

**2017 LEGISLATIVE SUMMARY  
LAWS OF INTEREST TO FLORIDA LAW ENFORCEMENT**

This Legal Bulletin contains brief summaries of most laws of interest to the Florida law enforcement community that were passed during the 2017 regular and special sessions of the Florida Legislature. The Legislative Summary, available on FDLE's public website, may be found at: <http://www.fdle.state.fl.us/cms/OGC/Summaries/Legislative-Summaries.aspx>. The Legislative Summary does not address every element of every summarized law, and some laws of potential interest to law enforcement have been omitted; you should review the entire content of any law in which you have particular interest. The Summary includes Internet hyperlinks to the complete text of all summarized bills.

This year's Summary is the product of the combined efforts of many within the FDLE Office of General Counsel, including Deputy General Counsel James Martin, Assistant General Counsels Joe White, Shehla Milliron, Linton Eason, Jeff Dambly, Weston Petkovsek, Rebecca Cambria, Janine Robinson, Christopher Bufano, Elisabeth Yerkes, and Caitlin Mawn, Operations and Management Consultant Manager Dana Kelly, and Business Consultant Erin Tupper. *Do not rely solely on the Summary for a complete understanding of any bill or the 2017 Sessions.* Law enforcement officers should check with their chain of command and agency legal advisors to determine the effect specific legislation may have upon agency operations.

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Legislative information, including copies of the laws as passed may be accessed on the Florida Legislature's web site (<http://www.leg.state.fl.us>). Select the bill versions ending in "er" and the greatest numeral, which is the "enrolled" version sent to the Governor. *Those without Internet access may obtain printed copies of laws as passed from:*

**House Documents Office**  
Room 513, The Capitol  
Tallahassee, FL 32399-1300  
(850) 717-5650

**Senate Documents Office**  
Room 405, The Capitol  
Tallahassee, FL 32399-1100  
(850) 487-5229

FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
OFFICE OF GENERAL COUNSEL



2017 LEGISLATIVE SUMMARY

**House Bill 39 (Ch. 2017-43): Autism Awareness Training for Law Enforcement Officers; Curriculum; Disability; Education; Employment; Law Enforcement, Department of; Training**

The bill requires the Florida Department of Law Enforcement to create a continued employment training component relating to autism spectrum disorder which shall include instruction on recognition of the symptoms and characteristics typical of autism spectrum disorder and appropriate responses to an individual exhibiting such symptoms and characteristics. The completion of the training may count towards the 40 hours of required instruction for continued employment or appointment as a law enforcement officer.

***Effective Date: October 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/39/BillText/er/PDF>

**Senate Bill 80 (Ch. 2017-21): Public Records; Attorneys' Fees; Civil Actions; Confidential; Enforcement Actions; Exemptions; Public Records, Generally; Records**

The bill requires a court to award attorneys' fees and costs to a plaintiff in a civil action against an agency to enforce public records requests if the court determines that the agency unlawfully denied the petitioner access to a public record and the plaintiff provided written notice identifying the public record request to the agency's records custodian at least 5 business days before commencing the civil action (unless the agency has not posted the records custodian's contact information in the agency's primary administrative building and on the agency's website). However, if a court finds that a plaintiff requested public records primarily to cause a violation of the public records law, to harass the agency, or for some other frivolous or improper purpose, the court must require the plaintiff to pay the agency's attorneys' fees and costs. The bill does not create a private right of action for monetary damages; only reasonable costs of enforcement directly attributable to the civil action to enforce public records requests may be awarded.

***Effective Date: May 23, 2017***

<https://www.flsenate.gov/Session/Bill/2017/80/BillText/er/PDF>

**House Bill 107 (Ch. 2017-40): Criminal Offense Involving Tombs and Memorials; Cemeteries; Crimes; Felonies; Graves; Memorials; Tombs**

The bill provides that it is a felony of the second degree to willfully and knowingly excavate, expose, move, remove or otherwise disturb the contents of a grave or tomb. The bill also provides that it is a felony of the third degree to willfully and knowingly destroy, mutilate, deface, injure, or remove any specified memorials of the dead, or any fence or other thing

intended to protect such memorials of the dead, or to willfully destroy, mutilate, remove, cut, break, or injure any tree, shrub, or plant placed within the enclosure of a memorial of the dead, except in the case of routine maintenance or upkeep. The bill provides exceptions.

***Effective Date: October 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/107/BillText/er/PDF>

**House Bill 111 (Ch. 2017-11): Public Records Identity Witness to a Murder; Confidential; Exemptions; Identity; Murder; Public Records, Generally; Records; Witness**

The bill designates "criminal intelligence or investigative information that reveals the personal identifying information of a witness to a murder" as confidential and exempt from the disclosure requirements under the public records laws. However, a state agency may disclose these records in the furtherance of its official duties and responsibilities, to assist in locating or identifying the witness if the witness is believed to be missing or endangered, to another governmental agency for use in the performance of its official duties and responsibilities, and to the parties in a pending criminal prosecution as required by law. This exemption and confidentiality survives the information entering a court file and shall remain confidential and exempt for two years after the date on which the murder is observed by the witness.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/111/BillText/er/PDF>

**Senate Bill 118 (Ch. 2017-130): Criminal History Records; Arrests; Booking Photographs; Identity; Photographs; Records**

The bill creates a mechanism for a person to seek the removal of his or her arrest booking photograph from a publicly accessible print or electronic medium or other dissemination. The bill requires the publisher of an arrest booking photograph to remove the photograph within 10 days after receiving a written request from the person in the photograph or from his or her legal representative. The request must be sent by registered mail to the registered agent of the publisher and must include sufficient proof of identification of the person whose photograph is to be removed and information identifying the relevant photograph. The publisher may not solicit or accept a fee to remove the photograph. The bill also provides for both a civil remedy and penalties for publishers that fail to comply with the requirements of the bill.

***Effective Date: July 1, 2018***

<https://www.flsenate.gov/Session/Bill/2017/118/BillText/er/PDF>

**Senate Bill 128 (Ch. 2017-72): Self-Defense Immunity; Force; Immunity; Retreat, Duty to; Self-Defense; Stand Your Ground; Use of Force**

The bill establishes a statutory procedure whereby a criminal defendant can claim immunity from prosecution based on a justified use of force and requires a defendant to raise a prima facie claim of immunity at the pretrial hearing. Once the defendant raises the claim of immunity, to overcome the immunity, the state must prove by clear and convincing evidence that the defendant is not immune from prosecution. This new procedure will replace procedures established by the courts which require a defendant to prove entitlement to immunity by a preponderance of the evidence at a pretrial hearing.

