sheriff/State Attorney; and timely commencement of custody proceedings. Information provided to a Sheriff or State Attorney is exempt from public records release per Senate Bill 318, Chapter 2000-357. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0320er.pdf>

Senate Bill 358 (Ch. 2000-349): Long-Term Health Care; Abuse/Neglect of Vulnerable Adults; Crimes and Penalties

As part of a 238-page bill dealing with long-term health care, creates felony and misdemeanor offenses in F.S. 400.6065 concerning acts relating to background screening, nondisclosure of relevant information, and improper use of material obtained in screening procedures. Also renumbers F.S. 402.48 as F.S. 400.980 and creates felony and misdemeanor offenses similar to those noted for F.S. 400.6065. Amends various sections of Chapters 396 and 415 to reflect changes in terminology by adding references to "vulnerable" adults and

the central abuse “hotline.” **Effective Date: September 1, 2000, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0358er.pdf>

Senate Bill 386 (Ch. 2000-362): Vessels; Divers; Accidents; Fish and Wildlife Conservation Commission; Counties; Municipalities; Ordinances; Fishing; Hunting; Law Enforcement Agencies; Infractions; Personal Watercraft; Liveries; Crimes and Penalties

66-page bill concerns laws affecting vessels, divers, and duties and programs of the Fish and Wildlife Conservation Commission. Revises and creates a number of vessel-related definitions in F.S. 327.02. Amends circumstances in F.S. 327.22 by which a county or municipality may regulate vessels by ordinance. Changes a number of laws in Chapters 328, 370, and 372 concerning vessel registration and licensing of fishing and hunting activities. Also amends F.S. 372.574 to allow any law enforcement agency to conduct investigations necessary to enforce this law concerning subagents selling licenses. Creates new third-degree felony in F.S. 372.83 for making, forging, counterfeiting, or reproducing a freshwater fishing, hunting, or saltwater fishing license. It is also a felony to knowingly have such an illegal license in one’s possession.

Effective October 1, 2000, the following laws are revised or created which affect law enforcement agencies. Included are revisions to the elements of reckless vessel operation in F.S. 327.33 and creation of F.S. 327.302 that requires the Commission to prepare and distribute vessel accident report forms to law enforcement agencies. Changes to F.S. 327.46 amend law concerning vessel operation in restricted areas. There are revisions to the misdemeanor offenses concerning divers in F.S. 861.065, which are also renumbered as F.S. 327.33. Makes former misdemeanor diver-related offenses in F.S. 327.331 infractions. Creates new misdemeanor offenses concerning personal watercraft in F.S. 327.39 and establishes new misdemeanor offenses concerning operation of liveries (vessel rentals) in F.S. 327.54. Amends the noncriminal infraction penalties in F.S. 327.73 by adding community service penalties and additional court costs in some cases. **Effective Date: July 1, 2000, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0386er.pdf>

House Bill 405 (Ch. 2000-114): Public Accountants; Crimes and Penalties

Revises the first-degree misdemeanor provisions of F.S. 473.322 by making it illegal for one to indicate that he or she holds a license to practice public accounting under the laws of Florida or under the laws of any other state, territory, or foreign jurisdiction. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0405er.pdf>

Senate Bill 406 (Ch. 2000-290): Crime Reduction; Community and Faith-based Organizations; Economic Development; Grants; Law Enforcement Agencies

Bill addresses solutions to crime reduction by initiating efforts to promote economic development in lower income areas. Includes participation of community and faith-based organizations in efforts to address problems. Creates an Inner City Redevelopment Assistance Grants Program and the "Toolkit for Economic Development" program. The latter program is to include a "safety" component by which public safety employees and volunteers are to be trained, safer neighborhoods are to be organized, lighting improved, and community policing and safety projects established. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0406er.pdf>

House Bill 407 (Ch. 2000-244): Emergency Vehicles, Toll Facilities, Law Enforcement Officers

Amends F.S. 338.155 to exempt persons operating a fire or rescue vehicle on official business from toll payment. Previously only law enforcement officers operating a marked vehicle on official business were exempt from toll payment. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0407er.pdf>

House Bill 591 (Ch. 2000-318): Health Care; Agency for Health Care Administration; Law Enforcement Agencies; State Attorneys; Unlicensed Living Facilities; Unlicensed Health Care Practice; Physicians/Interns; Teaching Hospitals; HMOs; Crimes and Penalties

In this 245-page bill concerning many aspects of health care, adds language to F.S. 400.408 that will require each field office of the Agency for Health Care Administration (AHCA) to establish a local coordinating workgroup consisting of local law enforcement agencies, state attorneys, and other representatives for the purpose of identifying unlicensed living facilities and ensuring their compliance with state laws. Amends F.S. 455.637, relating to the unlicensed practice of health care professions, by creating new felony and misdemeanor offenses. Changes to F.S. 459.021 extend registration requirements for resident physicians, interns, and fellows and make misdemeanor offenses for failure to comply with the law also apply to teaching hospitals. Creates F.S. 641.39 that makes it a third-degree felony for an insolvent or impaired HMO to solicit or accept new or renewal health maintenance contracts. The penalty section in F.S. 468.827, relating to improper acts by certified nursing assistants, has been designated as F.S. 464.207. **Effective Date: July 1, 2000, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0591er.pdf>

House Bill 607 (Ch. 2000-178): Pretrial Release/Detention; Rules of Criminal Procedure; Crimes and Penalties

Amends F.S. 903.046, providing new conditions for recognizance bonds. Revises F.S. 907.041 relating to release on nonmonetary conditions and pretrial detention. Creates F.S. 903.0471, providing that a court may, on its own motion, revoke pretrial release and order pretrial detention if the court finds probable cause to believe that the defendant committed a new crime while on pretrial release. Amends F.S. 903.26 regarding breach and forfeiture of bond. Repeals Florida Rules of Criminal Procedure 3.131 and 3.132 to the extent that they are inconsistent with the act. (See HB 205, Chapter 2000-229, for other new provisions concerning pretrial detention, etc.) **Effective Date: June 2, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0607er.pdf>

House Bill 677 (Ch. 2000-179): “Sexual Predator Prosecution Act of 2000”; Sentencing; Crimes and Penalties

Amends F.S. 921.16 to require any sentence for sexual battery or murder be imposed consecutively to any other sentence for sexual battery or murder which arose out of a separate criminal episode or transaction. (See SB 840, Chapter 2000-204, for information on admission of defendant’s statements in sexual abuse cases.) **Effective Date: October 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0677er.pdf>

House Bill 683 (Ch. 2000-246): Lewd and Lascivious Exhibition; Computers; Internet; Bulletin Boards; Crimes and Penalties

Creates a new subsection of F.S. 800.04 relating to lewd or lascivious exhibition. If a person intentionally masturbates, exposes his or her genitals in a lewd or lascivious manner, or commits any other sexual act live over a computer on-line service, Internet service, or local bulletin board service when the person knows, should have known, or has reason to believe that the transmission is being viewed in Florida by a person less than 16 years old, the person commits lewd or lascivious exhibition. If the offender is 18 years or older the offense is a second-degree felony. If the offender is less than 18 years old it is a third-degree felony. **Effective Date: October 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0683er.pdf>

House Bill 743 (Ch. 2000-182): Entertainment Industry; Department of Revenue; Crimes and Penalties

This bill creates programs to offer incentives for the entertainment industry by establishing a category of “qualified production companies.” Also creates third-degree felony in F.S. 288.1258 regarding the illegal obtaining or use of certificates of exemption issued by the Department of Revenue. **Effective Date: January 1, 2001, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0743er.pdf>

Senate Bill 772 (Ch. 2000-266): Motor Vehicles; Emissions; Repeal

Amid extensive revisions to law concerning the Department of Transportation, provisions of Chapter 325, relating to the vehicle emissions program, are repealed as of July 1, 2000. (This does not affect areas of the state where there are local or federal emissions testing programs.) **Effective Date: June 15, 2000, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0772er.pdf>

Senate Bill 794 (Ch. 2000-316): Evidence; Witnesses; Juveniles; Attorney-Client Privilege; Judges

Amends F.S. 90.502 to clarify that attorney-client privilege is not waived by participation in a discussion or activity that does not constitute a public meeting pursuant to F.S. 286.011. Amends F.S. 90.612 to require judges to take special care to protect witnesses under the age of 14 from confusing or unnecessarily repetitive questions. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0794er.pdf>

Senate Bill 806 (Ch. 2000-364): Aquaculture; Shellfish; Stone Crabs; Crawfish; Artificial Reefs; Vessels; Law Enforcement Officers; Crimes and Penalties

87-page bill concerns many laws related to aquaculture. Creates F.S. 597.010 relating to regulation of shellfish and amends and renumbers shellfish processing regulation in F.S. 370.071 as F.S. 597.020. Per changes to F.S. 597.0041, creates misdemeanor penalties for violating either of the two aforementioned statutes. Creates new language in F.S. 370.13, concerning regulation of stone crabs, and establishes third-degree felony for violating stone crab harvesting rules. Amends F.S. 370.135, regarding blue crabs, and F.S. 370.14, regarding crawfish, by specifying that theft of such crabs or crawfish from another person's trap is a theft offense. Substantially rewords the provisions of F.S. 370.25 concerning artificial reefs and creates felony and misdemeanor offenses concerning violations of this section. Also gives law enforcement officers the right to order vessels violating laws relating to artificial reef programs to return to port. It is a third-degree felony to refuse to comply with such an order. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0806er.pdf>

Senate Bill 838 (Ch. 2000-233): DNA Testing; Burglary; State Attorneys; Department of Corrections; FDLE; Law Enforcement Agencies

Amends F.S. 943.325 by expanding the requirement to provide blood samples for DNA testing to include any person who is convicted of burglary. Blood

samples may be ordered to be taken from persons who are still incarcerated or are under court-ordered supervision. If a judge does not order the withdrawal of blood from persons who are required to provide samples, the state attorney, or a representative of the Department of Corrections, FDLE, or any law enforcement agency may seek a court order for withdrawal of samples. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0838er.pdf>

Senate Bill 840 (Ch. 2000-204): Sexual Abuse; Courts; Confessions; Evidence

Creates a yet to be numbered provision which provides that a defendant's memorialized confession or admission to crimes involving "sexual abuse", as that phrase is defined in the act, is admissible without having to establish the "corpus delicti" in certain circumstances. The court must conduct a hearing outside the presence of the jury and find that the particular confession or admission is trustworthy. The prosecution must prove by a preponderance of evidence that there is sufficient corroborating evidence that shows trustworthiness of the confession or admission in order for it to be admissible. Hearsay evidence is admissible during the presentation of evidence at the hearing and the court may consider all relevant corroborating evidence, including the defendant's statements. The court must make specific findings of fact, on the record, for the basis of its ruling. (See HB 677, Chapter 2000-179, for information on enhanced sentencing of Sexual Predators.] **Effective Date: June 5, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0840er.pdf>

Senate Bill 852 (Ch. 2000-235): School Safety; Juveniles; Community Colleges; Law Enforcement Agencies; Emergency Preparedness; Hazardous Walking Conditions; Sheriffs; Floorplans; Crimes and Penalties

This 39-page bill relates to a number of issues concerning juveniles and school safety. Creates a Partnership for School Safety and Security that is to, among other duties, foster coordination among schools, law enforcement personnel, and crisis-management teams. Changes to F.S. 230.23 modify school system requirements for student handbook notices concerning illegal activities relating to weapons and false reports of bombings, etc., and require school boards to establish model emergency management and emergency preparedness procedures for a variety of situations. Revises F.S. 230.235 to require expulsion from school and referral for criminal prosecution for weapons or false report violations. Amends 984.13 to permit a law enforcement officer to take into custody a child when there are reasonable grounds to believe the child is suspended or expelled from school and is not in the presence of a parent or legal guardian. Revises F.S. 234.021 by adding a representative of the Sheriff to list of persons that must review locations to determine if they constitute hazardous walking conditions. Beginning October 1, 2000, each district superintendent of schools and each community college president must provide

to the local law enforcement agency and fire department having jurisdiction over each school a copy of the floorplans and other relevant documents for each educational facility of the district or college. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S0852er.pdf>

House Bill 855 (Ch. 2000-217): Child Abuse; Department of Children and Family Services; Sheriffs; Law Enforcement Agencies; State Attorneys; Photographs; Child Protection Teams

Amends a number of sections in Chapters 39, 383, and 409 that relate to investigation of and response to allegations of child abuse. Revises F.S. 39.201(2)(g) to require the Department of Children and Family Services (DCFS) to only release central abuse hotline recordings concerning actual or suspected child abuse, etc., to law enforcement agencies or state attorneys for the purpose of investigating and prosecuting criminal charges, or to its own employees for use in seeking administrative penalties. Creates a definition of “criminal conduct” in F.S. 39.301 as such relates to child victims and establishes duties for local law enforcement agencies when DCFS refers cases to them for investigation. Requires establishment of specific local protocols for implementing investigation strategies and if a law enforcement agency does not accept a case for criminal investigation, it must notify DCFS in writing of that fact. Amends the photograph-taking requirement in F.S. 39.301(17) that was established by the 1999 Legislature. Law enforcement agencies participating in a child abuse investigation were previously required to take photographs of the child’s living environment. That particular requirement has been revoked and officers conducting a criminal investigation are only required to take “photographs documenting the abuse or neglect when appropriate.” Revises duties and assessments required of child protection teams in F.S. 39.305. **Effective Date: June 5, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0855er.pdf>

House Bill 917 (Ch. 2000-249): Elections; Absentee Voters; Polling Inspectors; Sheriffs

Revises provisions of F.S. 100.361 regarding municipal recall elections. Establishes new procedures in F.S. 101.657 for voting an absentee ballot in person. Amends parts of Chapter 102 relating to election boards and training of polling inspectors. Also revises F.S. 102.031 to require the sheriff to have a deputy sheriff present at each polling place, instead of at each precinct. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0917er.pdf>

House Bill 937 (Ch. 2000-184): “Law Enforcement/Correctional Officer Bill of Rights”; Employers and Employees; Law Enforcement Agencies; Sheriffs

