

# FLORIDA SHERIFFS ASSOCIATION



*Protecting, Leading, Uniting Since 1893*



FSA Headquarters • 2617 Mahan Drive • Tallahassee, Florida



# FSA Webinar



*Protecting, Leading, Uniting Since 1893*

**Thank you for joining us!**

- Please mute your phones.
- Please do not put the conference call on hold.
- This presentation will be posted to our website this afternoon: <http://www.flsheriffs.org/webinars/>



# 2013 Session Wrap Up



*Protecting, Leading, Uniting Since 1893*



The final legislative report will be posted Friday, May 10.

[www.flsheriffs.org/legislative/](http://www.flsheriffs.org/legislative/)





# 2013 Session Wrap Up



Protecting, Leading, Uniting Since 1893

The 60 day legislative session  
concluded Friday, May 3<sup>rd</sup>



## **SESSION FACTS**

More than 1,800 bills were introduced.  
Only 259 passed both chambers.

*FSA passed seven priority bills.*



# 2013 Session Wrap Up



*Protecting, Leading, Uniting Since 1893*

## FSA Legislative Platform

- Prevention and Youth Service
- Public Safety
- Law Enforcement
- Gaming
- Administration
- Jails, Correction and Re-Entry



# Prevention & Youth Services

## Texting While Driving

- SB 52 by Sen. Detert and HB 13 Rep. Holder

Outcome: **Passed.**

Secondary Offense

*Exceptions for emergency  
personnel or persons reporting  
suspicious or criminal activity*

*Points can be added in certain  
circumstances*



# Prevention & Youth Services



- School Safety – **Failed.**

SB 514 allowed for a county to develop a special taxing district to evaluate certain needs and appropriate funds.

Many other bills filed – all failed.

- Juvenile Justice Circuit Advisory Boards – **Passed.**

HB 617 reorganizes the Advisory Boards at the local level.

Sheriffs or designee have a participatory role.



# Public Safety

## Prescription Drug Monitoring Database – **PASSED.**

- Funding in HB 1159 appropriates \$500,000 for one year;
- Does NOT remove the funding prohibitions in law



HB 831 by Rep. Fasano and  
SB 1192 by Sen. Grimsley

*This legislation would have removed the funding prohibitions  
for both state and private pharmaceutical dollars.*

**Failed.**





# Public Safety

## Purchase of Firearms by the Mentally Ill – **Passed.**

- Persons who have been *involuntarily evaluated and voluntarily committed* to a mental institution are no longer approved to purchase a firearm.

HB 1355 by Rep. Watson



# Public Safety

HB 159 by Rep. Edwards and  
SB 420 by Sen. Sachs &  
SB 1860 by Criminal Justice

## Prescription Drug Trafficking – **Failed.**

Current Drug Trafficking in Prescription Drugs						
Criminal Penalty	3 yrs / \$50,000	15 yrs / \$100,000	25 yrs / \$500,000	Life	Capital Life	Capital Life
Weight	4 g-<14 g	14 g-<28 g	28 g-<30 kg	30+ kg	30+ kg	60+ kg
Hydrocodone	7 pills	22 pills	44 pills	43,154 pills	43,154 pills	92,308 pills
Oxycodone	31 pills	108 pills	216 pills	230,770 pills	230,770 pills	461,539 pills

Proposed Change Trafficking in Prescription Drugs				
Criminal Penalty	3 yrs / \$50,000	7 yrs / \$100,000	15 yrs / \$500,000	25 yrs / \$750,000
Weight	14 g-<28 g	28 g-<50 g	50 g-<200 g	200+ g
Hydrocodone	22 pills	44 pills	77 pills	308 pills
Oxycodone	108 pills	216 pills	385 pills	1,539 pills

...but coming back



# Public Safety

## Synthetic Drugs – **Passed.**

*SB 294 by Sen. Bradley*

*Law enforcement can permanently to enforce the laws related to the Schedule I scheduling of the synthetic drugs found in the December 2012 emergency rule by Attorney General Bondi.*