***Effective Date: June 9, 2017***

<https://www.flsenate.gov/Session/Bill/2017/128/BillText/er/PDF>

**House Bill 169 (Ch. 2017-47): Fictitious Name Registration; Crimes; Identity; Misdemeanors**

The bill, in pertinent part, changes the penalty for failing to comply with the Fictitious Name Act from a misdemeanor to a noncriminal violation.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/169/BillText/er/PDF>

**House Bill 207 (Ch. 2017-49): Agency Inspectors General; Contracts; Employment; Inspectors General**

The bill prohibits state agencies and the Florida Housing Finance Corporation from entering into an employment agreement, or renewing or renegotiating an existing contract, with an inspector general or deputy inspector general that offers a bonus on work performance after July 1, 2017. The bill also prohibits the awarding of such a bonus.

***Effective Date: June 2, 2017***

<https://www.flsenate.gov/Session/Bill/2017/207/BillText/er/PDF>

**House Bill 249 (Ch. 2017-54): Drug Overdoses; Controlled Substances, Generally; Drugs; Emergencies; Overdoses; Substance Abuse**

The bill, in pertinent part, permits basic and advanced life support services which treats and releases, or transports to a medical facility, an individual in response to a suspected or actual overdose of a controlled substance to report the incident to the Department of Health within 120 hours after the incident. The bill further requires that the data collected by the Department of Health be made available within 120 hours to specified county-level groups, including law enforcement agencies, and requires the Department of Health to produce a quarterly report summarizing the data received. The quarterly report must be provided to specified entities, including FDLE's FUSION Center, and made available to specified county agencies, including law enforcement agencies.

***Effective Date: October 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/249/BillText/er/PDF>

**House Bill 259 (Ch. 2017-195): Martin County; Contracts; Indiantown, Village of; Ordinances**

The bill, in pertinent part, creates a new municipality to be known as the Village of Indiantown, permits the council of the Village of Indiantown to establish those departments, boards, and agencies it determines to be necessary for the efficient administrative operation of the village, and leaves all applicable Martin County ordinances in place unless and until they are rescinded by action of the council of the Village of Indiantown. The bill also specifies that contractual services, including those for law enforcement, may be supplied by a contract between the Village of Indiantown and specified entities until the council of the Village of Indiantown establishes independent services.

***Effective Date: Upon approval by a majority vote of those qualified electors residing within the corporate limits of the proposed Village of Indiantown, as described in section 3, voting in a referendum conducted in accordance with the provisions of law relating to elections currently in force.***

<https://www.flsenate.gov/Session/Bill/2017/259/BillText/er/PDF>

**Senate Bill 280 (Ch. 2017-1): Sentencing for Capitol Felonies; Capital Felonies; Death Sentence; Felonies; Juries; Sentencing; Verdicts**

The bill requires jury unanimity for a recommendation of a death sentence, rather than the vote of a specified number of jurors. This bill also reenacts the provision relating to punishment for convictions for capital felonies, procedures for determining sentences of death or life imprisonment, sexual battery, and punishments for capital drug trafficking felonies, to incorporate the amendments regarding jury unanimity for death sentences.

***Effective Date: March 13, 2017***

<https://www.flsenate.gov/Session/Bill/2017/280/BillText/er/PDF>

**House Bill 305 (Ch. 2017-15): Law Enforcement Body Cameras; Body Cameras; Cameras; Technology**

The bill requires law enforcement agencies to establish policies and procedures authorizing an officer using a body camera to review the body camera footage, upon the officer's own request, prior to writing a report or making a statement about an event arising within the scope of the officer's official duties. However, the bill prohibits the authorizing provision from applying where the incident involves an officer's inherent duty to immediately disclose information necessary to secure an active crime scene or to identify suspects or witnesses.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/305/BillText/er/PDF>

**Senate Bill 312 (Ch. 2017-91): Eyewitness Identification; Curriculum; Education; Law Enforcement, Department of; Lineups; Photographic Lineups; Training; Witness**

The bill creates the Eyewitness Identification Reform Act, which sets forth specific procedures that state, county, municipal, or other law enforcement agencies must follow when conducting either a photographic or live lineup in Florida. These procedures include: giving specific instructions prior to the lineup, written acknowledgement by the eyewitness of receipt of the instructions, documentation procedures in the event of the refusal of the eyewitness to sign the written acknowledgement, independent lineup administrators, and alternative methods to independent administrators for photographic lineups. The bill also established judicial remedies should the lineup procedures not be followed and requires the Criminal Justice Standards and Training Commission, in consultation with the Florida Department of Law Enforcement, to develop educational materials and conduct training for law enforcement on the procedures set forth in the bill.

***Effective Date: October 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/312/BillText/er/PDF>

**House Bill 343 (Ch. 2017-81): Payment Card Offenses; Credit Cards; Crimes; Felonies; Forfeiture; Fraud; Re-encoders; Skimming Devices; Theft; Technology**

The bill provides that fraudulent use of a skimming device is a third degree felony and ranks such an offense in Level 4 of the Criminal Punishment code offense severity ranking chart. The bill also provides that it is a third degree felony to knowingly possess, sell, or deliver a skimming device, ranks such an offense in Level 4 of the Criminal Punishment Code offense severity ranking chart, and establishes that such an offense is subject to the Florida Contraband Forfeiture Act. Additionally, the bill modifies listed offenses to reflect technological advancements in payment cards, such as the incorporation of computer chips. The provisions of this bill do not apply to certain specified persons, including law enforcement officers acting within the scope of their official duties.

**Effective Date: October 1, 2017**

<https://www.flsenate.gov/Session/Bill/2017/343/BillText/er/PDF>

**House Bill 379 (Ch. 2017-102): Underground Facilities; Citations; Civil Penalties; Emergencies; Facilities; Hazards; Infrastructure; Natural Gas; Non-Criminal Infractions; Pipes; Safety; Transportation, U.S. Department of**

The bill provides, in pertinent part, that 80% of the civil penalty collected by the clerk of the court for a citation issued by a state or local law enforcement officer for a specified noncriminal infraction will be distributed to the employing agency of the law enforcement officer who issued the citation. The bill also requires excavators to call 911 to report the escape of natural gas or other specified hazardous substances caused by contact with or damage to an underground pipe or any other underground facility.

**Effective Date: July 1, 2017**

<https://www.flsenate.gov/Session/Bill/2017/379/BillText/er/PDF>

**House Bill 397 (Ch. 2017-103): Public Records/Victim of Alleged Sexual Harassment/Identifying Information; Confidential; Exemptions; Identity; Public Records, Generally; Records; Sexual Harassment; Victims**

The bill creates a public records exemption for personal information that could lead to the identification of an alleged victim of sexual harassment. However, the information may be disclosed to other governmental entities in the furtherance of their official duties.

**Effective Date: June 14, 2017**

<https://www.flsenate.gov/Session/Bill/2017/397/BillText/er/PDF>

**House Bill 401 (Ch. 2017-17): Notaries Public; Identity; Veterans**

The bill expands the list of forms of identification that a notary public may rely upon in notarizing a signature on a document to include a Veteran Health Identification Card issued by the U.S. Department of Veterans Affairs.