Addition to F.S. 112.532(1) states that the rights and privileges afforded by this section will not limit the rights of an agency from disciplining or instituting criminal charges against an officer. Expands F.S. 112.533 to allow an officer who is the subject of a complaint to review the complaint and all statements made by the complainant(s) and witness(es), regardless of form, immediately prior to the investigative interview. In F.S. 112.534, relating to "Failure to Comply" with the provisions of the "Bill of Rights", creates new section (2) that makes the provisions of F.S. 839.25 (Official Misconduct) apply to this part. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0937er.pdf>

House Bill 955 (Ch. 2000-218): Weapons of Mass Destruction; Hoax Weapons; Firearms Purchase Program; FDLE; Crimes and Penalties

Extends the Florida Firearms Purchase Program background check system under F.S. 790.065, relating to sale and delivery of firearms, until June 1, 2002. Creates new F.S. 790.166 pertaining to the manufacture, possession, sale, delivery, display, use, attempted use, or the threatened use of a "weapon of mass destruction" or a "hoax weapon of mass destruction," as those phrases are defined in the act. Violation of the "hoax weapon of mass destruction" provisions is a second-degree felony. Violation of the "weapon of mass destruction provisions" is a first-degree felony and if death results therefrom, a capitol felony. *[Note: Florida law already prohibits unlawful use of explosive devices which cause mass destruction under F.S. 790.161 and hoax bombs under 790.165. This new law addresses nuclear, biological, chemical, disease and toxin-related weapons and hoax weapons purported to be related to such materials].* **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H0955er.pdf>

House Bill 1013 (Ch. 2000-250): Elections; Voter Registration; Mail

Repeals F.S. 97.056, relating to use of the mail to register to vote, and amends the section of F.S. 97.071 that had listed procedures for registering by mail. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H1013er.pdf>

Senate Bill 1016 (Ch. 2000-356): Department of Business and Professional Regulation; Professions; Athlete Agents; Crimes and Penalties

As part of a large bill relating to the regulation of professions by the Department of Business and Professional Regulation, establishes acts under which a registered athlete agent may be disciplined per F.S. 468.456. Also creates new second-degree felonies, relating to acts by athlete agents, in F.S. 468.45615. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1016er.pdf>

House Bill 1037 (Ch. 2000-219): Domestic Violence Fatality/Injury Review Teams; Public Records

Creates F.S. 741.3165 that provides exemption from public records release of certain records held by a domestic violence fatality/injury review team created by House Bill 1039, Chapter 2000-220. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H1037er.pdf>

House Bill 1039 (Ch. 2000-220): Domestic Violence Fatality/Injury Review Teams; Law Enforcement Agencies; Suicide; FDLE

Among other provisions, creates F.S. 741.316, establishing an optional system by which fatal or near-fatal incidents of domestic violence may be reviewed on a local, regional, or state level. The review teams may also look into related domestic violence matters and suicides. Local teams are to collect data and forward such to FDLE for compilation of an annual report concerning domestic violence fatalities. FDLE will work with the existing local fatality review teams and the Governor's Task Force on Domestic Violence to establish standards for data to be submitted for the statewide report. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H1039er.pdf>

House Bill 1067 (Ch. 2000-160): Health Professions; Crimes and Penalties

This 118-page bill amends many provisions of the law concerning the health professions. The felony offense of giving false information in F.S. 455.631 has been transferred to and renumbered as F.S. 456.067. **Effective Date: July 4, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H1067er.pdf>

House Bill 1069 (Ch. 2000-161): Department of Corrections; Wardens

Amends numerous provisions of law relating to the correctional system and the Department of Corrections by replacing the title "Superintendent" with the title of "Warden." **Effective Date: July 4, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H1069er.pdf>

Senate Bill 1114 (Ch. 2000-308): Agriculture; Noxious Weeds; Citrus Canker; Sheriffs; Department of Agriculture and Consumer Services; Burning of Land; Crimes and Penalties

Revises the elements of misdemeanor violations concerning noxious weeds in F.S. 581.091. Amends provisions of law concerning eradication of citrus canker in F.S. 581.184, including the duties of the Sheriff upon the request of the Department of Agriculture and Consumer Services during the process of citrus canker eradication. Changes the misdemeanor provisions of F.S. 590.28(2) to prohibit the reckless, rather than the careless, burning of land. **Effective Date: June 16, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1114er.pdf>

Senate Bill 1192 (Ch. 2000-134): Juveniles; Probation Officers; Department of Juvenile Justice; Children in Need of Services; Detention; Law Enforcement Officers; Crimes and Penalties

23-page bill amends some specific sections of juvenile justice law. Some of the highlights are noted as follows. F.S. 784.075 is revised to provide that battery on a juvenile probation officer is a third-degree felony. Amended F.S. 984.225 expands the potential group of adjudicated children in need of services who are eligible for placement in a staff-secure shelter for up to 90 days. Changes to F.S. 984.226 provide for a statewide program to allow certain children in need of services (CINS) to be placed in a physically secure program. F.S. 985.201 is revised to allow a court to retain jurisdiction over a youth committed to the Department of Juvenile Justice for placement in a juvenile prison or high-risk or maximum-risk residential program until the youth reaches age 22 to allow for the youth's participation in a juvenile conditional release program. Amended F.S. 985.207 authorizes law enforcement officers to take a child into custody for failure to appear at a court hearing after being properly noticed. This section also adds violation of post-commitment community control to the list of violations for which an officer may take a child into custody with probable cause. Changes F.S. 985.211 to provide that when a youth is taken into custody and released, the person taking the youth into custody must make the release report to the appropriate juvenile probation officer within 24 hours after the youth's release. A copy of the probable cause affidavit or report made by the person taking the child into custody must be filed with the clerk within 24 hours. F.S. 985.213 is amended with regard to the risk assessment work group and the risk assessment instrument for purposes of detention. F.S. 985.215 will now provide that a child who is detained on a judicial order for failure to appear may be held in secure detention for up to 72 hours in advance of his next court hearing, regardless of his risk score, if he has willfully failed to appear for one adjudicatory hearing or two or more hearings of any nature. The law enforcement agency that takes a child into custody must complete and present its investigation to the state attorney within 8 days of the youth being placed in secure detention. The current 21-day detention time limit may be extended by 9 days if the offense is a second-degree or higher felony involving violence against a person. F.S. 985.216 now allows the court to place a delinquent or CINS youth in secure detention for up to 5 days for a first contempt and up to 15 days for a second or subsequent contempt. Other provisions of the act require law enforcement to serve process in juvenile proceedings within 7 days of arraignment, or as soon as is possible; set forth circumstances in which a juvenile would be suitable for adult sanctions; and create a pilot juvenile arrest and monitor program in Orange County. **Effective Date: May 17, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1192er.pdf>

Senate Bill 1194 (Ch. 2000-258): Sheriffs; Writs of Execution; Property Seizure; Department of State

In addition to numerous revisions dealing with the reassignment of duties of the Department of State, amends F.S. 30.17 relating to the Execution Docket maintained by the Sheriffs. As of October 1, 2001, the Sheriff will cease docketing newly delivered writs of execution, although the docket existing on that date must be maintained until October 1, 2003. As of the latter date, the Sheriff's duties under this section will cease. Also revises F.S. 30.231, relating to execution of levies, by clarifying circumstances under which property is considered to have been seized. **Effective Date: July 1, 2000, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1194er.pdf>

Senate Bill 1196 (Ch. 2000-135): Juveniles; Department of Juvenile Justice; Family in Need of Services; Probation; Detention; Sentencing; Prevention Service Program; Sheriffs; Law Enforcement Agencies; Juvenile Justice Standards and Training Commission; Youth Custody Officer; Juvenile Justice Circuit Boards/County Councils; State Attorneys

128-page bill contains provisions relating to the reorganization of the Department of Juvenile Justice (DJJ), including providing services by judicial circuits rather than the prior geographical divisions. Changes definitions in F.S. 984.03, including "family in need of services." Also revises references concerning treatment from "community control" to "probation", while redefining a number of treatment reference definitions in F.S. 984.03. Amends standards from intake and case management assessment in F.S. 985.21 while revising detention standards and procedures. Provides changes in predisposition reports and evaluations in F.S. 985.229. Creates F.S. 985.3045, which establishes a Prevention Service Program within DJJ. The Program is to monitor all state-funded programs and grants, etc., which are designed to prevent juvenile crime. Entities receiving funds for this purpose are to provide specified information to DJJ and a statewide multi-agency plan is to be developed to coordinate the efforts of the state-funded programs. Furthermore, each state agency or entity that receives or uses state appropriations to fund programs to prevent juvenile crime must collect data relative to each program's performance and must provide such data to the Governor and to each legislative house by a specified date. Terminates the Juvenile Justice Standards and Training Commission on June 30, 2001, subject to legislative review prior to that date. Creates yet to be numbered section that establishes the position of "youth custody officer" within DJJ. This officer may take a juvenile into custody when the officer has probable cause to believe the youth has violated conditions of probation or other court-ordered treatment alternative. The officer must be certified under Chapter 943 and must inform the appropriate local law enforcement agency of his or her activities under this section. **Effective October 1, 2000**, creates F.S. 985.4135 that establishes a system of juvenile justice circuit boards and juvenile justice county councils that are to work with DJJ in an effort to

develop strategy and programs to address the juvenile crime problem in the respective judicial circuit or county. The councils are to include state attorney, sheriff, and other law enforcement agency representatives. **Effective Date: July 1, 2000, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1196er.pdf>

Senate Bills 1256, 1258, 1260 and 1262 that follow are the result of recommendations of the 1999 Legislative Task Force on Illicit Money Laundering which met during the Summer and Fall of 1999. The recommendations are contained in the Task Force's final report issued in November, 1999, entitled "Money Laundering In Florida: Report of the Legislative Task Force." The enactment of these four bills will substantially improve Florida's anti-money laundering posture.

****FOLLOWING THE SUMMARY OF HB 4049 THERE IS A SPECIAL APPENDIX THAT CONTAINS A DETAILED SUMMARY OF SB 1258****

Senate Bill 1256 (Ch. 2000-292): Seaports; Public Records

This bill creates in F.S. 311.13 a public records exemption for seaport security plans of a seaport authority created by an act of the Legislature or of a seaport department or county or municipality that operates an international seaport. **Effective Date: June 15, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1256er.pdf>

Senate Bill 1258 (Ch. 2000-360): Money Laundering; "Smurfing"; Money Transmitters/Vendors; Department of Banking and Finance; Seaports; Drug Paraphernalia; Injunction; Rules of Civil Procedure; Law Enforcement Agencies; Attorney General; State Attorneys; Statewide Prosecutor; Fugitive Disentitlement; Forfeiture; Evidence; Informants; Financial Crimes Database/Analysis Center; FDLE; CJNet; Department of Revenue; Department of Transportation; Crimes and Penalties

This 71-page bill makes major changes to Florida's money laundering laws. Due to its extensive impact, a special discussion of this law is included at the end of this Legislative Summary the Special Appendix. Among the major changes:

- Money laundering offenses are keyed to the amount of currency or financial instruments utilized within a twelve month period, with offenses ranging from third to first degree felonies, and the felonies being classified as Level 7, 8, or 9 offenses under the Punishment Code, thereby assuring prison time upon conviction.
- New language makes it more likely that one who admits to carrying funds on behalf of another and who has not registered as a money transmitter will be guilty of a felony violation.
- New language in F.S. 896.104 makes it a felony to "structure" transactions to avoid federal or state reporting requirements ("smurfing") or to file or

cause to be filed any required report that contains a material omission or misstatement of fact.

- Investigators and prosecutors will have the option to secure an ex parte court order "freezing" accounts and funds suspected of being involved in money laundering for ten days, subject to a second ten-day renewal. This will allow time to maintain the status quo while probable cause is developed to support seizure of the funds by warrant. Certain rights to "unfreeze" all or part of the accounts or funds are also provided by the new law.
- The Department of Banking and Finance's powers under Chapter 560 to audit and regulate money transmitters and authorized vendors is greatly enhanced. Changes in Chapter 560 make it more difficult for a suspected unregistered transmitter or vendor to "claim ignorance" as a defense to a criminal prosecution. Violations are first, second, or third-degree felonies, depending on the amount of funds involved.
- The law amends F.S. 893.145, "Drug Paraphernalia", to include all equipment..."transporting"...a controlled substance. It also revises F.S. 893.145(10), part of the list of contraband subject to forfeiture, to include "Containers and other objects used, intended for use, or designed for use in storing, concealing, or transporting controlled substances." The changes are intended to address the adaptation of vehicles, vessels, containers used in seaport and rail shipment, and other similar equipment, containers, or objects with secret compartments, false floors, etc., to facilitate transportation of controlled substances. It is expected that there will be an increase in the number of vehicles, vessels, or conveyances seized for forfeiture when they are found to have been outfitted for use to "transport" controlled substances.
- Statewide seaport security plans will be developed that will address seaport efforts to minimize criminal activity, including money laundering, flowing through the ports. FDLE will be conducting unannounced inspections of seaports to assure compliance with approved security plans.
- Amends F.S. 896.101 in several areas. It adds to the prohibited acts for a person to knowingly participate in a transaction in whole or in part designed to "avoid a transaction reporting requirement or money transmitters' registration requirement under state law." This means that if someone acknowledges during an investigative encounter that (s)he is transporting money on behalf of another and the person is not registered as a money transmitter, there is a good chance the person is in violation of the law.
- Creates F.S. 896.106 to implement a "fugitive disentitlement doctrine." This means that a fugitive from Florida or Federal justice cannot defend against a forfeiture "from a distance" during any time the subject is refusing to submit to Florida court jurisdiction or is a fugitive to avoid arrest or prosecution.
- The "corpus delicti" rule is abolished for prosecutions under Chapters 560 and money laundering offenses in Chapter 896. This will make it easier to admit a defendant's admission or confession into evidence.

