

June 22, 2015

TO: County Court Judges  
Clerks of the Court  
Head of City, County and State Traffic Enforcement Agencies  
State Attorneys  
Tax Collectors  
Florida Association of Counties  
Florida League of Cities

FROM: Jennifer Langston  
Legislative Affairs Director

SUBJECT: 2015 Legislation Affecting Traffic and Motor Vehicle Laws

The following memorandum is a courtesy summary of the legislative changes related to traffic and motor vehicle laws that were enacted during the 2015 Legislative Session. **The Department of Highway Safety and Motor Vehicles (DHSMV) respectfully recommends that your agency carefully review the complete version of any statutory changes prior to revising any policies or operational protocols.**

Copies of the bills may be obtained from the Department of State, the distribution offices of the Florida House and Senate, or the official website of the Florida Legislature at [www.leg.state.fl.us](http://www.leg.state.fl.us). Please do not hesitate to contact DHSMV, Office of Legislative Affairs at 850-617-3195, or email [LADhelp@flhsmv.gov](mailto:LADhelp@flhsmv.gov) if you need additional assistance.

Cc: FHP Command Staff  
Chief Cabinet Aides

**The following bills became effective upon becoming law:**

<p><b>Ch. Law 2015-5</b>  103.101</p>	<p><b>HB 7035 - Presidential Preference Primary</b> Revises the date on which the major political party's presidential primary is held to be on the third Tuesday in March in each presidential election year.</p>
	<p><b><u>Effective 03/01/15</u></b></p>
<p><b>Ch. Law 2015-34</b>  893.03,39.01,316.193,322.2616,327.35 440.102,458.3265,459.0137,782.04 893.0356,893.12,893.13,893.135 &amp; 921.0022</p>	<p><b>HB 897 - Controlled Substances</b> Adds five new synthetic cannabinoids to Schedule I of Florida's controlled substance schedules and incorporates criminal penalties associated with the possession, sale, manufacture, and delivery to controlled substances.</p> <ul style="list-style-type: none"> <li>• AB-CHMINACA: N-[1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide</li> <li>• FUB-PB-22: Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate</li> <li>• Fluoro-NNEI: 1-(Fluoropentyl)-N-(naphthalen-1-yl)-1H-indole-3-carboxamide</li> <li>• Fluoro-AMB: Methyl 2-(1-(fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate</li> </ul> <p>THJ-2201: [1-(5-Fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone</p>
	<p><b><u>Effective 05/14/15</u></b></p>
<p><b>Ch. Law 2015-76</b>  1009.26</p>	<p><b>SB 7028 - Educational Opportunities for Veterans</b> Extends out of state tuition fee waivers to eligible spouses and dependents that live in Florida to qualify for in-state tuition rates.</p>
	<p><b><u>Effective 05/21/15</u></b></p>
<p><b>Ch. Law 2015-37</b>  119.071</p>	<p><b>SB 144 - Relating to Public Records/Impaired Practitioner Consultants</b> Creates an exemption from public records requirements for certain identifying and location information of current or former impaired practitioner consultants retained by an agency.</p>
	<p><b><u>Effective 05/21/15</u></b></p>
<p><b>Ch. Law 2015-81</b>  316.614</p>	<p><b>SB 160 - Rural Letter Carriers</b> Exempting a rural letter carrier of the United States Postal Service from safety belt usage requirements while performing his or her duties on a designated</p>

	postal route.
	<b><u>Effective 05/22/15</u></b>
<b>Ch. Law 2015-172</b>  787.29	<b>HB 369 - Human Trafficking</b> Provides human trafficking public awareness signs be displayed by FDOT in every rest area, turnpike service plaza, weigh station, primary airport passenger rail station and welcome center open to the public. Also, requires human trafficking awareness signs in emergency rooms at general acute care hospitals, strip clubs or other adult entertainment establishments, and businesses or establishments offering massage or bodyworks services not owned by a health care profession. Authorizes counties to adopt an ordinance to enforce provisions related to this bill, with a violation being a noncriminal violation and punishable by a fine not to exceed \$500.
	<b><u>Effective 06/06/15</u></b>