**Effective Date: July 1, 2017**

<https://www.flsenate.gov/Session/Bill/2017/401/BillText/er/PDF>

**House Bill 455 (Ch. 2017-105): Tax Exemptions for First Responders and Surviving Spouses; Crimes; Disability; Dwellings; Employment; Exemptions; First Responders; Homes; Homestead Exemption; Misdemeanors; Residences; Spouses**

The bill creates an exemption from ad valorem taxation on homestead property for a first responder who has suffered a total and permanent disability as a result of injuries sustained in the line of duty and for his or her surviving spouse. The bill also outlines the procedure for claiming the exemption and establishes that knowingly and willingly giving false information for the purpose of claiming the exemption is a first degree misdemeanor.

***Effective Date: June 14, 2017***

<https://www.flsenate.gov/Session/Bill/2017/455/BillText/er/PDF>

**House Bill 457 (Ch. 2017-37): Terrorism and Terrorist Activities; Agroterrorism; Animals; Crimes; Crops; Curriculum; Diseases; Education; Foreign Terrorist Organizations; Law Enforcement, Department of; Livestock; Security; Terrorism; Training**

The bill creates and defines a crime of terrorism, designated as a first degree felony or a life felony in the case of death or serious bodily injury, and creates other terrorism-related crimes, including material support to terrorism or designated foreign terrorist organizations, membership in a designated foreign terrorist organization, agroterrorism, and receiving military-style training from a designated foreign terrorist organization. The bill also creates the offenses of providing material support to terrorism when knowing or intending that the material support be used towards a predicated offense or to a designated foreign terrorist organization when the material support is provided knowingly. The bill provides exceptions and mandates the creation of investigative guidelines by the Florida Department of Law Enforcement and the Office of the Attorney General.

***Effective Date: October 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/457/BillText/er/PDF>

**House Bill 477 (Ch. 2017-107): Controlled Substances; Alfentanil; Analysts; Cannabinoids; Capital Felonies; Carfentanil; Cathinones; Codeine; Controlled Substances, Generally; Crime Labs; Crimes; Drugs; Felonies; Fentanyl; Marijuana; Murder; Opioids; Overdoses; Phencyclidines; Phenethylamines; Prescription Drugs; Sulfentanil; Synthetic Cannabinoids; Substance Abuse; Trafficking**

The bill authorizes specified crime laboratory personnel to possess, store, and administer for the purpose of treating opioid overdoses, emergency opioid antagonists. The bill also provides that persons 18 years of age or older commit murder in the first degree when the unlawful distribution by the person of a specified controlled substance, including alfentanil, carfentanil, fentanyl, and sulfentanil, is the proximate cause of the death of the user of the controlled substance. Further, the bill adds fentanyl derivatives and 5 additional synthetic opioid compounds to the list of Schedule I controlled substances, and adds 29 Schedule II controlled substances for which possession of 10 grams or more is a first degree felony, creates the offenses of trafficking in fentanyl and trafficking in synthetic cannabinoids, adds codeine to the current offense of trafficking in hydrocodone, and adds substituted phenylcyclohexylamine to the current offense of trafficking in phencyclidine. The bill also adds to the current offense of trafficking in phenethylamines several additional phenethylamines or cathinones, as well as substituted cathinones and substituted phenethylamines.



***Effective Date: October 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/477/BillText/er/PDF>

**House Bill 501 (Ch. 2017-109): Public Records and Meetings/Information Technology/Postsecondary Education Institutions; Colleges; Confidential; Cybercrime; Education; Exemptions; Meetings, Generally; Public Records, Generally; Records; Schools; Security; Technology; Universities**

The bill creates a public records exemption for specified data or information from technology systems owned, contracted, or maintained by a state university or Florida College System ("FCS") institution. The bill also creates a public meetings exemption for portions of meetings that may reveal specified data or information from technology systems owned, contracted, or maintained by a state university or FCS institution. However, the information must be provided or otherwise made available to specified entities, including the Cybercrime Office of the Florida Department of Law Enforcement, and may be made available to a state or federal agency for security purposes or in furtherance of the agency's official duties.

***Effective Date: June 14, 2017***

<https://www.flsenate.gov/Session/Bill/2017/501/BillText/er/PDF>

**House Bill 505 (Ch. 2017-110): Florida Comprehensive Drug Abuse Prevention and Control Act; Controlled Substances, Generally; Drugs; Ioflupane; Substance Abuse**

The bill removes ioflupane I 123 from the list of substances classified as Schedule II controlled substances. The bill also provides that any reference in the Florida Statutes to the Florida Comprehensive Drug Abuse Prevention and Control Act include all subsequent amendments to the Act.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/505/BillText/er/PDF>

**House Bill 533 (Ch. 2017-197): City of Tampa, Hillsborough County; Contracts; Hillsborough County; Tampa, City of**

The bill, in pertinent part, authorizes the City of Tampa to enter into a supplemental contract with each police officer who is an active member of the City Pension Fund for Firefighters and Police Officers in the City of Tampa when certain conditions are met.

***Effective Date: June 6, 2017***

<https://www.flsenate.gov/Session/Bill/2017/533/BillText/er/PDF>

**House Bill 699 (Ch. 2017-170): Internet Identifiers; Communications; Identity; Law Enforcement, Department of; Sexual Offender; Sexual Predator; Social Networks; Supervision**

The bill modifies the definition of the term "Internet identifier" and adds definitions for the connected terms "social Internet communication" and "application software". The bill also requires sexual predators and sexual offenders who are off sanctions to report each Internet identifier's corresponding website homepage or application software name within 48 hours of use and requires sexual predators and sexual offenders still under supervision by DOC or DJJ to



register their Internet identifiers and corresponding websites or application software prior to use.

**Effective Date: June 26, 2017**

<https://www.flsenate.gov/Session/Bill/2017/699/BillText/er/PDF>

**House Bill 807 (Ch. 2017-173): Practices of Substance Abuse Service Providers; Children and Families, Department of; Civil Penalties; Controlled Substances, Generally; Court Orders; Crimes; Drugs; Felonies; Health Records; Medical Records; Patient Brokering; Patients; Physicians; Racketeering; Records; RICO; Substance Abuse**

The bill, in pertinent part, extends the jurisdiction of the Office of the Statewide Prosecutor to investigate and prosecute patient brokering offenses, adds patient brokering to the list of predicate offenses that may be prosecuted as RICO offenses, and adopts federal law with regard to the timing of law enforcement notice to patients regarding obtaining patient records pursuant to a court order.

**Effective Date: July 1, 2017**

<https://www.flsenate.gov/Session/Bill/2017/807/BillText/er/PDF>

**Senate Bill 852 (Ch. 2017-23): Human Trafficking; Attorney General; Bond; Children; Children and Families, Department of; Commercial Sexual Activity; Crimes; Felonies; Human Trafficking; Pre-Trial Release; Trafficking; Victims**

The bill, in pertinent part, defines the term commercial sexual exploitation, requires the Department of Children and Families ("DCF") or a sheriff's office to conduct a multidisciplinary staffing to determine the service and placement needs of child victims of commercial sexual exploitation, changes to October 1<sup>st</sup> the deadline by which DCF or a sheriff's office must submit a report to the Legislature on child commercial sexual exploitation and safe-harbor placements, and adds the crime of human trafficking involving commercial sexual activity to the list of crimes where the defendant's confession is admissible during specified situations in trial. The bill also requires DCF or a sheriff's office to follow up with the verified victims of commercial sexual exploitation within six months and adds human trafficking to the list of crimes considered dangerous and for which the court may not grant nonmonetary pretrial release at first appearance.