- A financial crimes database and analysis center is being developed within FDLE. The center will be staffed with analysts who will assist financial crime and money laundering investigators and provide, for the first time ever, a statewide capability for post-seizure analysis of information. The data center will collect information from the various reports required by law to be filed and will make the information available to authorized state and local investigators via the CJNet. Information will be forwarded to FDLE by the Department of Banking and Finance, the Department of Revenue, and FinCEN. "Data mining" capabilities will be developed that will allow the information from the filed reports to be reviewed and analyzed in order to identify entities that might be engaged in money laundering even though no current investigation of the entity is underway. Once information is developed, it will be forwarded to the appropriate law enforcement agencies for follow-up.
- The Florida Department of Transportation, Office of Motor Vehicle Compliance, will be establishing a special squad to interdict tractor trailers on Florida's highways that have been outfitted to carry, or are actually carrying, contraband into or out of the state.
- Numerous other changes are made and readers are urged to read the detailed summary in the appendix. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1258er.pdf>

Senate Bill 1260 (Ch. 2000-147): Law Enforcement Trust Fund; Forfeiture; Department of Transportation

Creates F.S. 339.082 and amends F.S. 932.7055 to establish a Federal Law Enforcement Trust Fund (FLETf) within the Department of Transportation. It authorizes deposits into the FLETf or the existing State Transportation Trust Fund of receipts and revenues received as a result of forfeiture proceedings or revenues received from federal asset-sharing programs. **Effective Date: May 25, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1260er.pdf>

Senate Bill 1262 (Ch. 2000-293): Money Transmitters; Public Records; Division of Banking and Finance

Substantially amends F.S. 560.129 in the "Money Transmitters' Code" to make confidential and exempt all information (with certain exceptions) concerning investigations or examinations conducted by the Department of Banking and Finance, information concerning trade secrets, personal financial information, and consumer complaints. **Effective Date: June 15, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1262er.pdf>

Senate Bill 1266 (Ch. 2000-366): Task Force on Victims of Self-inflicted Crimes

In a yet to be assigned chapter, this bill creates the Task Force on Victims of Self-inflicted Crimes. The Task Force is to be comprised of members from various government and civilian sectors appointed by the Governor. Its goal is to review the problems associated with victims of self-inflicted crimes, such as prostitution and drug use, and to propose solutions for the remediation of this type of behavior. **Effective Date: June 26, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1266er.pdf>

Senate Bill 1334 (Ch. 2000-164): “Uniform Electronic Transaction Act;” Electronic Commerce; Records Retention; Department of Management Services; State Technology Office; Law Enforcement Radio System; Privacy; Law Enforcement Agencies; Statewide Prosecutor; Credit Cards

72-page bill relates to electronic commerce within Florida. The “Uniform Electronic Transaction Act” is to apply to electronic records and electronic signatures relating to transactions other than those relating to wills, testamentary trusts, selected Uniform Commercial Code provisions, the Uniform Computer Information Act, or judicial procedure rules. The act provides for legal recognition of records or signatures that are in electronic form and have been promulgated in a manner required by this law and also provides for electronic notarization. Procedures are created concerning records retention and a state governmental entity may specify additional requirements necessary for retaining its own records and is given the right to determine the extent it will convert written records to electronic records. Changes to Chapter 282 provide for creation and duties of the State Technology Office within the Department of Management Services and the responsibility of state agencies to coordinate their information technology resources with that Office. The State Technology Office will take over duties concerning the state agency and regional law enforcement communications per changes to F.S. 282.1095 and F.S. 282.111. Creates F.S. 282.3095 that establishes a Task Force on Privacy and Technology. This Task Force is to include professionals in the fields of government, communications, and law enforcement, including the Statewide Prosecutor. It is to study and make policy recommendations concerning privacy issues, technology fraud, the need to balance open public records with the need to protect the privacy and identity of individuals, and sale of public records to private individuals or companies. Revises F.S. 215.322 governing state and local government agency acceptance of credit or debit cards to include payment for goods or information by such means of payment. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1334er.pdf>

Senate Bill 1338 (Ch. 2000-260): Electronic Commerce; Taxation; Crimes and Penalties

This 134-page bill creates new law to provide for taxation of sale of communications services and provides for computation of tax rates by Revenue Estimating Conference and approval by the Legislature. Sets forth provisions

regarding payment and collection of tax on communications, sales and resales, and requirements for registration of dealers of communications services. **Effective October 1, 2001**, establishes a number of misdemeanor and felony offenses in Chapter 202 relating to: failure to properly register with the state when engaging in the business of providing communications service; failure to file tax returns; filing false or fraudulent tax returns; bad debts; failure to remit taxes; improper maintenance or storage of records; and false advertising concerning dealer payment of taxes. **Effective Date: July 1, 2000, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1338er.pdf>

Senate Bill 1400 (Ch. 2000-207): Sexual Predators; Sexual Offenders; Department of Corrections; FDLE; Law Enforcement Agencies; Sheriffs; Crimes and Penalties

This 42-page bill amends sexual predator laws in F.S. 775.21, sexual offender laws in F.S. 943.0435, laws in F.S. 944.606 that relate to sexual offenders who are in the custody of the Department of Corrections (DOC); and laws in F.S. 944.607 that apply to sexual offenders who are under the supervision of the DOC. The amendments serve to clarify existing language, align Florida law with the federal “Jacob Wetterling Act” guidelines, and streamline certain registration procedures. The changes

- consolidate all previous “tier” language for sexual predators, making the determination of predators and their obligations to register less confusing;
- expand the definition of “conviction” to include a conviction from any jurisdiction;
- add qualifying offenses that would include all violent offenses against minors;
- update the 1999 legislative changes to F.S. 800.04 which now include the first-degree felony of lewd and lascivious acts against minors;
- expand offenses under the sexual predator laws to include all felony or attempted felony sexual offenses against minors when the existing "prior conviction" requirement is met;
- delete the references to “restoration of civil rights” as a means for relief from the sexual predator and offender registration and listing requirements;
- allow an offender who was 18 years or younger at the time the offense was committed, adjudication was withheld, 10 years has elapsed since having been placed on probation, and who has not been arrested for any offense since release, to petition the court for relief from the registration requirements;
- require DOC to notify FDLE when a predator or offender escapes or absconds from custody or dies; provide for qualified immunity for agencies and persons complying with the requirements of the sexual predator and offender laws or for the release of information;
- include county and local law enforcement agencies in the increasing responsibilities of address verification;

- streamline the sexual offender and predator registration processes that occur when predators or offenders are released from incarceration or probation;
- require a sexual predator or sexual offender to provide a temporary out of state address in the registration documentation; update a driver's license or identification card when a name change occurs, including by reason of marriage; report in person to a sheriff or FDLE when moving out of state; and register when relocating in Florida from another state when the home state would have required registration had that person remained in the home state. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1400er.pdf>

House Bill 1481 (Ch. 2000-187): Law Enforcement Academies; Criminal History Check; Law Enforcement Officers; Correctional/Correctional Probation Officers

Amends F.S. 943.14 to require a basic recruit candidate to undergo a criminal history background check prior to academy entry. Also revises F.S. 943.17 to require recruit candidates to complete a basic skills examination and assessment instrument prior to entry. **Effective Date: January 1, 2001.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H1481er.pdf>

Senate Bill 1508 (Ch. 2000-252): Managed Care Organizations; Health Care; Crimes and Penalties

Revises the language in F.S. 817.50, concerning the fraudulent obtaining of goods, by expanding the category of victims from hospitals to all "health care providers." **Effective Date: October 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1508er.pdf>

Senate Bill 1530 (Ch. 2000-239): "Justin Marksz Teen Safety Driving Act" Motor Vehicles; Safety Belts; Juveniles; Driver's Licenses; Crimes and Penalties

Revises F.S. 316.614 to make it unlawful for a person to operate a motor vehicle unless all passengers under the age of 18 years are restrained by a safety belt or child restraint device. It is also unlawful for any person 18 years of age or older in the front seat of a vehicle to not be restrained by a safety belt when the vehicle is in motion. Also amends F.S. 322.05, concerning issuance of driver's licenses, by increasing the time for which a person must hold a learner's driver's license prior to issuance of regular license. It further provides additional requirements regarding issuance of driver's licenses, including a certification by the parent or other responsible adult of a minor under 18 that the teen has at least fifty hours of driving experience, ten of which must have occurred at night. **Effective Date: October 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1530er.pdf>

Senate Bill 1548 (Ch. 2000-136): Juveniles; State Attorneys; Firearms; Destructive Devices; Adult Prosecution; Sentencing; “10-20-Life” Law; Judges; Department of Corrections; Crimes and Offenses

Creates F.S. 985.227(2)(d) that requires the state attorney to file an information in adult court against a juvenile who was 16 or 17 years of age at the time of the commission of an offense listed in the “10-20-Life” statute, F.S. 775.087(2)(a)1.a.-q., when, during the commission of the offense, the juvenile actually possessed or discharged a firearm or destructive device. The state attorney may decline to file an information if he or she has good cause to believe that exceptional circumstances exist which preclude the prosecution of the juvenile in adult court. If the juvenile is convicted and had previously been adjudicated, or had adjudication withheld for a forcible felony or any felony involving a firearm, or had been previously placed in a residential commitment program, the juvenile is to receive adult sanctions under the “10-20-Life” sentencing law. If the convicted juvenile does not meet any of the mentioned criteria, the judge may sentence him or her as a juvenile to a high-risk or maximum-risk juvenile facility. When a 16 or 17 year old is sentenced to an adult prison, the Department of Corrections is to take steps to ensure that the convicted juvenile, if possible, is completely separated and that there is no physical contact with adult offenders in the facility. [See HB 69, Chapter 2000-119, for other provisions regarding prosecution of juveniles as adults.] **Effective Date: October 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1548er.pdf>

Senate Bill 1550 (Ch. 2000-269): Liquefied Petroleum Gas; Crimes and Penalties

Adds new element of “category IV liquefied petroleum gas dispenser and recreational vehicle servicer” to class of dealers that are subject to licensing requirement under F.S. 527.02. Violation of the section is a third-degree felony. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1550er.pdf>

Senate Bill 1786 (Ch. 2000-272): Stamped/Marked Containers; Milk Product Distribution; Milk/Ice Cream Containers; Naval Stores; False Packing; Repeals; Crimes and Penalties

Bill repeals numerous misdemeanor offenses in Chapters 506 and 523, as well as F.S. 865.04. The subject areas of the repealed laws include stamped and marked containers, milk product distribution, milk and ice cream containers, naval stores, and false packing of provisions. **Effective Date: June 14, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1786er.pdf>

House Bill 1901 (Ch. 2000-188): Newborn Infants; Hospitals; Fire Stations; Department of Children and Family Services; Law Enforcement Agencies; Crimes and Penalties

Creates F.S. 383.50 that allows “newborn infants” up to three days old to be left at either a fire station or at a hospital under a presumption that the parent intended to terminate his/her parental rights and establishes procedures for placement of such children. Unless there is evidence of actual or suspected child abuse or neglect, a parent who leaves a newborn infant at such location and expresses an intent to not return has an absolute right to remain anonymous and to leave at any time. The parent may not be pursued or followed unless he or she seeks to reclaim the newborn infant as provided in the bill. Also prescribes duties of hospitals and fire stations regarding abandoned newborn infants; provides duties of the state adoption information center; provides duties of Department of Children and Family Services and Department of Health, including the production of a media campaign regarding abandoned newborns. A law enforcement agency may not initiate a criminal investigation solely because the child was left at a fire station or hospital, and the leaving of a healthy newborn is not subject to a Department of Children and Family Services investigation or report as an “abandoned child” under Chapter 39. Creates F.S. 827.035 that states that the leaving of a healthy newborn as specified above does not constitute criminal neglect or contributing to the dependency of a child under Chapter 827. [Senate Bill 2082, Chapter 2000-213 contains a public records exemption.] **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H1901er.pdf>

House Bill 1911 (Ch. 2000-313): Motor Vehicles; Traffic Control; DHSMV; Department of Revenue; School Buses; Criminal Mischief; Railroad Signals; DUI; Vehicle Impoundment; Driver’s License Revocation; Open Containers; Alcoholic Beverages; Motorcycles; Protective Headgear; Golf Carts; Juveniles; Headlamps; Taillamps; Stop Lamps; Strobe Lights; Sunscreening; Motor Homes; Travel Trailers; Driver Improvement Schools; Traffic Law/Substance Abuse Education Programs; Crimes and Penalties

50-page bill covers a variety of areas related to motor vehicles. An addition to F.S. 213.053 allows the Department of Revenue to provide specified information to DHSMV. Revisions to F.S. 234.02 concern student safety and school buses. Amends F.S. 316.0075, concerning interference with official traffic control devices or railroad signs or signals, making such a criminal offense instead of an infraction and making violations punishable as set forth in F.S. 806.13 which relates to criminal mischief and graffiti. Changes F.S. 316.193(6)(b) and (c), concerning vehicle seizure for multiple DUI convictions, by requiring the court to order the impoundment or immobilization of all vehicles owned by the defendant and that the impoundment period must be concurrent to the time during which the defendant’s driver’s license is revoked. The court may suspend the impoundment/immobilization order if the defendant’s vehicle(s) are operated solely by the defendant’s employee(s) or

business. Creates a very broad definition of “road” as such relates to the open container law in F.S. 316.1936. Also makes it a violation for a person to possess an open container of an alcoholic beverage or consume an alcoholic beverage while seated in or on a motor vehicle that is parked or stopped within a road. Passengers in vehicles designed and used primarily for transportation for compensation, or in motor homes, are exempt from this new section. New language in F.S. 316.212 makes it illegal for a person under the age of 14 years to operate a golf cart on a public road or street. Creates new infractions concerning the alteration of the visibility of headlamps, taillamps, and stop lamps in F.S. 316.220, F.S. 316.221, F.S. 316.234, and F.S. 316.237. Revises F.S. 316.228 to require the placement of a strobe light on certain vehicles with projecting loads. Amends F.S. 316.29545 concerning window suncreening by creating medical exemption certificates and providing exemptions for undercover and canine law enforcement vehicles. Revises the maximum width and length provisions for motor homes and travel trailers in F.S. 316.515. Makes changes to F.S. 316.1451 that govern DHSMV and the approval of driver improvement schools. Amends F.S. 322.095 to provide that no governmental entity or court may direct a person to or recommend a particular traffic law or substance abuse education program. **Effective July 1, 2000**, revises F.S. 316.211(3) to allow a person over 21 years of age to operate or ride upon a motorcycle without protective headgear when the person has medical insurance coverage of at least \$10,000 for injuries incurred while operating or riding on a motorcycle. **Effective Date: October 1, 2000, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H1911er.pdf>