## ■ Drug paraphernalia – **Passed.**

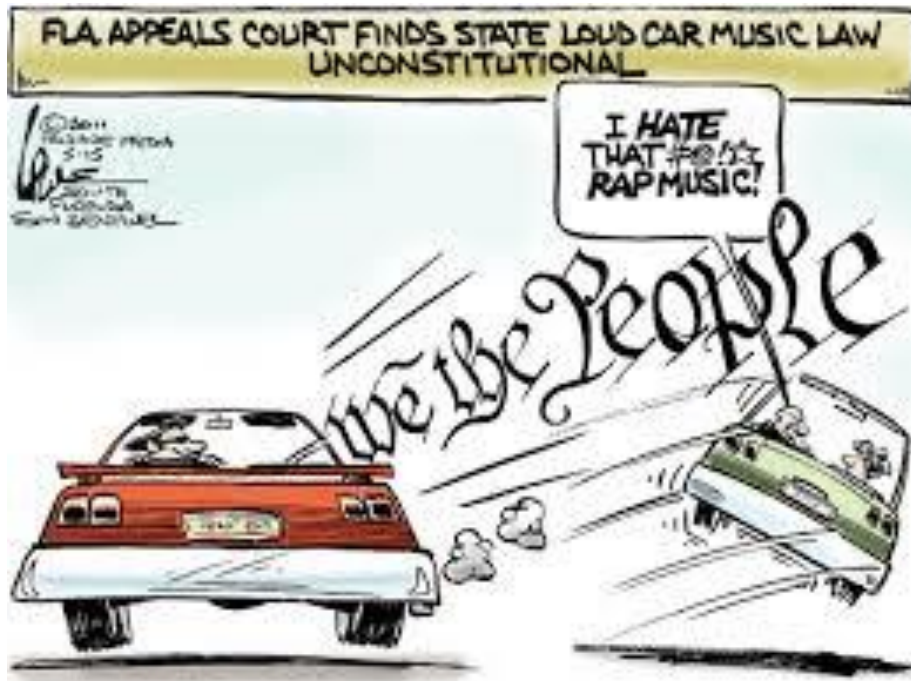
HB 49 prohibits someone from knowing and willingly selling drug paraphernalia, but s. 569.0073, F. S. still allows licensed establishments to sell smoking pipes and devices.



# Public Safety

Loud Car Stereos – **Failed.**

HB 1019 by Rep. Rader and SB 634 by Sen. Simpson



**VOTED DOWN**  
**In the Senate**  
**19-19**

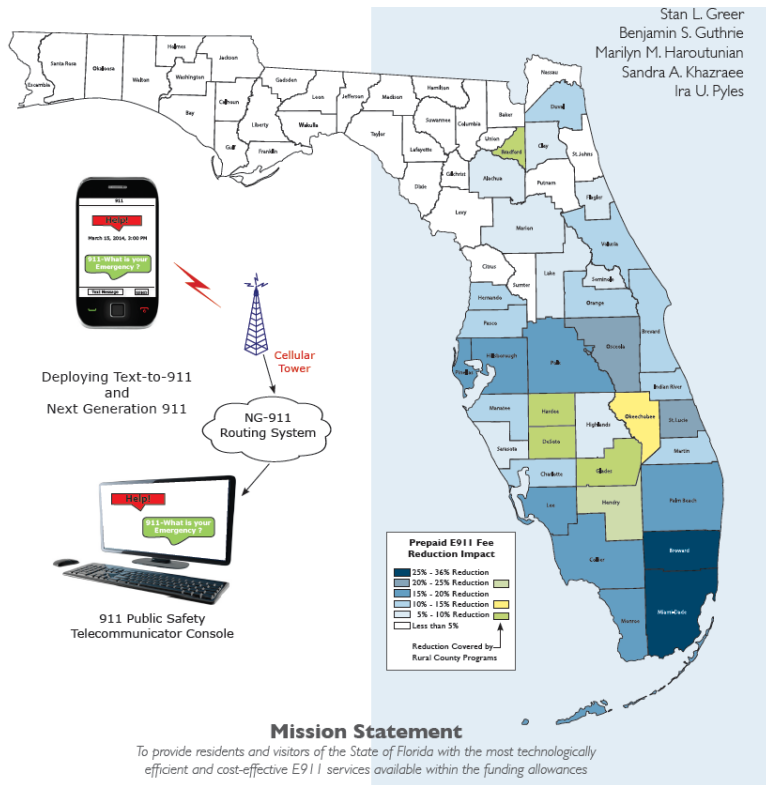




# Public Safety

## E911 Collection of Prepaid Fees

House bill passed the House.