**Effective Date: October 1, 2017**

<https://www.flsenate.gov/Session/Bill/2017/852/BillText/er/PDF>

**House Bill 865 (Ch. 2017-42): Department of Transportation; Fuel; Motor Vehicles; Natural Gas; Transportation; Transportation, Department of; Vehicles**

The bill provides, in pertinent part, that upon request by any law enforcement officer, the operator of a vehicle fueled by natural gas must present written certification identifying the weight of the natural gas tank and fueling system and the differences in weight of a comparable diesel tank and fueling system. Such certification must originate from the vehicle manufacturer or the installer of the natural gas tank and fueling system.

**Effective Date: July 1, 2017**

<https://www.flsenate.gov/Session/Bill/2017/865/BillText/er/PDF>

**House Bill 879 (Ch. 2017-145): Unlawful Acquisition of Utility Services; Crimes; Damages; Electricity; Infrastructure; Restitution; Theft; Utilities**

The bill revises the elements of the offense of theft of utility services and specifies circumstances that constitute prima facie evidence of the offense of theft of utility services. The bill also shifts the burden to the defendant, upon a prima facie showing of theft by the state, to demonstrate that the loss of utility services is something other than theft, establishes the damages that may be recovered and the restitution which may be awarded for damaged utility property or the theft of electricity, and establishes the methods to determine damages or restitution for damaged utility property or theft of electricity.

**Effective Date: October 1, 2017**

<https://www.flsenate.gov/Session/Bill/2017/879/BillText/er/PDF>

**Senate Bill 884 (Ch. 2017-24): Shark Fins; Abuse; Animals; Boats; Crimes; Fish and Wildlife Conservation Commission; Marine Animals; Misdemeanors; Wildlife**

The bill prohibits the possession of separated shark fins except under specified conditions, makes a first or second offense a misdemeanor of the second degree, and makes a third or subsequent offense a misdemeanor of the first degree. The bill also places restrictions on those persons whose license privileges are suspended or revoked pursuant to this subsection.

**Effective Date: October 1, 2017**

<https://www.flsenate.gov/Session/Bill/2017/884/BillText/er/PDF>

**Senate Bill 1020 (Ch. 2017-26): Collective Bargaining Impasses; Benefits; Collective Bargaining, Generally; Employment**

The bill changes the timeline for portions of the Legislature's process to resolve impasses in collective bargaining negotiations between public employees and the state, requires the parties at impasse to notify the presiding officers of the legislature of all unresolved issues by the first day of the regular session, and changes the date by which a committee of the legislature must meet to conduct a public hearing and take testimony regarding the issues at impasse to be no later than the 14th day of the regular session.

**Effective Date: July 1, 2017**

<https://www.flsenate.gov/Session/Bill/2017/1020/BillText/er/PDF>

**House Bill 1027 (Ch. 2017-150): Unmanned Devices; Aircraft; Crimes; Critical Infrastructure; Insurance; Drones; Infrastructure; Misdemeanors; Motor Vehicles; Ordinances; Personal Delivery Devices; Transportation; Vehicles**

The bill defines personal delivery device ("PDD"), allows for the operation of PDD's when not prohibited by local ordinance, authorizes the regulation of PDD's within local jurisdictions, and provides that although PDD's are not motor vehicles under the Florida Statutes, operators must maintain an insurance policy on their PDDs. The bill also creates the "Unmanned Aircraft Systems Act," preempts local regulation of unmanned aerial systems (or drones), and authorizes local jurisdictions to enact ordinances related to criminal uses of drones under certain circumstances. Further, the bill prohibits certain activities related to the use of drones around critical infrastructure facilities, the first offense of which is a second degree misdemeanor offense, with a second or subsequent violation becoming a first degree

misdemeanor. The bill makes exceptions for the operation of drones for government or commercial purposes.

**Effective Date: July 1, 2017**

<https://www.flsenate.gov/Session/Bill/2017/1027/BillText/er/PDF>

**House Bill 1031 (2017-180): Marine Turtle Protection; Abuse; Animals; Crimes; Fish and Wildlife Conservation Commission; Hatchlings; Marine Animals; Nests; Sea Turtles; Turtles; Wildlife**

The bill corrects the numbering on the Offense Severity Ranking Chart (OSRC) in the Criminal Punishment Code for solicitation or conspiracy to commit a violation of Florida's Marine Turtle Protection Act (MTPA) and adds possession of a sea turtle species or hatchling, or parts thereof, or the nest of any sea turtle species, as a level three violation to the OSRC.

**Effective Date: July 1, 2017**

<https://www.flsenate.gov/Session/Bill/2017/1031/BillText/er/PDF>

**Senate Bill 1052 (Ch. 2017-77): Justifiable Use of Force; Deadly Force; Dwellings; Force; Homes; Motor Vehicles; Residences; Retreat, Duty to; Self-Defense; Use of Force; Vehicles**

The bill addresses an inconsistency in law caused by 2014 legislation amending F.S. 776.013(3), which stated, "A person *who is attacked* in his or her dwelling, residence, or vehicle has no duty to retreat" and has the right to use or threaten to use defensive force." (Emphasis added.) As a result of the inconsistency, the statute implied that a person's rights to self-defense do not begin until the person is physically attacked. However, another subsection of the same statute and other statutes governing the right to use defensive force uniformly provide that the right to use force or threaten to use force begins when a person "reasonably believes" that using or threatening to use force is necessary to prevent or terminate another person's use of unlawful force. The bill revises F.S. 776.013(3), to remove the "attacked" language, thus rendering the subsection consistent with the other statutory provisions governing the right to use defensive force. The bill also minimizes the circumstances in which a person might be required to retreat within or from a dwelling, residence, or vehicle before using deadly force in self-defense.