House Bill 1941 (Ch. 2000-251): Cigarettes; Division of Alcoholic Beverages and Tobacco; Injunctions; Crimes and Penalties

Amends F.S. 210.05 to require the Division of Alcoholic Beverages and Tobacco to design cigarette tax stamps that will permit identification of the agent or wholesale dealer who affixed the stamp. In order to address the problem of distribution or sale of cigarettes not intended for such use within the United States, establishes a number of third-degree felony offenses in new F.S. 210.185. Injunctive and administrative relief is also included in the law. **Effective Date: October, 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H1941er.pdf>

Senate Bill 1956 (Ch. 2000-344): Viatical Settlements; Crimes and Penalties

Revises provisions of law governing viatical settlements, agreements by which persons sign over their rights to the receipt of funds over a period of time in exchange for a lump-sum payment. Amends F.S. 626.99275 by creating new elements of the prohibited activity and new felony offenses that vary in penalty depending on the amount of funds involved. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1956er.pdf>

Senate Bill 2034 (Ch. 2000-367): Health Care; Brain/Spinal Cord Injury Program; Public Records; Crimes and Penalties

As part of a 109-page bill, creates F.S. 381.775 that establishes a public records exemption for all records, information, letters, and reports relevant to the brain and spinal cord injury program. Also creates a first-degree misdemeanor for improper disclosure or release of such information. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S2034er.pdf>

Senate Bill 2082 (Ch. 2000-213): Newborn Infants; Hospitals; Fire Stations; Public Records

Exempts from public records release information that identifies a parent who leaves a newborn infant at a hospital or fire station per new F.S. 383.50. However, the identity of the person leaving a child must be released to a person claiming to be the parent of the newborn infant. [See House Bill 1901, Chapter 2000-188 concerning procedures governing newborn infants.] **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S2082er.pdf>

House Bill 2085 (Ch. 2000-320): Controlled Substances; Drug Trafficking; GHB; "Ecstasy"; Amphetamine; Methamphetamine; Drug Paraphernalia; Nitrous Oxide; Crimes and Penalties

Lengthy bill amends numerous provisions in Chapter 893 relating to controlled substances. Creates a definition of "mixture" in Section 893.02 to mean "any physical combination of two or more substances." In Section 893.03, moves Dronabinol from Schedule II to Schedule III; adds 1,4 Butanediol as a Schedule II drug; and deletes references to hydrocodone from Schedule III. Revises numerous subsections in Section 893.13 by increasing the penalties for offenses involving methamphetamine by one degree. For example, offenses involving methamphetamine that had been second-degree felonies will now be felonies of the first degree. Drug trafficking laws in Section 893.135 were also revised to clarify the imposition of stated mandatory minimum sentences. The bill creates trafficking offenses prohibiting the manufacture of amphetamine, methamphetamine, and related substances. The offenses of trafficking in GHB (Gamma-hydroxybutyric acid); 1,4 Butanediol; MDMA ("Ecstasy") and 13 other listed controlled substances (Phenethylamines) are also created in the bill. In Section 893.145(12), the definition of "drug paraphernalia" is amended by adding objects used, intended, or designed for use to introduce nitrous oxide into the body to the term. Revised F.S. 948.034, concerning terms and conditions of probation, as such section relates to the conviction of specified controlled substance offenses. **Effective Date: October 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H2085er.pdf>

House Bill 2099 (Ch. 2000-347): Retirement; Department of Management Services; Special Risk Officers; Family Medical Leave Act

The bill relates to the Department of Management Service's rulemaking authority and includes many technical changes relating to the state retirement system. Of interest are revised provisions in F.S.121.051 addressing areas relating to special risk members. Under revised F.S. 121.121 a member will be allowed to purchase creditable service for up to 2 work years of authorized leaves of absence, including any leaves of absence covered under the Family Medical Leave Act if certain criteria are met. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H2099er.pdf>

House Bill 2111 (Ch. 2000-226): DUI; BUI; Vessels; Motor Vehicles; Implied Consent; Alcohol Testing Program, FDLE; Criminal Justice Standards and Training Commission; Instructor Discipline

Amends F.S. 316.192, 322.63, 327.352 to specify the responsibilities of FDLE under the Alcohol Testing Program. The amendments grant FDLE rulemaking authority with respect to regulation of breath test instruments, including the operation, inspection, and training on the instruments, as well as the operators, and the regulation of blood analysts involved in testing under the boating and motor vehicle operating under the influence laws. Amends F.S. 943.14 to allow the Criminal Justice Standards and Training Commission to establish procedures for the certification and disciplining of instructors in any criminal justice training school. **Effective Date: June 5, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H2111er.pdf>

House Bill 2125 (Ch. 2000-139): Department of Children and Family Services; Dependent Children; Juveniles; Child Abuse/Neglect Records; Crimes Compensation Claims; Sexually Violent Predators; Battery of Child; "Florida Missing Children's Day"; Crimes and Penalties

153-page bill basically relates to duties of the Department of Children and Family Services. Revises numerous sections of Chapter 39 relating to dependent children. Provides limitations concerning the release of records provisions in F.S. 39.202 regarding child abuse or neglect. Amends F.S. 960.07 by extending the time during which the victim of a sexually violent offense may file a claim for compensation. Changes F.S. 394.913(3)(e), concerning determination of a person as a sexually violent predator, by extending the time period in which an assessment must be completed from 45 to 90 days. Creates F.S. 794.085, making it a third-degree felony for a person over the age of 18 years to knowingly cause a person under the age of 18 years to come into contact with blood, seminal fluid, urine, or feces by throwing, tossing, projecting, or expelling such fluid or material. Establishes the second Monday of September as "Florida Missing Children's Day" in remembrance of past and present missing children and in recognition of the state's efforts to

protect the safety of children through prevention, education, and community involvement. **Effective Date: July 1, 2000, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H2125er.pdf>

House Bill 2127 (Ch. 2000-286): State Procurement; Minority Business Enterprise; Crimes and Penalties

As part of a 54-page bill concerning state procurement practices and procedures, amends F.S. 287.094(1). As revised it will be a felony for a person to falsely claim to be a minority business enterprise. In addition to being subject to criminal penalty, the certification of any person or business who has obtained such by false representation will be revoked and the person or business will be barred from doing business with the state for a 36-month period. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H2127er.pdf>

Senate Bill 2252 (Ch. 2000-369): Law Enforcement Agencies; Sheriffs; Radio System; Mutual Aid Agreements; Traffic Control; Trespass; Warrantless Arrest; Airports; "911" Calls; Security of Communications; Cordless Telephones; Wire Interception; Prostitution; Emergency Interception; Escape; Governor; Attorney General; Statewide Prosecutor; State Attorneys; Civil Liability; Stored Electronic Communications; Pen Register; Trap and Trace Device; Crimes and Penalties

28-page bill creates the State Agency Law Enforcement Radio System Review Panel that is tasked with the duty of reviewing and evaluating proposals for the completion of the statewide law enforcement radio system authorized by F.S. 282.1095. Amends F.S. 23.1225 to permit a mutual aid agreement for the purpose of a joint city-county traffic enforcement task force. Expands the definition of "authorized person" in F.S. 810.08 and 810.09, relating to criminal trespass, to include property owners, lessees, agents, and law enforcement officers whose agencies receive specific authority to act on behalf of property owners. Creates F.S. 901.15(15) to allow an officer to make a warrantless arrest when the officer has probable cause to believe a person has committed trespass in a secure area of an airport when trespass warning signs have been conspicuously posted. Amends F.S. 934.03(2) to allow a law enforcement agency to record incoming wire communications on designated "911" telephone lines and published nonemergency telephone numbers staffed by trained dispatchers at public safety answering points.

The balance of the bill deals with revisions to Chapter 934, regarding Security of Communications, for the purpose of making the law more similar to its federal counterpart and addressing Florida court opinions. Included in the changes are the following:

- revisions to definitions in F.S. 934.02(1) and F.S. 934.02(12), and to specified offenses in F.S. 934.03(4)(b) remove the exemption that previously provided that "cordless telephones" did not apply to Chapter 934;

- expands the law to apply to a “service provider,” instead of previously-used term of “communications common carrier” per change to F.S. 934.02(4)(a)2;
- adds language to F.S. 934.02(12) that exempts electronic funds transfer information stored by a financial institution from the definition of “electronic communication”;
- creates in F.S. 934.03(1)(e) a third degree felony offense for intentional disclosure of, or an endeavor to disclose, the contents of a legally authorized interception to an unauthorized party;
- establishes in F.S. 934.03(4)(b) a new offense for intercepting a radio communication that is transmitted through the use of certain modulation techniques that promote privacy;
- amends F.S. 934.07 by removing the offense of prostitution from the list of offenses which may be investigated through use of court-ordered intercepts;
- creates in F.S. 934.09(7) “emergency intercept” procedures, similar to those in federal law since 1986, that allow an interception of wire, oral, or electronic communications and an “after the fact” obtaining of court-ordered intercept authorization in cases involving immediate danger of death or serious physical injury or escape of a prisoner. In order to utilize these emergency procedures, an officer must obtain permission from the Governor, the Attorney General, the Statewide Prosecutor, or a State Attorney prior to initiating the interception. The application approving the interception must be presented to a qualifying judge within 48 hours of the initiation of the intercept and if the judge denies the application, all contents of communications that have been intercepted will be deemed to have been obtained in violation of the law (including criminal penalties);
- revises language in F.S. 934.09(11) relating to the specificity required in an application to describe the location where the interception is to take place;
- amends F.S. 934.10(2)(b) to provide release from civil liability for officers who have complied with the new “emergency intercept” procedures;
- changes F.S. 934.10(2)(c) to clarify the intent of the legislature in the establishment of the two-party consent requirement in Florida;
- revises means by which law enforcement agencies may obtain stored electronic communications per F.S. 934.23;
- establishes in F.S. 934.31(3) that law enforcement officers are responsible for using technology reasonably available to them which restricts the recording or decoding of electronic or other impulses when they are operating a pen register or trap and trace device;
- adds F.S. 934.31(4) that creates procedures for the “emergency” use of a pen register or trap and trace devices. Procedures are identical to those utilized for the emergency interception of wire, oral, or electronic communications. **Effective Date: June 26, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S2252er.pdf>

<p>Senate Bill 2390 (Ch. 2000-214): Department of Corrections; Elderly Offenders</p>

Creates definition of “elderly offender” in F.S. 944.02 as a prisoner age 50 or older, and requires the Department of Corrections to establish and operate as separate correctional facility for such elderly offenders. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S2390er.pdf>

House Bill 2393 (Ch. 2000-169): Florida Retirement System; Special Risk Officers; Vesting; Public Employee Optional Retirement Program; Health Insurance; Disability Benefits; Employers and Employees

This 92-page bill incorporates sweeping changes to the Florida Retirement System, addressing contribution rates, benefits, vesting, and the creation of a Public Employee Optional Retirement Program. Also included are changes related to increased benefits for special risk members and changes in health insurance for retirees. **Effective July 1, 2001**, creates a 6-year retirement vesting requirement. Any member employed in a regularly established position on July 1, 2001, who completes or has completed 6 years of creditable service will be considered vested. Any member not employed in a regularly established position on that date will be deemed to be vested upon completion of 6 years of creditable service, provided that the person is employed in a covered position for at least 1 work year after July 1, 2001. However, no member will be required to complete more years of creditable service than would have been required for that member to vest under retirement laws in effect prior to July 1, 2001. The changes also include revisions in the amount of creditable service time for a member employed in a regularly established position to qualify for disability benefits. **Effective Date: July 1, 2000, unless bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H2393er.pdf>

House Bill 2433 (Ch. 2000-355): Taxation; Department of Revenue; Department of Management Services; DHSMV; Crimes and Penalties

The bill covers a number of topics relating to state taxation. Included in the law is new language in F.S. 213.053 that will permit the Department of Revenue to release certain information to the Department of Management Services and to the Department of Highway Safety and Motor Vehicles. Release of such information to non-designated entities will be a misdemeanor of the first degree. Also creates F.S. 213.27(9) that establishes parameters for the Department of Revenue to enter into contracts for sales and use tax collection. Also establishes misdemeanor penalties for breach of confidentiality offense in the new subsection of law. **Effective Date: June 21, 2000, except as bill provides otherwise.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H2433er.pdf>

Senate Bill 2464 (Ch. 2000-137): Department of Juvenile Justice; Department of Education; Juveniles; Jails; Sheriffs

Among other provisions of the law relating to the education of juvenile offenders by the Department of Juvenile Justice and the Department of Education, establishes new duties in F.S. 230.23(4) concerning educational services in detention facilities. Creates F.S. 951.176 concerning the providing of education programs for youths who are detained in a county or municipal detention facility. Also requires the sheriff or chief correctional officer to notify the local School district superintendent or designee when a prisoner under the age of 21 years is assigned to the facility. **Effective Date: July 1, 2000.**

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S2464er.pdf>

House Bill 4049 (Ch. 2000-327): Department of Juvenile Justice; Juveniles; Juvenile Assignment Centers

In part, repeals F.S. 985.307, relating to juvenile assignment centers, and also deletes references to the placement of juveniles in such centers. **Effective Date: June 19, 2000.**

<http://www.leg.state.fl.us/session/2000/House/bills/billtext/pdf/H4049er.pdf>

**SPECIAL APPENDIX
A DETAILED SECTION BY SECTION ANALYSIS OF CS/CS/CS/SB 1258,
"AN ACT RELATING TO MONEY LAUNDERING."**

The 2000 Legislative Session passed a significant act affecting Florida's ability to investigate, prosecute, and stop illicit money laundering. The section-by-section summary below provides an overview to the extensive changes made by the enactment, which becomes effective July 1, 2000. Watch for FDLE's special RICO/Money Laundering Training Program to be offered in late 2000 for an opportunity to receive intensive training on this new law.