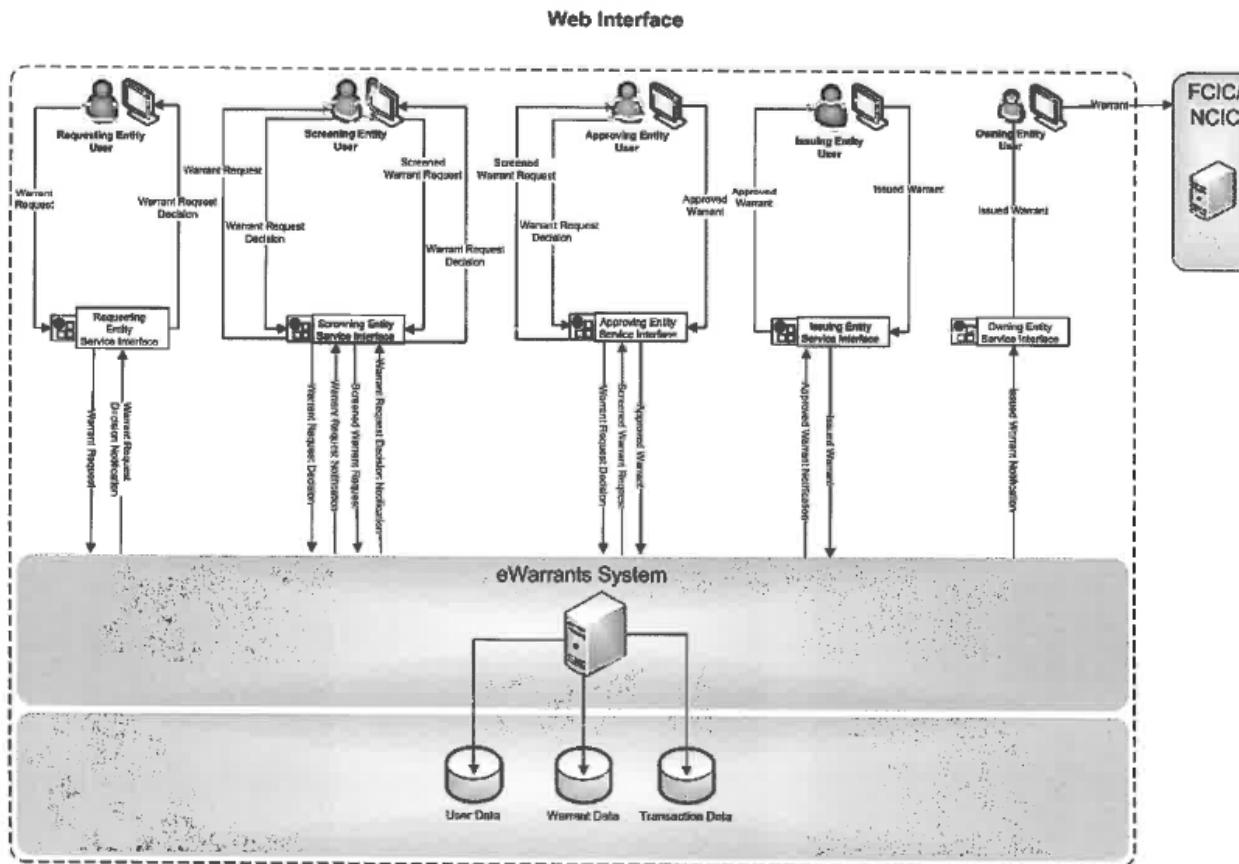


Senate bill passed a moratorium through one committee.

**Failed.**



# Law Enforcement



Electronic  
Warrants

**Passed.**

*HB 953 authorizes  
law enforcement  
to request  
and judges to approve  
warrants electronically*



# Law Enforcement

## Noncaregiver Abuse Glitch Bill

## Circular Reporting for Law Enforcement

# PASSED

Amended onto HB 7129, section 4.

*Originally filed as*

*HB 797 – Passed House; and*

*SB 1162 – Passed four committees.*



<https://www.flsheriffs.org/resources/webinars/non-caregiver-abuse-allegations>



# Law Enforcement

# Unlawful Possession of Personal Identification of Another Person: *HB 691 by Rep. Ahern and SB 1126 by Sen. Joyner*



# PASSED.

- 3<sup>rd</sup> Felony for 5 or more
- Misdemeanor for 4 or fewer
- Removes the intent that is currently required in law
- *Provides for certain exceptions and an affirmative defense.*





# Law Enforcement



## Search and Seizure – 4<sup>th</sup> Amendment

- Drones – PASSED. SB 92 by Sen. Negron



- Search of a Cell Phone Incident to Arrest  
SB 846 by Sen. Brandes – FAILED.