**Effective Date: July 1, 2017**

<https://www.flsenate.gov/Session/Bill/2017/1052/BillText/er/PDF>

**House Bill 1079 (Ch. 2017-184): Public Records and Meetings/Campus Response for Public Postsecondary Educational Institutions; Colleges; Confidential; Education; Emergencies; Exemptions; Meetings, Generally; Public Records, Generally; Records; Schools; Terrorism; Training; Universities**

The bill creates an exemption from public records requirements for any portion of a campus emergency response held by a public postsecondary education institution, any portion of a campus emergency response held by specified entities, including a state or local law enforcement agency, and any portion of a public meeting that would reveal information related to a campus emergency response. The exemption applies to campus emergency responses held before, on, or after the effective date of the bill. However, the information may be disclosed to another governmental entity if disclosure is necessary for the receiving entity to perform its

duties and responsibilities or upon a showing of good cause before a court of competent jurisdiction.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/1079/BillText/er/PDF>

**House Bill 1107 (Ch. 2017-185): Public Records/Workers' Compensation; Confidential; Court Orders; Crimes; Employment; Exemptions; Financial Services, Department of; Fraud; Identity; Misdemeanors; Public Records, Generally; Records; Spouses**

The bill creates a public records exemption for the personal identifying information of an injured or deceased employee contained in reports, notices, records, or supporting documentation held by the Department of Financial Services (DFS) pursuant to the Worker's Compensation Law. However, the bill authorizes DFS to disclose such personal identifying information pursuant to a court order or subpoena and to certain specified parties, including a federal governmental entity in the furtherance of the entity's official duties and responsibilities and an agency for administering its anti-fraud investigative function or in furtherance of the agency's official duties and responsibilities. The bill also provides that a person who willfully and knowingly discloses personal identifying information made confidential and exempt by this bill to an unauthorized person or entity commits a misdemeanor of the first degree.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/1107/BillText/er/PDF>

**House Bill 1135 (Ch. 2017-207): West Palm Beach Police Pension Fund of the City of West Palm Beach, Palm Beach County; Benefits; Death Benefits; Palm Beach County; Pensions; Retirement; West Palm Beach, City of**

The bill modifies the special act creating the West Palm Beach Police Pension Fund by revising formulas for calculating retirement benefits to provide a uniform method of calculating benefits based upon dates of service, by specifying powers for the Board of Trustees of the Fund, and by requiring a pre-employment physical to screen for pre-existing conditions. The bill also provides for the repayment of withdrawn funds in the event an officer is rehired or reinstated, establishes an alternative benefit payment method, revises payment of death benefits for members in the Deferred Retirement Option Plan, adds an actuarial equivalence calculation to the death benefit received by a surviving spouse who was not married to the Fund member on the member's date of retirement, and limits the purchase of service for prior police or military service to five years.

***Effective Date: June 6, 2017***

<https://www.flsenate.gov/Session/Bill/2017/1135/BillText/er/PDF>

**House Bill 1201 (Ch. 2017-31): Department of Corrections; Children; Confidential; Corrections, Department of; Drug Screens; Education; Health Records; Health Regulations; HIV Tests; Incarceration; Inmates; Juveniles; Law Enforcement, Department of; Medical Records; Mental Health Records; Patients; Records; Safety; Security; Transportation; Urine Drug Screens; Youthful Offenders**

The bill authorizes the Department of Law Enforcement to issue an investigative demand seeking the production of an inmate's protected health information, medical records, or mental health records under specified circumstances, revises the membership and duties of the security review committee, revises the duties of the Secretary of Corrections, revises requirements for prisoner transport company employees, exempts employees of contracted community correction centers from certain health testing regulations for the purpose of administering urine drug screens for inmates, revises scheduling requirements and priority lists for the inspection of state and private correctional institutions, and revises minimum audit and evaluation requirements.

The bill also reduces the age until which a youthful offender must be housed separately from adult offenders to be 18 years of age and provides that a youthful offender whose age does not exceed 17 years may be assigned to an adult facility under specified circumstances but must still be separated from offenders who are 18 years or older.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/1201/BillText/er/PDF>

**House Bill 1203 (Ch. 2017-114): Public Records DOC/Health Information; Confidential; Corrections, Department of; Exemptions; Health Records; HIV Tests; Identity; Inmates; Medical Records; Mental Health Records; Patients; Public Records, Generally; Records**

The bill creates a public records exemption for certain protected health information and mental health, medical, and substance abuse records held by the Department of Corrections, including information related to HIV testing and/or results. However, the bill authorizes the release of protected health information and other specified records of an inmate to certain specified entities, including law enforcement agencies, for legitimate state purposes or ongoing criminal investigations.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/1203/BillText/er/PDF>

**House Bill 1239 (Ch. 2017-189): School Bus Safety; Accidents; Car Accidents; Civil Penalties; Crashes; Driver's Licenses; Highway Safety and Motor Vehicles, Department of; Motor Vehicles; Safety; Schools; Transportation; Vehicles**

The bill provides that, in addition to any other civil, criminal, or administrative penalty, a court must require a person who fails to stop for a school bus, causing or resulting in serious bodily injury or death of another person, to serve 120 hours or community service in a trauma center or hospital that regularly receives victims of vehicular accidents and to participate in a victim's impact panel session or specified alternative. The bill also sets forth a fine of \$1500, a 1-year driver's license suspension, and 2 additional points added to the person's driver's license (for a total of 6 points) for failing to stop for a school bus resulting in the serious bodily injury or death of another.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/1239/BillText/er/PDF>

**House Bill 1379 (Ch. 2017-155): Department of Legal Affairs; Crimes; Currency; First Responders; Highway Safety and Motor Vehicles, Department of; Laundering; Legal Affairs, Department of; Money; Money Laundering; Spouses; Trafficking; Victims; Virtual Currency**

The bill amends current law with respect to the Attorney General's duties and responsibilities. It authorizes the Statewide Council on Human Trafficking to receive funding from additional sources; requires DHSMV to assign highway patrol officers to the Attorney General upon request; amends the Florida Trust Code, related to charitable trusts, to allow the Attorney General to take over for the 20 state attorneys in matters involving oversight of charitable trusts; requires delivery of notice to the Attorney General and gives legal standing to the Attorney General under circumstances where a trustee of a charitable trust seeks to modify the status of the trust or its beneficiaries; defines virtual currency and prohibits laundering of virtual currency; provides for crime victim assistance awards to surviving family members of first responders who, as result of crime, are killed answering call for service in line of duty.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/1379/BillText/er/PDF>

**House Bill 1385 (Ch. 2017-156): Domestic Violence; Abuse; Attorneys' Fees; Batterers Intervention Program; Children; Crimes; Domestic Violence, Generally; Felonies; Misdemeanors; Parents; Sentencing; Violations of Probation**

The bill requires a person who is found guilty of, or pleads no contest to, a crime of domestic violence, to attend and complete a Batterers intervention program and provides that a failure to complete a batterer's intervention program may result in a violation of probation. The bill also increases the penalties, including mandatory minimum jail time, for domestic violence offenders who intentionally cause bodily harm to another person and are adjudicated guilty and for domestic violence offenders whose offense occurred in front of a child under 16 years of age who is a family or household member of the victim or the perpetrator. Further, the bill prohibits a court from withholding adjudication for a third degree felony that is a crime of domestic violence unless the state attorney requests in writing that adjudication be withheld and the court makes written findings that the withhold is reasonably justified based on certain facts.

The bill also prohibits the awarding of attorney's fees in any injunction proceeding for protection against domestic violence.