✓ STATEWIDE SEAPORT SECURITY PLAN--

Section 1 calls for the development by January 1, 2001, of a statewide seaport security plan by the Office of Drug Control within the Executive Office of the Governor. The plan shall be based upon the findings of the Florida Seaport Security Assessment 2000 that has been performed by the Office of Drug Control. The prevention of criminal activity, including money laundering, through the seaports must be addressed in the plan. All seaports identified pursuant to F.S. 311.09(1) must, by January 31, 2001, develop and draft individual seaport security plans to be approved by the Office of Drug Control. **All such plans must allow unimpeded access to the affected ports for purposes of inspection by the Florida Department of Law Enforcement. Fingerprint-based criminal history checks shall be performed on any applicant for employment or current employee as designated by the security plan who will be working within the property of, or have regular**

access to, any affected seaport. Security plans are to be implemented by April 30, 2002. (1 1/3 years after plans are to be developed). Once implemented, FDLE will conduct no less than one annual unannounced inspection to determine whether the seaports are meeting security standards. An annual assessment report is to be filed with the Governor, the Speaker of the House, and Senate President as well as the chief administrator of each seaport inspected.

✓ **CHANGES TO CHAPTER 560, "Money Transmitters' Code"--**

Sections 2 through 14 make numerous changes to Chapter 560 related to money transmitters and others.

Section 2 makes a revision of the definition of "**authorized vendor**" at F.S. 560.103(2) to require that the vendor be conducting business "at locations in this state pursuant to a written contract with the (Chapter 560) registrant." As a result of the change, in order to meet the definition of an "authorized vendor," a person must now be located in Florida and enter into a written contract with the registrant. (Note: Part VI of Rule Chapter 3C-560, Florida Administrative Code, requires that all check cashers, foreign currency exchangers, funds transmitters, and payment instrument sellers submit the names and address of all authorized vendors in their quarterly reports. This can be used to prove or disprove the existence of an authorized vendor relationship.)

Section 3 creates F.S. 560.1073, making it a third-degree felony for any person to file with the Department of Banking and Finance any financial statement, or any document in support thereof required by law or rule, "with intent to deceive and with knowledge that the statement or document is materially false or materially misleading."

Section 4 removes "knowing" as an element in F.S. 560.111 actions.

Section 5 expands the authority of the Department of Banking and Finance under F.S. 560.114 to take administrative action against money transmitters or money transmitter-affiliated parties.

Section 6 gives the Department of Banking and Finance greater administrative power to address violations of Chapter 560, including new authority to impose an **administrative assessment of up to \$10,000 for each violation.**

Section 7 provides the Department of Banking and Finance expanded authority to, without notice, conduct an **examination of a money transmitter or money transmitter-affiliated party records and activities** upon suspicion that Chapter 560 or any criminal laws of Florida or the United States have been violated. (The phrase, "money transmitter-affiliated party" is broader than

"authorized vendor" in that it includes other entities that are in some way connected to the money transmitter other than just authorized vendors.) **New obligations are defined for persons subject to examinations under Chapter 560, and F.S. 560.118(3) is added, making it a third-degree felony for any person to willfully violate the section, or to fail to comply with any lawful written demand or order of the Department of Banking and Finance.**

Section 8 revises F.S. 560.123(8) to make willful violations of Chapter 560, involving currency or payment instruments, felonies, and removes the previous requirement that such violations be "committed as part of a pattern of illegal activity involving financial transactions." The amount of currency or payment instruments defines the level of the felony, implementing a Legislative intent to have money laundering violations "track" drug trafficking punishment schemes by increasing the felony level as the amount of funds increase, just as trafficking punishments increase with the quantify of drugs trafficked. The Legislature is attempting to equate the funds derived from drug trafficking to produce the same level of penalty as trafficking in the quantity of drugs necessary to produce the funds. Section 8 also **abolishes the Common Law "corpus delicti" rule** with regard to prosecutions under F.S. 560.123. This allows a defendant's confession or admission to be admissible during trial without the state having to prove the "corpus delicti" (the complete crime) prior to the admission into evidence. Instead, the state must prove by a preponderance of the evidence that there is sufficient corroborating evidence tending to establish the trustworthiness of the statement by the defendant. A court hearing is to be conducted to determine whether the confession or admission may be admitted and hearsay evidence is admissible during the presentation of evidence at the hearing.

Section 9 amends F.S. 560.125 regarding penalties for engaging in the money transmitter business by unauthorized persons. The degree of felony violation is tied to the amount of currency or payment instrument involved during any 12-month period. If the currency or payment instrument involved exceeds \$300 but is less than \$20,000 during any 12-month period, the crime is a third-degree felony. If the total equals or exceeds \$20,000 but is less than \$100,000 during any 12-month period, the crime is a second-degree felony. If the total equals or exceeds \$100,000 during any 12-month period, the crime is a first-degree felony. In addition, any person found to have violated the provisions may also be required to pay a fine of \$250,000 or twice the amount of currency or financial instruments involved, whichever is greater. Upon a second or subsequent violation, the fine amount is \$500,000 or five times the amount involved, whichever is greater. The person who violates the section is also liable for a civil penalty of not more than the value of the currency or payment instruments involved or \$25,000, whichever is greater. As was done under Section 8 with regard to F.S. 560.123, Section 9 abolishes the "corpus delicti" rule with regard to prosecutions under F.S. 560.125, with the same court hearing requirement and parameters.

Section 10 amends F.S. 560.205 to permit the Department of Banking and Finance to conduct an extensive background check to determine whether applicants for registration under Chapter 560 qualify for such registration. **A fingerprint-based criminal background investigation** is now authorized. Additional enhancements of the Department's audit powers are made in the section.

Section 11 adds subsection (5) to F.S. 560.211 (related to records submitted to or reviewed by the Department of Banking and Finance) to make it a third-degree felony to willfully fail to comply with the section's mandates.

Section 12 amends F.S. 560.306 to authorize **fingerprint-based criminal history background checks** as a prerequisite for registration under the section.

Section 13 adds subsection (5) to F.S. 560.310 **making it a third-degree felony to willfully violate the section or failing to comply with any lawful written demand or order of the Department of Banking and Finance made under authority of the section.**

✓ **Amendment of F.S. 655.50, "Florida Control of Money Laundering In Financial Institutions Act"--**

Section 14 amends F.S. 655.50, the "Florida Control of Money Laundering In Financial Institutions Act" to **structure the degree of felony violations to the amount** of the financial transactions involved, using the same levels noted in Section 9. It also **makes it a crime to "knowingly cause another to violate" the provisions, thus bringing into the criminal net those who knowingly have others violate the law.** The \$250,000 to \$500,000 fine language discussed in Section 9 already is a part of this section and remains valid. Subparagraph (e) is added making a person other than a financial institution who violates the section liable for a civil penalty of not more than the greater of the value of the financial transaction or \$25,000. As with Sections 8 and 9, the **"corpus delicti" rule is abolished** with regard to prosecutions under this section.

✓ **Amendment of F.S. 893.145, "Drug Paraphernalia" provisions.--**

Section 15 amends F.S. 893.145, "Drug Paraphernalia", to **include all equipment... "transporting"...a controlled substance.** It also amends F.S. 893.145(10), part of the list of contraband subjects to forfeiture, to include "Containers and other objects used, intended for use, or designed for use in storing, concealing, or transporting controlled substances." The changes are intended to address the adaptation of vehicles, vessels, containers used in seaport and rail shipment, and other similar equipment, containers, or objects with secret compartments, false floors, etc. to facilitate transportation of

controlled substances. This section bootstraps with the expanded authority provided to the Florida Department of Transportation to conduct, in conjunction with regular inspections, special checks of tractor-trailers to ascertain whether they are transporting contraband. Other law enforcement agencies such as the Florida Highway Patrol are expected to utilize the expanded definition to increase interdiction and seizure efforts.

Section 16 amends F.S. 893.147 to include "transportation" of drug paraphernalia among the prohibited acts. **The new subsection (4) makes it unlawful to use, possess with the intent to use, or manufacture with the intent to use drug paraphernalia, knowing or under circumstances in which one reasonably should now that it will be used to transport a controlled substance or contraband as defined in F.S. 932.701(2)(a)1 (the Florida Contraband Forfeiture Act). A violation is a felony of the third degree.**

✓ **Addition of felony violations of Chapter 560 to Florida's RICO Statute--**

Section 17 adds felony violations of Chapter 560 to the RICO statute's list of "predicate offenses" found at F.S. 895.02.

✓ **Amendments to Chapter 896, "Florida Money Laundering Act."--**

Section 18 amends F.S. 896.101, "Florida Money Laundering Act" in several ways. It adds "use of a safety deposit box" to the definition of "transaction" under the act. It adds "a transaction involving the transfer of title to any real property, vehicle, vessel, or aircraft" to the definition of "financial transaction." It adds a definition of "knowing" to the section. "Knowing" means that a "person knew; or with respect to any transaction or transportation involving more than \$10,000 in U.S. currency or foreign equivalent, should have known after reasonable inquiry, unless the person has a duty to file a federal currency transaction report, IRS Form 8300, or like report under state law, and has filed the report as required."

It adds to the prohibited acts for a person to knowingly participate in a transaction in whole or in part designed to "avoid a transaction reporting requirement or money transmitters' registration requirement under state law." This means that if someone acknowledges during an investigative encounter that (s)he is transporting money on behalf of another and the person is not registered as a money transmitter, there is a good chance the person is in violation of the law. Subpart (4) is added to the section making it clear that "reverse sting" operations are authorized investigative tools, provided actions do not rise to such a level that they would "induce an ordinary law-abiding person to violate" the chapter. As with previous sections, penalties are tied to the amounts of financial transactions involved, using the same thresholds for felonies and the civil penalties as noted in Section 9 (discussed above).

Section 18 also implements under new subsection (8)(a), a **civil injunction option** to allow a "petitioner" (defined as "any local, county, state, or federal law enforcement agency, the Attorney General; any state attorney or the statewide prosecutor" at F.S. 896.101(2)(i)) who believes a person is alienating or disposing of monetary instruments or funds, or appears likely to or demonstrates an intent to alienate or dispose of monetary instruments or funds, used in violation of F.S. 896.101, Chapter 560, F.S. 655.50, or any "specified unlawful activity" designated in the section, to seek an injunction to **"freeze" accounts, etc. to prohibit any person from withdrawing, transferring, removing, dissipating, or disposing of any such monetary instruments or funds.** The authorization applies to monetary instruments or funds traceable to any of the listed violations as well as those actually involved in a violation. The injunction applies to instruments or funds "of equivalent value" to avoid problems of the funds being commingled with other funds in an account. The temporary injunction is to be obtained under Florida Rule of Civil Procedure 1.610. The issuing court shall take into account any anticipated impact the temporary injunction will have on innocent third parties or businesses, balanced against the petitioner's need to preserve the monetary instruments or funds. This provision allows investigators to "freeze" accounts and instruments and preserve the status quo until such time as probable cause is fully developed to seize the accounts and instruments. If probable cause does not develop, the accounts will be unfrozen within the section's time limits. The injunction is to be granted without bond to the petitioner, but a respondent may post a bond equal to the amount enjoined in order to have the injunction dissolved. The injunction is to be entered upon the ex parte application of the petitioner, without notice or opportunity to be heard at the time the injunction is sought. **The temporary order expires not more than 10 days after the date on which the order is served, unless extended for an additional 10 days for good cause or the party against whom it is entered consents to an extension for a longer period. Any time a petitioner discovers that the funds sought to be enjoined total less than \$10,000, the petitioner is to notify the court and the injunction is to be dissolved.** The injunction will be in effect for no more than twenty days (assuming the 10-day extension has been sought and granted) or longer if agreed upon by the parties. The petitioner is expected to either obtain a warrant and seize the instruments or funds for forfeiture or criminal prosecution prior to the expiration of the injunction.

Once the injunction is served, the petitioner must notify by certified mail, return receipt requested, or by personal service both the person or entity in possession of the instruments or funds and the owner of the instruments and funds, if known, of the injunction and that the lawful owner of the instruments or funds enjoined may request a hearing to contest and modify the court order by petitioning the court within 72 hours. The hearing shall be set within three days, and it is the responsibility of the person seeking the hearing to have the hearing set and to provide notice of it. The notice provided by the petitioner shall advise of these rights and also indicate that the lawful owner has the right to produce evidence of legitimate

business expenses, obligations, and liabilities, including, but not limited to, employee payroll expenses verified by current Department of Labor unemployment compensation rolls, employee workers' compensation insurance, employee health insurance, state and federal taxes and regulatory or licensing fees only as may become due before expiration of the temporary order. If the court finds such expenses are valid, payment of allowed expenses may be effected by the owner only to the court ordered payees through court reviewed checks, issued by the owner of and the person or entity in possession of the enjoined monetary instruments or funds. **Only the lawful owner or the account holder of the monetary instruments or funds being enjoined may request a hearing to contest the injunction.** Notice of the hearing must be provided to the petitioner pursuant to the Florida Rules of Civil Procedure but not less than 24 hours before the scheduled hearing. The court may receive at the hearing evidence and information that would be inadmissible under the Florida Rules of Evidence. The hearing is governed by the Rules of Civil Procedure.

The petitioner may request issuance of a warrant authorizing seizure of property, monetary instruments or funds subject to civil forfeiture in the same manner as provided for search warrants in chapter 933. Language was added by a floor amendment in the House lobbied heavily by the Florida Retail Association and some Florida banks that allows any financial institution that receives a seizure warrant, temporary injunction, or other court order to deduct from the account the funds necessary to pay any electronic transaction or check presented for payment if the electronic transaction was initiated or the check deposited prior to the time the seizure order was served on the financial institution. (As a result, financial institutions have received greater protection against a seizure of criminal proceeds by warrant than that enjoyed by citizens in their homes, and the "check presented for payment" option could allow money launderers an opportunity to deplete an account *even though a seizure warrant has been secured by investigators commanding seizure of all funds in the account!* FDLE and other law enforcement interests agreed to the electronic transaction language since such transactions are virtually instantaneous, but strongly opposed the "check presented for payment" language. **Representative Randy Ball**, the House sponsor of the equivalent to SB 1258, strongly argued against the amendment, but stood virtually alone in his opposition to it when the House vote was taken. Nevertheless, the implementation of the temporary injunction option represents an important expansion of options available to law enforcement in money laundering investigations.)