Smallwood v. Florida: law enforcement cannot search a cell phone incident to arrest without a warrant.

In Smallwood, the Court indicated that a Smartphone is not the same thing as a container. *However, this opinion does not change the exigent circumstances exception.*



# Law Enforcement

Sovereign Citizens/Filing False Documents – **PASSED.**  
*SB 112 by Sen. Dean and HB 915 by Rep. Combee*



- New criminal penalty  
2<sup>nd</sup> and 3<sup>rd</sup> Degree Felonies with prison time
- Civil remedies for victims
- Expedited process for removing false liens



# Law Enforcement

Service of Process – **Failed.**

*HB 1379 by Rep. Mayfield and SB 1268 by Sen. Detert*



## Streamlining the Service of Process

- Allows Sheriffs' Offices to collect \$40 from the person requesting the service for each writ or summon served.
- Reduces the amount of attempts of service of process by allowing a deputy to serve a business owner if he or she is temporarily out of the office.
- Creates a first degree misdemeanor penalty for employers who try to prevent service on an individual in a private area designated by an employer.
- Provides Sheriffs' Offices with specific direction in how to pay multiple lienholders and protects the Sheriff in the event of a wrongful levy or payout.



# Gaming

HB 155 by Rep. Trujillo and SB 1030 by Sen. Thrasher  
Clarifies current gambling laws concerning slot machines, game promotions, charitable drawings, and amusement games to prohibit establishments, such as “internet cafes,” from offering devices in connection with game promotions.

**Signed by the Governor**





# Administration

## Florida Retirement System – Employer Contribution Rates

Membership Class	Effective July 1, 2013				
	Normal Cost	UAL Rate	Admin	HIS	Total
Regular	3.53%	2.19%	0.03%	1.20%	6.95%
Special Risk	11.00%	6.83%	0.03%	1.20%	19.06%
Special Risk Admin Support	4.17%	30.56%	0.03%	1.20%	35.96%
Elected Officers-County Officers	8.44%	23.36%	0.03%	1.20%	33.03%
Senior Management	4.81%	12.27%	0.03%	1.20%	18.31%
DROP	4.63%	7.01%	N/A	1.20%	12.84%

**SB 1810 – PASSED**



# Adminsitration

## Florida Retirement System...No changes.

HB 7011 by Rep. Brodeur, Elimination of the Defined Benefit Plan – **FAILED.**



SB 1392 by Sen. Simpson proposed reforms including:

- Increasing vesting from 8 – 10 years
- Making the default option the Investment Plan



# Administration

Public Records Exemption for Names of Spouses and Children of Law Enforcement & Correctional Officers

*HB 731 by Rep. Kerner and SB 376 by Sen. Hays*

**PASSED.**

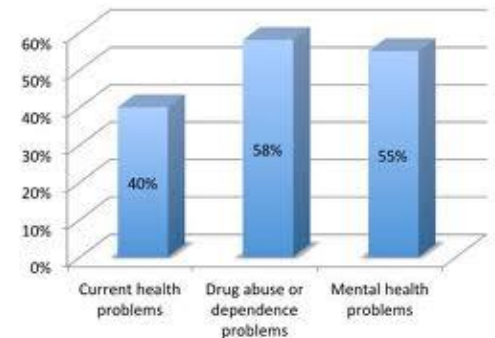
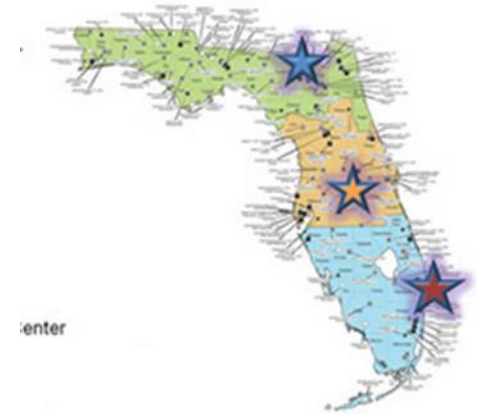


# Jails, Corrections, Re-Entry

Smart Justice Proposals – **Failed.**

*HB 7121 by Rep. Baxley and SB 1032 by Sen. Altman*

- DOC to assist Florida-born inmates in applying for identification and social security cards.
- Faith and character-based institutions
- Re-entry programming, including substance abuse and vocational training removed from the bill in committee





# Thank you for a great session!



# Questions???



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