***Effective Date: October 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/1385/BillText/er/PDF>

**Senate Bill 1694 (Ch. 2017-123): Support for Parental Victims of Child Domestic Violence; Abuse; Children; Curriculum; Domestic Violence, Generally; Education; Juveniles; Juvenile Justice, Department of; Parents; Training; Victims; Youthful Offenders**

The bill requires the Department of Juvenile Justice, in collaboration with organizations that provide expertise, training, and advocacy in the areas of family and domestic violence, to develop, provide, and post on the DJJ website, materials detailing the resources and services available for parents and legal guardians who are victims of domestic violence. The bill provides that the materials must include the resources available for a child who has committed acts of



domestic violence or who has demonstrated behaviors that may escalate to domestic violence and that the materials must be available to certified domestic violence centers and other specified entities. Further, the bill requires the issues involved in child-to-parent domestic violence cases to be included in the domestic violence portion of a law enforcement officer's basic skills course for his or her initial certification.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/1694/BillText/er/PDF>

**Senate Bill 2500 (Ch. 2017-70): Appropriations; Attorney General; Benefits; Budgets; Children and Families, Department of; Colleges; Corrections, Department of; Death Benefits; Education; Employment; Fish and Wildlife Conservation Commission; Funding; Highway Safety and Motor Vehicles, Department of; Juvenile Justice, Department of; Law Enforcement, Department of; Money; Pensions; Retirement; Salaries; Schools; Security; Special Duty Pay; Universities**

The bill provides for appropriations for Fiscal Year 2017-2018, including funds for full time equivalent positions, minimum salary increases for state employees, correctional officers, state law enforcement officers, and Florida Highway Patrol ("FHP") law enforcement officers, a special duty pay additive for certified officers assigned to mental health units, a hiring bonus for institutions with high vacancy rates, and line of duty death benefits for all members in the investment plan. The bill also appropriates funds for domestic security, for Sheriff's Child Protective Investigations in cooperation with the Department of Children and Families, for the replacement of in-car digital video cameras for FHP, for derelict vessel removal and Black Bear Conflict Reduction for the Fish & Wildlife Conservation Commission, and for staff augmentation and equipment for Statewide Law Enforcement Radio Systems for the Department of Management Services. Further, the bill appropriates funds for specific needs of the Department of Corrections, the Department of Law Enforcement, and the Department of Juvenile Justice.

***Effective Date: July 1, 2017, or upon becoming law, whichever is later, but if it becomes law after July 1, 2017, it shall operate retroactively to July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/2500/BillText/er/PDF>

**Senate Bill 2502 (Ch. 2017-71): Implementing the 2017-2018 General Appropriations Act; Budgets; Communications; Corrections, Department of; Dependents; Education; Fish and Wildlife Conservation Commission; Funding; Highway Safety and Motor Vehicles, Department of; Juvenile Justice, Department of; Lodging; Money; Response Times; Salaries; Transportation, Department of; Travel**

The bill implements the 2017-2018 General Appropriations Act, SB 2500, and makes certain substantive modifications, including allowing the Executive Office of the Governor to request additional positions and appropriations for the Department of Corrections under certain circumstances and removing a representative from the Department of Transportation from the Joint Task Force on State Agency Law Enforcement Communications. The bill also creates the Law Enforcement Workgroup within the Department of Highway Safety and Motor Vehicles, requires the Workgroup to review the Florida Highway Patrol's (FHP) response to calls for service and the resources available for these services, and to compare FHP resources to those of local law enforcement entities and other state highway patrol agencies to determine whether additional resources are necessary to improve response times. Further, the Bill permits the



Department of Highway Safety and Motor Vehicles to assign a patrol officer to the Lieutenant Governor or to a Cabinet member under certain specified circumstances, limits funds appropriated for travel by state employees to travel for activities critical to the agency's mission, and limits daily costs for lodging associated with a meeting, conference, or convention organized by a state agency.

***Effective Date: July 1, 2017, or upon becoming law, whichever is later, but if it becomes law after July 1, 2017, it shall operate retroactively to July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/2502/BillText/er/PDF>

**Senate Bill 2504 (Ch. 2017-125): Collective Bargaining; Benefits; Collective Bargaining, Generally; Employment**

The bill resolves specified collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees, including the specified collective bargaining issues at impasse between the State of Florida and the Security Services, Law Enforcement, Florida Highway Patrol, and Special Agent Units of the Police Benevolent Association.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/2504/BillText/er/PDF>

**Senate Bill 2508 (Ch. 2017-127): Division of State Group Insurance; Benefits; Controlled Substances, Generally; Dependents; Drugs; Employment; Health Insurance; Insurance; Prescription Drugs; Spouses**

The bill permits the Department of Management Services ("DMS") to contract with a vendor to conduct a dependent eligibility verification audit, requires DMS to put all enrollees of the State Group Health Insurance Plan on notice regarding the eligibility requirements for dependents, defines what may be provided to prove a spouse, child, adopted child, or step child's eligibility for coverage, and permits enrollees to remove dependents no longer eligible for coverage through the next open enrollment period for the Plan. The bill also updates the statutory provisions relating to the State Employees Prescription Drug Program, codifies the copayments for a 30 day retail supply of generic drugs, preferred brand name drugs, and nonpreferred brand name drugs, and codifies the copayments for a 90 day mail order or retail supply of generic drugs, preferred brand name drugs, and nonpreferred brand name drugs.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/2508/BillText/er/PDF>

**Senate Bill 7022 (Ch. 2017-88): Public Employees; Benefits; Corrections, Department of; Death Benefits; Employment; Health insurance; Highway Safety and Motor Vehicles, Department of; Insurance; Pensions; Retirement; Salaries; Special Duty Pay**

The bill, in pertinent part, provides that most state employees will receive a \$1,400 pay increase if their current salary is below \$40,000 a year or a \$1,000 pay increase if their salary is above \$40,000 a year, most law enforcement officers will receive a 5% increase in salary, and most correctional officers will receive a \$2,500 increase in salary. The bill also expands the survivor benefit for investment plan members killed in the line of duty, closes the Senior Management Service Optional Annuity Program to new hires, changes the default from the pension plan to the investment plan for non-Special Risk members of the FRS enrolled after a certain date, and

extends the initial plan election period to 9 months after date of hire. Further, beginning in plan year 2020, the bill will provide employees in the State Group Insurance Program with a choice of health insurance coverage levels of at least a certain actuarial value: Platinum – 90 percent, Gold – 80 percent, Silver – 70 percent, and Bronze – 60 percent.