Any financial institution, licensed money transmitter, or other person served with, and complying with the terms of a warrant, temporary injunction, or other court order, including any subpoena issued under the authority granted by F.S. 16.56 or F.S. 27.04, obtained in furtherance of an investigation of any crime listed in F.S. 896.101 or any "specified unlawful activity" or any felony violation of Chapter 560, is granted immunity from criminal liability and shall not be liable to any person for any lawful action taken in complying with the warrant, injunction, court order or subpoena. If the subpoena contains a

nondisclosure provision, the nondisclosure provision is to be complied with. As with other provisions noted earlier, the "**corpus delicti**" rule is **eliminated** for prosecutions of F.S. 896.101 violations.

Section 19 makes a technical change to F.S. 896.103.

Section 20 makes "structuring transactions to evade reporting or registration requirements" a crime under newly created F.S. 896.104. "Structuring" is basically conducting or attempting to conduct one or more transactions in currency in any amount at one or more financial institutions on one or more days in any manner for the purpose of evading currency transaction reporting requirements provided by state or federal law. This is commonly referred to as "**smurfing**." It involves, but is not limited to, breaking down of a single sum of currency exceeding \$10,000 into smaller sums, including sums at or below \$10,000, or the conduct of a transaction or series of transactions at or below \$10,000. **Prohibited actions include causing or attempting to cause a person or financial institution in this state to fail to file an applicable report or registration required by state or federal law; cause or attempt to cause a person or financial institution to file an applicable report which contains a material omission or misstatement of fact; or structure or assist in structuring, or attempt to structure or assist in structuring, any financial transaction with or involving one or more financial institutions in this state. Also prohibited is the failure to file an applicable registration or report; filing or causing or attempting to cause a person to file a report containing a material omission or misstatement of fact with regard to international monetary instrument transactions or structuring or assisting in structuring, or attempting to structure or assist in structuring, any importation or exportation of currency or monetary instruments or funds to, from, or through financial institutions in this state.** If the financial transaction exceeds \$300 but less than \$20,000 in any 12-month period, the crime is a third-degree felony. If \$20,000 but less than \$100,000 in any 12-month period, the crime is a second-degree felony. If \$100,000 or more in any 12-month period, the crime is a first-degree felony. In addition a fine of \$250,000 or twice the value of the transactions, whichever is greater, may be assessed. Second or subsequent offenders face a fine of \$500,000 or 5 times the value of the transactions, whichever is greater. **New F.S. 896.104(5) indicates that proof that a person engaged for monetary consideration in the business of a funds transmitter and who is transporting more than \$10,000 in currency or foreign equivalent, without being a registered money transmitter or designated as an authorized vendor under Chapter 560 creates an inference that the transportation was done with knowledge of the registration requirements of Chapter 560 and the reporting requirements of Chapter 896.** This will assist prosecutors in establishing criminal culpability and address the "professed ignorance" defenses commonly encountered in money laundering prosecutions.

Section 21 indicates that the **crimes and penalties do not apply to law enforcement officers who engage in aspects of such (money laundering) activity for "bona fide authorized undercover law enforcement purposes"** in the course of or in relation to an active criminal investigation, active criminal intelligence gathering, or active prosecution."

Section 22 creates F.S. 896.106 that implements a **"Fugitive Disentitlement" doctrine** that prevents a defendant from utilizing the resources of the courts of this state in civil forfeiture actions if the person purposely leaves the jurisdiction of this state or the United States, declines to enter or reenter this state to submit to its jurisdiction, or otherwise evades the jurisdiction of the court in which a criminal case is pending against the person. This provision should prove to be very useful when dealing with fugitives and their attempts to protect their assets "from a distance."

Section 23 authorizes a law enforcement agency conducting investigation of violations of Chapter 896 to pay a reward for informants who provide original information that leads to the recovery of a criminal fine, civil penalty, or forfeiture. The agency may determine the amount to be paid, but said amount may not be more than that authorized by federal law or guideline in effect for a similar offense at the time the information was provided. The reward is not available to an officer or employee of the United States, a state or local government, or foreign government who in the performance of official duties provides information that might otherwise be qualified for a reward. Payment of a reward does not affect the admissibility of testimony in any court proceeding.

Section 24 implements changes of money laundering offense classifications under the **"Offense Severity Ranking Chart"** found in F.S. 921.022. The "\$300 but less than \$20,000" offenses are listed under **"Level 7"** offenses, guaranteeing prison time for first offenders. The "\$20,000 but less than \$100,000" offenses are listed under **"Level 8"** offenses, guaranteeing even more prison time (the same level as trafficking in 200 to 400 grams of cocaine). The "over \$100,000" offenses are listed under **"Level 9"** offenses, placing them at the same heavy prison time recommendations as offenses such as armed robbery, kidnapping, and trafficking cocaine in excess of 400 grams but less than 150 kilograms.

✓ **Creation of Financial Crimes Analysis Center and Financial Transaction Database Within FDLE--**

Section 25 creates a **financial crimes analysis center and financial transaction database within the Florida Department of Law Enforcement.** Financial report information compiled by the Department of Banking and Finance and the Department of Revenue (e.g. duplicate copies of Federal Form 8300) and FinCEN will be transferred to FDLE for inclusion in the financial transaction database, which will be available to authorized state and local

investigators via FDLE's CJNet. The financial crimes analysis center **will provide analysts to assist investigators in compiling relevant information in financial crime and money laundering investigations.** Part of the function of the center will be "**data mining**" and proactive analysis that will review submitted information and identify potential money laundering activity. When such activity is identified, investigators will be contacted with the "data mining tip" for investigative follow-up. An important additional function of the center will be to provide **post-seizure analysis** to determine if the information is of importance or value to other criminal investigations. For example, a Tampa bank deposit slip found in a briefcase of currency seized in downtown Miami can be entered into the center's database and Tampa investigators conducting a previously unlinked an unrelated investigation of drug traffickers in Tampa who are utilizing the Tampa bank account to which the deposit slip relates will be able to be notified of the Miami cash seizure. **Investigators will be able to more completely "network" and share important information.** All information in the database is considered "active criminal investigative" or "active criminal intelligence" information and is exempt from public records disclosure.

✓ **Florida Department of Transportation, Motor Vehicle Carrier Compliance Specialized Squad--**

Section 26 funds and creates a special squad within the Office of Motor Vehicle Carrier Compliance of the Florida Department of Transportation. The squad will utilize seven certified K-9 handlers, seven felony officers, and a support staff member to work as a team to patrol major highway corridors and commercial weigh stations in order to reduce the flow of illegal contraband and illicit drugs on Florida's highway systems. A forfeiture trust fund has been created which will be used in part to further finance the team's operations. The concept being implemented is patterned after a highly successful program in Kentucky in which Motor Vehicle Compliance Officers were specially trained to detect tractor-trailer trucks carrying contraband during the course of their regular inspection and review duties. It is anticipated that this small team will demonstrate similar success in its efforts in Florida.

✓ **Effective Date--**

Section 27 establishes that the law becomes effective **July 1, 2000.**

"Friendly Advice"-- The bill is very long and detailed. This summary should only be used as a "starting point" in your understanding of the numerous changes made by the new law. The actual text of the bill should be referred to before relying upon the changes in investigative or prosecution efforts. --M. Ramage

<http://www.leg.state.fl.us/session/2000/Senate/bills/billtext/pdf/S1258er.pdf>

EFFECTIVE DATES OF 2000 LAWS
Chapters Marked With An Asterisk (*) Have Multiple Effective Dates
Please See Summaries for Details

EFFECTIVE PRIOR TO JULY 1, 2000

Chapter	2000-119	Chapter	2000-217	Chapter	2000-308
	2000-134		2000-226		2000-315
	2000-142		2000-266*		2000-327
	2000-147		2000-272		2000-355*
	2000-178		2000-274		2000-366
	2000-194		2000-292		2000-369
	2000-204		2000-293		

EFFECTIVE JULY 1, 2000

Chapter	2000-111	Chapter	2000-218	Chapter	2000-290
	2000-114		2000-219		2000-313*
	2000-116		2000-220		2000-316
	2000-135*		2000-230		2000-318*
	2000-137		2000-231		2000-344
	2000-139*		2000-233		2000-347
	2000-164		2000-235		2000-356
	2000-167		2000-244		2000-357
	2000-169*		2000-249		2000-360
	2000-184		2000-250		2000-362*
	2000-188		2000-258*		2000-364
	2000-207		2000-260*		2000-367
	2000-213		2000-269		2000-372*
	2000-214		2000-286		

EFFECTIVE JULY 4, 2000

Chapter	2000-160	Chapter	2000-161
---------	----------	---------	----------

EFFECTIVE SEPTEMBER 1, 2000

Chapter	2000-349*
---------	-----------

EFFECTIVE OCTOBER 1, 2000

Chapter	2000-135*	Chapter	2000-229	Chapter	2000-260*
	2000-136		2000-239		2000-313*
	2000-138*		2000-246		2000-314
	2000-143		2000-251		2000-320
	2000-179		2000-252		2000-362*

EFFECTIVE JANUARY 1, 2001

Chapter	2000-182*	Chapter	2000-187	Chapter	2000-243
---------	-----------	---------	----------	---------	----------

BILL NUMBER TO CHAPTER NUMBER CONVERSION TABLE

<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>BILL NUMBER</u>	<u>CHAPTER</u>
HB 65	2000-111	CS/HB 1037	2000-219
CS/CS/HB 69.....	2000-119	CS/HB 1039.....	2000-220
CS/CS/HB 75.....	2000-116	HB 1067	2000-160
SB 86	2000-143	HB 1069	2000-161
CS/SB 94	2000-167	CS/CS/SB 1114	2000-308
SB 150	2000-194	CS/SB 1192	2000-134
CS/SB 154	2000-314	CS/SB 1194	2000-258
SB 160	2000-142	CS/SB 1196	2000-135
CS/CS/HB 181.....	2000-243	SB 1256.....	2000-292
SB 184	2000-230	CS/CS/CS/SB 1258	2000-360
CS/HB 205	2000-229	SB 1260.....	2000-147
CS/SB 220	2000-372	CS/CS/SB 1262	2000-293
SB 268	2000-315	CS/SB 1266	2000-366
HB 295	2000-274	CS/CS/SB 1334	2000-164
CS/HB 301	2000-138	CS/CS/SB 1338	2000-260
SB 318	2000-357	CS/SB 1400	2000-207
SB 320	2000-231	HB 1481	2000-187
CS/SB 358	2000-349	CS/CS/CS/SB 1508	2000-252
CS/CS/SB 386	2000-362	CS/SB 1530	2000-239
CS/HB 405.....	2000-114	SB 1548.....	2000-136
CS/CS/CS/SB 406	2000-290	SB 1550.....	2000-269
HB 407	2000-244	SB 1786.....	2000-272
CS/CS/HB 591.....	2000-318	CS/HB 1901	2000-188
CS/HB 607.....	2000-178	CS/CS/HB 1911.....	2000-313
HB 677	2000-179	CS/HB 1941	2000-251
HB 683	2000-246	CS/SB 1956	2000-344
HB 743.....	2000-182	CS/SB 2034	2000-367
CS/SB 772	2000-266	SB 2082.....	2000-213
SB 794	2000-316	CS/HB 2085.....	2000-320
CS/CS/CS/SB 806	2000-364	HB 2099	2000-347
SB 838	2000-233	HB 2111	2000-226
CS/SB 840	2000-204	HB 2125	2000-139
CS/CS/CS/SB 852	2000-235	HB 2127	2000-286
CS/CS/HB 855.....	2000-217	SB 2252.....	2000-369
CS/HB 917.....	2000-249	CS/CS/SB 2390	2000-214
HB 937	2000-184	HB 2393	2000-169
CS/HB 955	2000-218	HB 2433	2000-355
HB 1013	2000-250	CS/CS/CS/SB 2464	2000-137
CS/SB 1016	2000-356	HB 4049	2000-327

CHAPTER NUMBER TO BILL NUMBER CONVERSION TABLE

<u>CHAPTER</u>	<u>BILL NUMBER</u>	<u>CHAPTER</u>	<u>BILL NUMBER</u>
2000-111	HB 65	2000-239	CS/SB 1530
2000-114	CS/HB 405	2000-243	CS/CS/HB 181
2000-116	CS/CS/HB 75	2000-244	HB 407
2000-119	CS/CS/HB 69	2000-246	HB 683
2000-134	CS/SB 1192	2000-249	CS/HB 917
2000-135	CS/SB 1196	2000-250	HB 1013
2000-136	SB 1548	2000-251	CS/HB 1941
2000-137	CS/CS/CS/SB 2464	2000-252	CS/CS/CS/SB 1508
2000-138	CS/HB 301	2000-258	CS/SB 1194
2000-139	HB 2125	2000-260	CS/CS/SB 1338
2000-142	SB 160	2000-266	CS/SB 772
2000-143	SB 86	2000-269	SB 1550
2000-147	SB 1260	2000-272	SB 1786
2000-160	HB 1067	2000-274	HB 295
2000-161	HB 1069	2000-286	HB 2127
2000-164	CS/CS/SB 1334	2000-290	CS/CS/CS/SB 406
2000-167	CS/SB 94	2000-292	SB 1256
2000-169	HB 2393	2000-293	CS/CS/SB 1262
2000-178	CS/HB 607	2000-308	CS/CS/SB 1114
2000-179	HB 677	2000-313	CS/CS/HB 1911
2000-182	HB 743	2000-314	CS/SB 154
2000-184	HB 937	2000-315	SB 268
2000-187	HB 1481	2000-316	SB 794
2000-188	CS/HB 1901	2000-318	CS/CS/HB 591
2000-194	SB 150	2000-320	CS/HB 2085
2000-204	CS/SB 840	2000-327	HB 4049
2000-207	CS/SB 1400	2000-344	CS/SB 1956
2000-213	SB 2082	2000-347	HB 2099
2000-214	CS/CS/SB 2390	2000-349	CS/SB 358
2000-217	CS/CS/HB 855	2000-355	HB 2433
2000-218	CS/HB 955	2000-356	CS/SB 1016
2000-219	CS/HB 1037	2000-357	SB 318
2000-220	CS/HB 1039	2000-360	CS/CS/CS/SB 1258
2000-226	HB 2111	2000-362	CS/CS/SB 386
2000-229	CS/HB 205	2000-364	CS/CS/CS/SB 806
2000-230	SB 184	2000-366	CS/SB 1266
2000-231	SB 320	2000-367	CS/SB 2034
2000-233	SB 838	2000-369	SB 2252
2000-235	CS/CS/CS/SB 852	2000-372	CS/SB 220

INDEX

A

Abortion; SB 160.....	3
Absentee Voters; HB 917.....	12
Abuse/Neglect of Children; HB 855	11
Abuse/Neglect of Vulnerable Adults; SB 358.....	6
Accidents, Vessel; SB 386.....	7
Accountants; HB 405	7
Adult Prosecution	
Transfer of Juveniles; HB 69.....	1
Transfer of Juveniles; SB 1548	22
Agriculture; SB 1114.....	14
Agriculture and Consumer Services, Dept. of/Citrus Canker; SB 1114	14
Airports; SB 2252	27
Alcoholic Beverages; HB 1911	24
Alcoholic Beverages and Tobacco, Division of; HB 1941.....	25
Alcohol Testing Program; HB 2111.....	26
Amphetamine; HB 2085	26
Animals, Cruelty to; SB 150	2
Aquaculture; SB 806.....	10
Arrest, Warrantless; SB 2252	27
Artificial Reefs; SB 806.....	10
Athlete Agents; SB 1016.....	13
Attorney-Client Privilege; SB 794	10
Attorney General	
Emergency Interception Authorization; SB 2252.....	27
Money Laundering Injunction; SB 1258	17 & 34

B

Banking and Finance, Department of	
Money Laundering/Money Transmitters; SB 1258.....	17 & 32
Public Records Exemptions; SB 1262	19
Title Loans; HB 301.....	5
Battery of Child; HB 2125	27
Boating Under the Influence (BUI); HB 2111	26
Boats; See Vessels	
Brain/Spinal Cord Injury Program: SB 2034.....	25
Bulletin Boards, Electronic; HB 683	9
Burglary/DNA Testing; SB 838.....	10
Burning of Land; SB 1114.....	14
Buses, School; HB 1911	24
Business and Professional Regulation, Department of; SB 1016	13

C

Cat Pelts; SB 150	2
Chemical Substances/Nitrous Oxide; HB 75	2
Child Abuse/Neglect	
Investigations/Photographs; HB 855	11
Records; HB 2125	27
Child Protection Teams; HB 855	11
Children in Need of Services; SB 1192	14
Children and Family Services, Department of;	
Child Abuse Investigations; HB 855	11
Dependent Children; HB 2125	27
Newborn Infants; HB 1901	23
Cigarettes/Taxation; HB 1941	25
Citrus Canker; SB 1114	14
Civil Actions; SB 154	3
Civil Liability; SB 2252	27
CJNet; SB 1258	17 & 38
Clerk of Court; SB 154	3
Communications, Interception of; SB 2252	27
Community-based Organizations; SB 406	7
Community Colleges; SB 852	11
Community Service; SB 386	7
Computers; HB 683	9
Confessions/Sexual Abuse Cases; SB 840	10
Contractors, Unlicensed; SB 220	5
Controlled Substances; HB 2085	26
Cordless Telephones; SB 2252	27
Correctional Officers/Correctional Probation Officers	
“Bill of Rights”; HB 937	12
Law Enforcement Academy Requirements; HB 1481	21
Corrections, Department of	
DNA Testing/Blood Withdrawal; SB 838	10
Elderly Offenders; SB 2390	29
Housing of Juveniles; SB 1548	22
Sexual Predators/Offenders; SB 1400	20
Wardens; HB 1069	14
Counties/Municipalities	
Nuisance Abatement/Stolen Property; HB 65	1
Title Loans; HB 301	5
Vessel Regulation; SB 386	7
Courts	
Confessions/Sexual Abuse Cases; SB 840	10
Vexatious Litigants; SB 154	3
Crawfish; SB 806	10
Credit Cards; SB 1334	19

Crime Reduction; SB 406	7
Crimes and Penalties	
Amphetamine; HB 2085	26
Aquaculture; SB 806	10
Artificial Reefs; SB 806.....	10
Athlete Agents; SB 1016	13
Battery of Child; HB 2125	27
Battery on Juvenile Probation Officer; SB 1192.....	14
Brain/Spinal Cord Injury Program Records Release; SB 2034	25
Breach of Confidentiality/Sales Tax Collection; HB 2433.....	30
Burning of Land; SB 1114	14
Cat Pelts; SB 150	2
Chemical Substances; HB 75.....	2
Cigarettes/Taxation; HB 1941	25
Community Service; SB 386	7
Contractors, Unlicensed; SB 220	5
Controlled Substances, GHB/Ecstasy; HB 2085.....	26
Crawfish; SB 806	10
Criminal Mischief; HB 1911.....	24
Cruelty to Animals; SB 150	2
Department of Revenue Information Release; HB 2433	30
Dog Pelts; SB 150	2
Drug Paraphernalia/Money Laundering; SB 1258.....	17 & 34
Drug Paraphernalia/Nitrous Oxide; HB 2085.....	26
Drug Trafficking; HB 2085.....	26
Electronic Commerce/Taxation; SB 1338.....	20
Entertainment Industry/Certificate of Exemption; HB 743.....	9
Escape; SB 2252.....	27
“Ecstasy”; HB 2085	26
GHB; HB 2085	26
“Habitual Juvenile Offender Accountability Act”; HB 69.....	1
Handcuff Key/Concealed; SB 184.....	4
Health Professions/Giving False Information; HB 1067	14
Hoax Weapons of Mass Destruction; HB 955.....	12
Interference with Custody/Defenses; SB 320	6
Interference with Traffic Control Devices/Railroad Signals; HB 1911	24
“Justin Marks Teen Safety Driving Act”; SB 1530.....	22
Juveniles/Firearms or Destructive Devices; SB 1548.....	22
Lewd/Lascivious Exhibition; HB 683	9
Liquified Petroleum Gas; SB 1550	23
Long-Term Health Care; SB 358	6
Managed Care Organizations/Health Care; SB 1508	22
Methamphetamine; HB 2085	26
Minority Business Enterprise/Misrepresentation; HB 2127	27
Money Laundering; SB 1258.....	17 & 31
Newborn Infants; HB 1901	23
Nitrous Oxide; HB 75	2

Nuisance Abatement/Stolen Property; HB 65	1
“Partial-Birth Abortion Act”; SB 160.....	3
Pretrial Detention/Conditions; HB 607	8
Pretrial Detention/DUI Manslaughter; HB 205.....	4
Public Accountants; HB 405	7
Repeal/Emissions Inspections; SB 772	9
Repeal/Milk & Ice Cream Laws; SB 1786.....	23
Repeal/Naval Stores Laws; SB 1786	23
Repeal/Public Officers & Board Member Purchases; HB 181	3
School Safety; SB 852	11
Security of Communications/Wiretap; SB 2252	27
“Sexual Predator Prosecution Act of 2000”; HB 677.....	9
Sexual Predators/Offenders; SB 1400.....	20
Shellfish; SB 806	10
Stone Crabs; SB 806	10
Swimming Pool Safety; SB 86	2
Taxation; HB 2433	30
“10/20/Life” Law/Juveniles; SB 1548	22
Title Loans; HB 301.....	5
Viatical Settlements; SB 1956.....	25
Vessel-related; SB 386	7
Vulnerable Adults, Neglect of; SB 358.....	6
Weapons of Mass Destruction; HB 955	12
Weeds, Noxious; SB 1114.....	14
Crimes Compensation Claims; HB 2125	27
Criminal History Record Checks; HB 1481.....	21
Criminal Justice Standards and Training Commission; HB 2111	26
Criminal Mischief; HB 1911.....	24
Cruelty to Animals; SB 150	2
Custody, Interference with	
Defenses; SB 320	6
Public Records Exemption; SB 318	6

D

Death Review, Domestic Violence; HB 1039	13
Dependent Children; HB 2125.....	27
Destructive Devices; SB 1548	22
Detention	
Conditions/Juvenile; SB 1192.....	14
Conditions/Pretrial; HB 607.....	8
DUI Manslaughter; HB 205	4
Disability Benefits	
Retirement; SB 94	2
Vesting; HB 2393	29
Divers; SB 386	7
Domestic Violence	

Fatality-Injury Review Teams; HB 1039	13
Fatality-Injury Review Teams/Public Records Exemptions; HB 1037.....	13
Interference with Custody/Public Records Exemption; SB 318	6
Dog Pelts; SB 150	2
DNA Testing; SB 838.....	10
Driver Improvement Schools; HB 1911	24
Driver's Licenses/Identification Cards	
"Justin Marks Teen Safety Driving Act"; SB 1530.....	22
Revocation; HB 1911	24
Driving Under the Influence (DUI)	
Alcohol Testing Program; HB 2111	26
Manslaughter/Pretrial Detention; HB 205.....	4
Vehicle Impoundment/Immobilization; HB 1911	24
Drug Paraphernalia	
Money Laundering; SB 1258.....	17 & 34
Nitrous Oxide; HB 2085	26
Drug Trafficking; HB 2085.....	26

E

Economic Development; SB 406	7
"Ecstasy"; HB 2085	26
Education, Department of; SB 2464.....	30
Elderly Offenders; SB 2390	29
Elections	
Absentee Ballots; HB 917	12
Law Enforcement Officer/Public Office Candidate; HB 295.....	5
Municipal Recall; HB 917	12
Voter Registration; HB 1013	13
Electronic Commerce/Taxation; SB 1338.....	20
Emergency Interception of Communications; SB 2252.....	27
Emergency Preparedness/Schools; SB 852	11
Emergency Vehicles; HB 407	8
Emissions Inspections, Motor Vehicles; SB 772.....	9
Employers and Employees	
"Bill of Rights"/Law Enforcement & Correctional Officers; HB 937	12
Disability Retirement Benefits/Special Risk Officers; SB 94.....	2
Ethics Reporting Requirements; HB 181	3
Retirement; HB 2099.....	26
Retirement; HB 2393.....	29
Entertainment Industry; HB 743.....	9
Escape; SB 2252.....	27
Ethics; HB 181.....	3
Ethics, Commission on; HB 181	3
Evidence	
Attorney-Client Privilege; SB 794	10
Confession/Sexual Abuse Cases; SB 840	10

Money Laundering Cases; SB 1258.....	17 & 31
Execution, Writs of; SB 1194.....	15

F

Faith-based Organizations; SB 406.....	7
Family in Need of Services; SB 1196.....	16
Family Medical Leave Act; HB 2099.....	26
FDLE; See Law Enforcement, Department of	
Financial Crimes Database/Analysis Center; SB 1258.....	17 & 38
Financial Disclosure; HB 181.....	3
Fingerprint Checks/Seaports/Money Transmitters; SB 1258.....	17 & 31
Firearms Purchase Program; HB 955.....	12
Firearms/Weapons	
"10/20/Life" Law/Juveniles; SB 1548.....	22
Weapons/Hoax Weapons of Mass Destruction; HB 955.....	12
Fire Stations	
Newborn Infants; HB 1901.....	23
Newborn Infants/Public Records Exemptions; SB 2082.....	25
Fish & Wildlife Conservation Commission; SB 386.....	7
Fishing; SB 386.....	7
Floorplans, Schools; SB 852.....	11
"Florida Missing Childrens Day"; HB 2125.....	27
Forfeiture	
Money Laundering; SB 1258.....	17 & 34
Transportation, Department of; SB 1260.....	19
Fugitive Disentitlement; SB 1258.....	17 & 38

G

GHB; HB 2085.....	26
Golf Carts; HB 1911.....	24
Governor/Emergency Interception Authorization; SB 2252.....	27
Grants; SB 406.....	7

H

Handcuff Key/Concealed; SB 184.....	4
Hazardous Walking Conditions; SB 852.....	11
Headlamps; HB 1911.....	24
Health Care	
Brain/Spinal Cord Injury Program; SB 2034.....	25
Local Coordinating Workgroups; HB 591.....	8
Long-Term; SB 358.....	6
Managed Care Organizations; SB 1508.....	22
Unlicensed Health Care Practice; HB 591.....	8
Health Care Administration, Agency for; HB 591.....	8

Health Insurance; HB 2393	29
Health Professions; HB 1067	14
Highway Safety and Motor Vehicles, Department of	
Driver Improvement Schools; HB 1911	24
Information Receipt from Department of Revenue; HB 1911	24
Information Receipt from Department of Revenue; HB 2433	30
HMOs; HB 591	8
Hoax Weapons of Mass Destruction; HB 955.....	12
Hospitals	
Newborn Infants; HB 1901	23
Newborn Infants/Public Records Exemptions; SB 2082.....	25
Teaching; HB 591.....	8
Hunting; SB 386	7

I

Implied Consent; HB 2111	26
Infants, Newborn; HB 1901	23
Infants, Newborn/Public Records Exemptions; SB 2082.....	25
Informants; SB 1258.....	17 & 38
Infractions/Vessel-related; SB 386	7
Injunctions	
Cigarettes; HB 1941	25
Money Laundering; SB 1258.....	17 & 34
Inmates; See Prisoners	
Insanity Defense; SB 268	5
Instructor Discipline; HB 2111	26
Interference with Custody	
Defenses; SB 320	6
Public Records Exemption; SB 318	6
Internet; HB 683	9

J

Jails/Education of Juveniles; SB 2464	30
Judges	
Ethics Reporting; HB 181	3
“Habitual Juvenile Offender Accountability Act”; HB 69.....	1
Pretrial Detention/DUI Manslaughter; HB 205.....	4
Sentencing/Juveniles; SB 1548	22
Vexatious Litigants; SB 154.....	3
Juvenile Assignment Centers; HB 4049	30
Juvenile Justice Circuit Boards/County Councils; SB 1196	16
Juvenile Justice, Department of	
Juvenile Offender Education; SB 2464.....	30
Juvenile Placement Revisions; SB 1192	14
Reorganization; SB 1196	16