***Effective Date: July 1, 2017***

<https://www.flSenate.gov/Session/Bill/2017/7022/BillText/er/PDF>

**House Bill 7043 (Ch. 2017-163): Vessels; Anchoring; Boats; Citations; Civil Penalties; Derelict Vessels; Fish and Wildlife Conservation Commission; Mooring; Registration; Seagrass; Transportation**

The bill provides that a vessel that is at risk of becoming derelict may not anchor on, moor on, or occupy the waters of the state, makes anchoring or mooring a vessel at risk of becoming derelict a noncriminal infraction, authorizes law enforcement officers to determine if a vessel is at risk of becoming derelict using enumerated factors, and provides that a vessel may be considered at risk of becoming derelict if the vessel does not have an effective means of propulsion for safe navigation after certain timeframes and conditions are met. The bill also prohibits anchoring or mooring a vessel or floating structure within 150 feet of any marina, boat ramp, or boatyard, within 300 feet of a superyacht repair facility, within 100 feet from the marked boundary of a public mooring field, to an unpermitted, unauthorized, or otherwise unlawful object that is on or affixed to the bottom of the waters, under bridges, adjacent to heavily traveled channels, or in a way that creates a navigational hazard or interferes with another vessel. The bill makes unlawfully anchoring or mooring a vessel a noncriminal infraction and provides exceptions. The bill also authorizes the establishment of boating-restricted areas to protect seagrass on privately owned submerged lands, revises the fines applicable for operating a vessel with an expired registration, and bars the Department of Highway Safety and Motor Vehicles from issuing a title on a vessel reported by law enforcement to be derelict until such time as it is reported to no longer be derelict.

***Effective Date: July 1, 2017***

<https://www.flSenate.gov/Session/Bill/2017/7043/BillText/er/PDF>

**House Bill 7059 (Ch. 2017-164): Juvenile Justice; Bond; Children; Detention; Firearms; Incarceration; Juvenile Justice, Department of; Juveniles; Prolific Juvenile Offenders; Youthful Offenders**

The bill adds and defines the term "prolific juvenile offender," requires that a prolific juvenile offender be placed in secure detention care until the child's detention hearing, and authorizes the court to use the results of a prolific juvenile offender's risk assessment instrument only to determine whether the prolific juvenile offender is to be held in secure detention. The bill also requires a prolific juvenile offender to be placed in either nonsecure detention care with electronic monitoring or in secure detention care under a special detention order until the disposition of his or her case, requires secure detention for juveniles who are adjudicated and awaiting placement in any residential commitment program, and requires adjudicatory hearings to be held within 45 days after a child is taken into custody if the child is a prolific juvenile offender, unless a delay is requested by the child.

***Effective Date: October 1, 2017***

<https://www.flSenate.gov/Session/Bill/2017/7059/BillText/er/PDF>

**House Bill 7087 (Ch. 2017-65): OGSR/Protective Injunctions for Certain Types of Violence; Abuse; Domestic Violence, Generally; Victims**

This bill continues the public records exemptions for personal identifying and location information of a petitioner requesting notification of service of injunction for protection against domestic violence, repeat violence, sexual violence, dating violence and other court actions related to injunctions held by clerks and law enforcement agencies. The bill also provides that the protected information will be stored in a database, to be known as the CCIS 3.0., which will send an automated notice to the petitioner within 12 hours after the respondent is served with the injunction, and such automated notice must provide the date, time, and location where the injunction was served on the respondent.

***Effective Date: October 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/7087/BillText/er/PDF>

**House Bill 7091 (Ch. 2017-115): Probation and Community Control; Administrative Probation; Community Control; Corrections, Department of; Home Confinement; Incarceration; Sexual Offender; Sexual Predator; Supervision; Violations of Probation; Warrants**

The bill makes individuals convicted of specified sexual felony offenses ineligible for administrative probation, clarifies that community control is the department's "home confinement" program, and authorizes home confinement for any new law violation, not just misdemeanors, as an alternative to jail or prison. The bill also clarifies that a warrant which tolls supervision may be issued for a violation of the terms and conditions of the supervision, and that a crime need not be committed for tolling of supervision to occur. Further, the bill revises facilities at which incarceration may be served, authorizes the court to order an offender to make a good faith effort toward educational goals in particular circumstances, revises the list of offenders required to pay DOC monthly sums, and requires DOC to electronically monitor offenders sentenced to community control.

***Effective Date: July 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/7091/BillText/er/PDF>

**House Bill 7093 (Ch. 2017-66): OGSR/Agency Personnel Information; Children; Confidential; Employment; Exemptions; Identity; Public Records, Generally; Records; Spouses**

The bill renews the exemptions from public record requirements for personal identifying and location information of specified agency personnel, and the spouses and children thereof, including but not limited to law enforcement officers and certain department of juvenile justice personnel.

***Effective Date: October 1, 2017***

<https://www.flsenate.gov/Session/Bill/2017/7093/BillText/er/PDF>

**House Bill 7115 (Ch. 2017-69): Arthur G. Dozier School for Boys; Abuse; Cemeteries; Children; Forensics; Graves; Juveniles; Memorials; Schools; Training; Victims; Youthful Offenders**

The bill names the Florida Department of Law Enforcement Forensic Training Center in Pasco County the Thomas Varnadoe Forensic Center for Education and Research, provides for the interment of certain remains exhumed from the Arthur G. Dozier School for Boys, and creates the Arthur G. Dozier School for Boys Memorial.

***Effective Date: June 2, 2017***

<https://www.flsenate.gov/Session/Bill/2017/7115/BillText/er/PDF>

**Senate Bill 8A (Ch. 2017-232 ): Medical Use of Marijuana; Aircraft; Boats; BUI; Cannabinoids; Crimes; Curriculum; Dispensaries; Drugs; DUI; Education; Felonies; Fraud; Health Records; Identification Cards; Identity; Law Enforcement, Department of; Marijuana; Medical Records; Misdemeanors; Motor Vehicles; Patients; Physicians; Prescription Drugs; Registries; Registration; Schools; Training; Vehicles**

The bill implements s. 29, Article X of the Florida Constitution, authorizes qualified patients to receive low-THC cannabis as well as full-THC marijuana, and establishes procedures for physicians to issue certifications to receive marijuana or marijuana delivery devices to patients with qualifying medical conditions. The bill also sets the qualifications to become a caregiver who may lawfully possess marijuana and marijuana delivery devices, sets standards to be a physician qualified to issue a physician certification, and requires the Department of Health to license the 7 existing dispensing organizations as medical marijuana treatment centers and to license additional medical marijuana treatment centers and dispensing facilities, in accordance with certain requirements. Further, the bill establishes the requirements for certification of medical marijuana testing laboratories by the Department of Health.

The bill revises the definition of "medical use" to specifically exclude possession, use, or administration of marijuana in a form for smoking, in the form of commercially produced food items other than edibles produced and dispensed by a medical marijuana treatment center, or of marijuana seeds or flowers, except for flowers in a sealed, tamper-proof receptacle for vaping. The bill also incorporates the qualifying medical conditions listed in the constitutional provision to qualify to receive marijuana or a marijuana delivery device and adds a terminal condition diagnosed by a physician, chronic nonmalignant pain, and conditions that are comparable to the conditions listed in the constitutional provision as additional qualifying conditions. Further, the bill requires the Department of Health to issue medical marijuana use registry identification cards for qualified patients and caregivers, requires caregivers in possession of marijuana or a marijuana delivery device to present a medical marijuana use registry identification card upon the request of a law enforcement officer, and deems patients possessing a current order for low-THC cannabis or medical cannabis qualified patients for purposes of the new law.