Juvenile Justice Standards and Training Commission; SB 1196.....	16
Juvenile Probation Officers; SB 1192.....	14
Juveniles	
Adult Prosecution/Sentencing; HB 69.....	1
Adult Prosecution/Sentencing; SB 1548.....	22
Attorney-Client Privilege; SB 794.....	10
Dependent Children; HB 2125.....	27
DJJ Reorganization; SB 1196.....	16
Education; SB 2464.....	30
Golf Carts; HB 1911.....	24
“Habitual Juvenile Offender Accountability Act”; HB 69.....	1
“Justin Marks Teen Safety Driving Act”; SB 1530.....	22
Placement Revisions; SB 1192.....	14
School Safety Issues; SB 852.....	11
“10/20/Life” Law/Sentencing; SB 1548.....	22

L

Law Enforcement Academies; HB 1481.....	21
Law Enforcement Agencies	
“Bill of Rights”; HB 937.....	12
Child Abuse Investigations/Photographs; HB 855.....	11
Community Policing; SB 406.....	7
DNA Testing/Blood Withdrawal; SB 838.....	10
Domestic Violence Fatality/Injury Review; HB 1039.....	13
Investigation of Licensing Violations; SB 386.....	7
Juvenile Justice Circuit Boards/County Councils; SB 1196.....	16
Juvenile Reports; SB 1192.....	14
Money Laundering Injunction; SB 1258.....	17 & 34
Mutual Aid Agreements/Traffic Enforcement Task Force; SB 2252.....	27
Newborn Infants; HB 1901.....	23
School Safety; SB 852.....	11
Sexual Predators/Offenders; SB 1400.....	20
Task Force on Privacy and Technology; SB 1334.....	19
Unlicensed Living Facilities Workgroup; HB 591.....	8
Law Enforcement, Department of	
Alcohol Testing Program; HB 2111.....	26
CJNet; SB 1258.....	17 & 38
DNA Testing/Blood Withdrawal; SB 838.....	10
Domestic Violence Fatality/Injury Review; HB 1039.....	13
Financial Crimes Database/Analysis Center; SB 1258.....	17 & 38
Fingerprint Checks/Seaports/Money Transmitters; SB 1258.....	17 & 31
Firearms Purchase Program; HB 955.....	12
Seaport Security Assessment; SB 1258.....	17 & 31
Sexual Predators/Offenders; SB 1400.....	20
Law Enforcement Officers	
Emergency Vehicles/Toll Facilities; HB 407.....	8

Law Enforcement Academy Requirements; SB 1400	20
Public Officer Election; HB 295.....	5
Vessels/Artificial Reefs; SB 806	10
Warrantless Arrest; SB 2252	27
Law Enforcement Radio System	
Department of Management Services; SB 1334	19
Radio System Review Panel; SB 2252	27
Law Enforcement Trust Fund/Department of Transportation; SB 1260.....	19
Lewd & Lascivious Exhibition; HB 683.....	9
Liquified Petroleum Gas; SB 1550	23
Liveries/Vessel Rentals; SB 386	7

M

Mail/Voter Registration; HB 1013.....	13
Managed Care Organizations; SB 1508	22
Management Services, Department of	
Information Receipt from Department of Revenue; HB 2433	30
Law Enforcement Radio System; SB 1334	19
Retirement; HB 2099.....	26
Retirement; HB 2393.....	29
“Uniform Electronic Transaction Act”/State Technology Office; SB 1334 ..	19
Manslaughter, DUI; HB 205	4
Mass Destruction, Weapons of; HB 955	12
Methamphetamine; HB 2085	26
Milk/Ice Cream Products; SB 1786.....	23
Minority Business Enterprise; HB 2127	27
Minors; See Juveniles	
Money Laundering; SB 1258.....	17 & 31
Money Transmitters/Vendors	
Offenses; SB 1258.....	17 & 31
Public Records Exemptions; SB 1262	19
Motorcycles; HB 1911	24
Motor Homes; HB 1911	24
Motor Vehicles	
Alcohol Testing Program/DUI; HB 2111	26
Emissions Inspections; SB 772	9
Golf Carts; HB 1911	24
Impoundment/Immobilization for DUI; HB 1911.....	24
“Justin Marks Teen Safety Driving Act”; SB 1530.....	22
Sunscreening; HB 1911.....	24
Title Loans; HB 301.....	5
Municipalities; See Counties	
Mutual Aid Agreements; SB 2252	27

N

Naval Stores; SB 1786.....	23
Newborn Infants; HB 1901	23
Newborn Infants/Public Records Exemptions; SB 2082.....	25
“911” Telephone Lines; SB 2252	27
Nitrous Oxide	
Drug Paraphernalia; HB 2085	26
Felony Offense; HB 75.....	2
Noxious Weeds; SB 1114.....	14
Nuisance Abatement; HB 65.....	1

O

Office of Drug Control; SB 1258.....	17 & 31
Open Containers; HB 1911.....	24
Ordinances	
Nuisance Abatement; HB 65	1
Title Loans; HB 301.....	5
Vessel Regulation; SB 386.....	7

P

Partial-Birth Abortion; SB 160.....	3
Pen Register; SB 2252	27
Personal Watercraft; SB 386.....	7
Photographs/Child Abuse Investigations; HB 855	11
Physicians/Interns; HB 591	8
Polling Inspectors; HB 917	12
Popular Names Bills	
“Control of Money Laundering/Financial Institutions”; SB 1258.....	17 & 33
“Florida Money Laundering Act”; SB 1258.....	17 & 34
“Florida Title Loan Act”; HB 301	5
“Florida Vexatious Litigant Law”; SB 154	3
“Habitual Juvenile Offender Accountability Act”; HB 69.....	1
“Justin Marks Teen Safety Driving Act”; SB 1530.....	22
“Preston de Ibern/McKenzie Merriam Residential Swimming Pool Safety Act”; SB 86.....	2
“Partial-Birth Abortion Act”; SB 160.....	3
“Sexual Predator Prosecution Act of 2000”; HB 677.....	9
“Trooper Robert Smith Act”; HB 205	4
“Uniform Electronic Transaction Act”; SB 1334	19
Predators, Sexual	
“Sexual Predator Prosecution Act of 2000”; HB 677.....	9
Statute Changes; SB 1400.....	20
Predators, Sexually Violent; HB 2125	27
Pregnancy Termination; SB 160.....	3
Pretrial Detention/Release	
Conditions; HB 607.....	8

DUI Manslaughter; HB 205	4
Prevention Service Program; SB 1196	16
Prisoners/Education of Juveniles; SB 2464	30
Privacy; SB 1334.....	19
Privilege, Attorney-Client; SB 794	10
Probation; SB 1196.....	16
Probation Officers, See Correctional Officers/Correctional Probation Officers	
Professions, Regulation of; SB 1016.....	13
Property Seizure/Writs of Execution; SB 1194	15
Prostitution; SB 2252	27
Protective Headgear; HB 1911	24
Public Accountants; HB 405.....	7
Public Employees; See Employers and Employees	
Public Employee Optional Retirement Program; HB 2393	29
Public Office/Elections; HB 295	5
Public Officers/Ethics; HB 181.....	3
Public Records; Exemptions/Confidentiality	
Brain/Spinal Cord Injury Program; SB 2034.....	25
Domestic Violence Fatality/Injury Review Teams; HB 1037	13
Interference with Custody; SB 318.....	6
Money Transmitters/Vendors; SB 1262	19
Newborn Infants; SB 2082.....	25
Seaport Security; SB 1256.....	17

R

Radio System, Law Enforcement	
Department of Management Services Duties; SB 1334.....	19
State Agency Law Enforcement Radio System Review Panel; SB 2252	27
Railroad Signals; HB 1911	24
Records Retention; SB 1334	19
Repeal	
Emissions Inspections; SB 772	9
False Packing; SB 1786.....	23
Milk/Ice Cream Laws; SB 1786	23
Naval Stores Laws; SB 1786	23
Public Officer/Board Member Purchasing; HB 181.....	3
Rules of Criminal Procedure; HB 205.....	4
Rules of Criminal Procedure; HB 607.....	8
Stamped/Marked Containers; SB 1786.....	23
Residential Swimming Pools; SB 86	2
Retirement	
Disability Retirement Benefits/Special Risk Members; SB 94	2
Public Employee Optional Retirement Program; HB 2393	29
Special Risk Members; HB 2099.....	26
Special Risk Members; HB 2393.....	29
Vesting; HB 2393	29

Revenue, Department of	
Entertainment Industry/Certificate of Exemption; HB 743.....	9
Information Release to DHSMV; HB 1911	24
Information Release to DHSMV and DMS; HB 2433	30
Money Laundering; SB 1258.....	17 & 38
RICO; SB 1258.....	17 & 34
Rules of Civil Procedure; SB 1258.....	17 & 34
Rules of Criminal Procedure	
Repeal of Section; HB 205	4
Repeal of Section; HB 607	8

S

Safety Belts; SB 1530.....	22
School Buses; HB 1911	24
School Safety; SB 852	11
Seaports	
Public Records Exemption; SB 1256	17
Security Plans/Inspections; SB 1258.....	17 & 31
Secondhand Dealers; HB 301	5
Security of Communications; SB 2252	27
Self-inflicted Crime; SB 1266.....	19
Sentencing	
“Habitual Juvenile Offender Accountability Act”; HB 69.....	1
Juveniles; SB 1196	16
“Sexual Predator Prosecution Act of 2000”; HB 677.....	9
“10/20/Life” Law/Juveniles; SB 1548	22
Sexual Abuse Cases/Confession; SB 840.....	10
Sexual Offenders; SB 1400.....	20
Sexual Predators	
“Sexual Predator Prosecution Act of 2000”; HB 677.....	9
Statute Changes; SB 1400.....	20
Sexually Violent Predators; HB 2125	27
Shellfish; SB 806	10
Sheriffs	
“Bill of Rights”; HB 937	12
Child Abuse Investigations; HB 855.....	11
Citrus Canker Eradication Duties; SB 1114	14
Education of Juveniles; SB 2464	30
Elections/Polling Places; HB 917.....	12
Interference with Custody/Public Records Exemption; SB 318	6
Juvenile Justice Circuit Boards/County Councils; SB 1196	16
Mutual Aid Agreements/Traffic Enforcement Task Force; SB 2252.....	27
School Safety; SB 852	11
Sexual Predators/Offenders; SB 1400.....	20
Writs of Execution; SB 1194	15
Signal Lamps; HB 1911.....	24

“Smurfing”; SB 1258	17 & 37
Special Risk Officers	
Disability Retirement Benefits; SB 94.....	2
Retirement; HB 2099.....	26
Retirement; HB 2393.....	29
State Attorneys	
Child Abuse Investigations; HB 855	11
DNA Testing/Blood Withdrawal; SB 838	10
Emergency Interception Authorization; SB 2252.....	27
“Habitual Juvenile Offender Accountability Act”; HB 69.....	1
Interference with Custody/Public Records Exemption; SB 318	6
Juvenile Justice Circuit Boards/County Councils; SB 1196	16
Juvenile Prosecution; HB 69.....	1
Juvenile Prosecution; SB 1548	22
Money Laundering Injunction; SB 1258	17 & 34
Unlicensed Living Facilities Workgroup; HB 591	8
State, Department of	
Ethics Program Transfer; HB 181	3
Property Seizure; SB 1194.....	15
State Procurement; HB 2127	27
State Technology Office; SB 1334.....	19
Statewide Prosecutor	
Emergency Interception Authorization; SB 2252.....	27
Money Laundering Injunction; SB 1258	17 & 34
Task Force on Privacy and Technology; SB 1334	19
Stolen Property; HB 65.....	1
Stone Crabs; SB 806	10
Stoplamps; HB 1911	24
Stored Electronic Communications; SB 2252	27
Strobe Lights; HB 1911	24
“Structuring”; SB 1258.....	17 & 37
Suicide; HB 1039.....	13
Sunscreening; HB 1911.....	24
Swimming Pools; SB 86.....	2

T

Task Force on Privacy and Technology; SB 1334	19
Task Force on Victims of Self-inflicted Crime; SB 1266.....	19
Taxation	
Cigarettes; HB 1941	25
Electronic Commerce; SB 1338.....	20
“10/20/Life” Law/Juveniles; SB 1548	22
Title Loans; HB 301.....	5
Toll Facilities; HB 407	8
Traffic Control	
Mutual Aid Agreements/Traffic Enforcement Task Force; SB 2252.....	27

Statute Revisions; HB 1911	24
Traffic Law/Substance Abuse Education Programs; HB 1911	24
Transportation, Department of	
Forfeitures; SB 1260	19
Law Enforcement Trust Fund; SB 1260.....	19
Motor Vehicle Compliance Interdiction Squad; SB 1258	17 & 39
Trap and Trace Device; SB 2252	27
Travel Trailers; HB 1911.....	24
Trespass; SB 2252	27
Trial/Insanity Defense; SB 268.....	5

U

Unlicensed Contractors; SB 220	5
Unlicensed Health Care Practice; HB 591.....	8
Unlicensed Living Facilities; HB 591	8

V

Vehicles; See Motor Vehicles	
Vessels	
Alcohol Testing Program/BUI; HB 2111	26
Artificial Reefs; SB 806.....	10
Regulation; SB 386	7
Vesting/Retirement; HB 2393.....	29
Vexatious Litigants; SB 154.....	3
Viatical Settlements; SB 1956.....	25
Victims/Task Force on Victims of Self-inflicted Crime; SB 1266.....	19
Voter Registration; HB 1013	13
Vulnerable Adults; SB 358	6

W

Wardens; HB 1069.....	14
Warrantless Arrest; SB 2252	27
Weapons of Mass Destruction; HB 955	12
Weapons; See Firearms	
Weeds, Noxious; SB 1114.....	14
Wire Interception; SB 2252.....	27
Witnesses/Attorney-Client Privilege; SB 794	10
Writs of Execution; SB 1194	15

Y

Youth Custody Officer; SB 1196	16
--------------------------------------	----