The bill provides that the medical marijuana use registry must be accessible to law enforcement agencies to verify the authorization of a qualified patient or a caregiver to possess marijuana or a marijuana delivery device and requires individuals transporting marijuana or a marijuana delivery device for a medical marijuana treatment center to present a copy of the marijuana transportation manifest and his or her employee identification card to a law enforcement officer upon request. The bill also requires specified caregivers, medical marijuana treatment center

owners and specified personnel, as well as medical marijuana testing laboratory owners and managers, to pass a level 2 background screening pursuant to a fingerprint-based criminal history check, provides for disqualifying offenses, and mandates that any subsequent arrests be reported to the Department of Health.

The bill creates the new third degree felony offense of counterfeiting marijuana or a marijuana delivery device by fraudulently holding it out to be from a licensed medical marijuana treatment center and provides that it is a third degree felony to possess or manufacture a blank, forged, stolen, fictitious, fraudulent, counterfeit, or unlawfully issued medical marijuana use registry identification card. The bill also makes it a first degree misdemeanor for a qualified physician to issue a certification for the medical use of marijuana without a reasonable belief that the patient is suffering from a qualifying medical condition, for a person to fraudulently represent to a qualified physician that he or she has a qualifying medical condition for the purpose of being issued a physician certification, or for a qualified patient to use, or a caregiver to administer, full-THC marijuana in plain view of or in a place open to the general public, in a school bus, in a vehicle, in an aircraft, in a boat, or on the grounds of a school (unless exempt). Further, the bill provides that it is a second degree misdemeanor for a qualified patient or caregiver in possession of marijuana or a marijuana delivery device to fail or refuse to present his or her marijuana use registry identification card upon the request of a law enforcement officer.

The bill requires the Department of Highway Safety and Motor Vehicles to implement a statewide impaired driving education campaign to raise awareness of and attempt to prevent marijuana- and cannabis-related impaired driving and requires the Department of Health to implement a statewide cannabis and marijuana education and illicit use prevention campaign. The bill also requires the Department of Law Enforcement to develop a 4-hour online initial training course, and a 2-hour online continuing education course, for use by all law enforcement agencies in this state and covering the legal parameters and crimes of marijuana-related activities.

***Effective Date: June 23, 2017***

<https://www.flsenate.gov/Session/Bill/2017A/8A/BillText/er/PDF>

**Bills of Interest to Florida Law Enforcement Passed in the 2017 Legislative Session  
Arranged by Effective Date**

<b><u>Effective Date</u></b>	<b><u>Chapter Number</u></b>	<b><u>Bill Number</u></b>	<b><u>Subject</u></b>
March 13, 2017	2017-1	SB 280	Sentencing for Capitol Felonies
May 23, 2017	2017-21	SB 80	Public Records
June 2, 2017	2017-49	HB 207	Agency Inspectors General
June 2, 2017	2017-69	HB 7115	Arthur G. Dozier School for Boys
June 6, 2017	2017-197	HB 533	City of Tampa, Hillsborough County
June 6, 2017	2017-207	HB 1135	West Palm Beach Police Pension Fund of the City of West Palm Beach, Palm Beach County
June 9, 2017	2017-72	SB 128	Self-defense Immunity
June 14, 2017	2017-103	HB 397	Public Records/Victim of Alleged Sexual Harassment/Identifying Information
June 14, 2017	2017-105	HB 455	Tax Exemptions for First Responders and Surviving Spouses
June 14, 2017	2017-109	HB 501	Public Records and Meetings/Information Technology/Postsecondary Education Institutions
June 23, 2017	2017-232	SB 8A	Medical Use of Marijuana
June 26, 2017	2017-170	HB 699	Internet Identifiers
July 1, 2017	2017-11	HB 111	Public Records/Identity Witness to a Murder
July 1, 2017	2017-47	HB 169	Fictitious Name Registration
July 1, 2017	2017-15	HB 305	Law Enforcement Body Cameras
July 1, 2017	2017-102	HB 379	Underground Facilities
July 1, 2017	2017-17	HB 401	Notaries Public
July 1, 2017	2017-110	HB 505	Florida Comprehensive Drug Abuse Prevention and Control Act
July 1, 2017	2017-173	HB 807	Practices of Substance Abuse Service Providers
July 1, 2017	2017-42	HB 865	Department of Transportation
July 1, 2017	2017-26	SB 1020	Collective Bargaining Impasses
July 1, 2017	2017-150	HB 1027	Unmanned Devices
July 1, 2017	2017-180	HB 1031	Marine Turtle Protection
July 1, 2017	2017-77	SB 1052	Justifiable Use of Force
July 1, 2017	2017-184	HB 1079	Public Records and Meetings/Campus Response for Public Postsecondary Educational Institutions
July 1, 2017	2017-185	HB 1107	Public Records/Workers' Compensation
July 1, 2017	2017-31	HB 1201	Department of Corrections
July 1, 2017	2017-114	HB 1203	Public Records DOC/Health Information
July 1, 2017	2017-189	HB 1239	School Bus Safety
July 1, 2017	2017-155	HB 1379	Department of Legal Affairs
July 1, 2017	2017-123	SB 1694	Support for Parental Victims of Child Domestic Violence

July 1, 2017	2017-70	SB 2500	Appropriations
July 1, 2017	2017-71	SB 2502	Implementing the 2017-2018 General Appropriations Act
July 1, 2017	2017-125	SB 2504	Collective Bargaining
July 1, 2017	2017-127	SB 2508	Division of State Group Insurance
July 1, 2017	2017-88	SB 7022	Public Employees
July 1, 2017	2017-163	HB 7043	Vessels
July 1, 2017	2017-115	HB 7091	Probation and Community Control
October 1, 2017	2017-43	HB 39	Autism Awareness Training for Law Enforcement Officers
October 1, 2017	2017-40	HB 107	Criminal Offense Involving Tombs and Memorials
October 1, 2017	2017-54	HB 249	Drug Overdoses
October 1, 2017	2017-91	SB 312	Eyewitness Identification
October 1, 2017	2017-81	HB 343	Payment Card Offenses
October 1, 2017	2017-37	HB 457	Terrorism and Terrorist Activities
October 1, 2017	2017-107	HB 477	Controlled Substances
October 1, 2017	2017-23	SB 852	Human Trafficking
October 1, 2017	2017-145	HB 879	Unlawful Acquisition of Utility Services
October 1, 2017	2017-24	SB 884	Shark Fins
October 1, 2017	2017-156	HB 1385	Domestic Violence
October 1, 2017	2017-164	HB 7059	Juvenile Justice
October 1, 2017	2017-65	HB 7087	OGSR/Protective Injunctions for Certain Types of Violence
October 1, 2017	2017-66	HB 7093	OGSR/Agency Personnel Information
July 1, 2018	2017-130	SB 118	Criminal History Records
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