**The following bills will become effective July 1, 2015:**

<b>Ch. Law 2015-47</b>  272.129 272.131 272.135 272.136 320.0807	<b>SB 396 – Relating to Florida Historic Capitol</b> Redirects a portion of the proceeds from the fee for special license plates for former federal or state legislators to the Florida Historic Capitol Museum’s direct-support organization.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-11</b>  320.0848	<b>SB 132 - Disabled Parking Permits</b> Allows permanently and totally disabled veterans to provide USDVA Form letter 27-333 or its equivalent to DHSMV, in lieu of a certificate of disability to renew or replace a disabled parking permit.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-12</b>  402.82,561.221,561.42,561.5101 561.57,562.07,562.34,563.06,563.09 & 565.03	<b>SB 186 - Relating to Alcoholic Beverages</b> <ul style="list-style-type: none"> <li>• Limits the amount of malt beverages that can be transferred between breweries owned by the same brewer.</li> <li>• Permits malt beverage tastings on certain</li> </ul>

	<p>premises.</p> <ul style="list-style-type: none"> <li>• Permits the filling and refilling of 32, 64, and 128 ounce malt beverage containers (known as “growlers”) at the point of sale.</li> <li>• Requires growlers to be identified or be imprinted or labeled with certain information and have an unbroken seal or be incapable of being immediately consumed.</li> <li>• Establishes penalties for violations.</li> </ul>
	<b><u>Effective 07/01/15</u></b>
<p><b>Ch. Law 2015-13</b>  197.3225</p>	<p><b>SB 200 - Public Records/E-mail Addresses/Tax Notices</b> Provides an exemption from public records requirements for e-mail addresses obtained by a tax collector for the purpose of electronically sending certain tax notices or obtaining the consent of a taxpayer for electronic transmission of certain tax notices.</p>
	<b><u>Effective 07/01/15</u></b>
<p><b>Ch. Law 2015-15</b>  316.64 &amp; 316.66</p>	<p><b>SB 264 - Traffic Enforcement Agencies and Traffic Citations</b> Prohibits counties and municipalities from establishing traffic citation quotas and creates a reporting requirement to the Legislative Auditing Committee for counties and municipalities if their total revenue from traffic citations exceeds 33 percent.</p>
	<b><u>Effective 07/01/15</u></b>
<p><b>Ch. Law 2015-18</b>  588.17,588.18,588.23,828.073 &amp; 828.27</p>	<p><b>SB 420 - Animal Control</b> Provides a procedure for adopting or humanely disposing of impounded stray livestock, except cattle, as an alternative to sale or auction.</p>
	<b><u>Effective 07/01/15</u></b>
<p><b>Ch. Law 2015-23</b>  92.525 &amp; 117.1</p>	<p><b>SB 526 - Notaries Public</b> Allows a law enforcement officer engaged in the performance of official duties to administer an oath either through electronic means, or in the physical presence of a person who swears or affirms to an affidavit.</p>
	<b><u>Effective 07/01/15</u></b>

<p><b>Ch. Law 2015-26</b></p> <p>934.5</p>	<p><b>SB 766 - Surveillance by a Drone</b> Prohibits a person, state agency, or political subdivision from using a drone to record an image of privately owned real property of the owner, tenant, occupant, invitee, or licensee of such property with the intent to conduct surveillance on the individual or property, if reasonable expectations of privacy exist without that individual's written consent. Allows limited exceptions to the prohibition. A person or entity engaged in a business or profession licensed by the state may use a drone to perform reasonable tasks within the scope of his or her license. Tax collectors may use drones for assessing property for ad valorem taxes. A drone may be used to capture images by or for an electric, water, or natural gas utility. Authorizes an aggrieved party to initiate a civil action and obtain compensatory damages or injunctive relief against a person, state agency, or political subdivision that violates those prohibitions on using drones.</p>
	<p><b><u>Effective 07/01/15</u></b></p>
<p><b>Ch. Law 2015-32</b></p> <p>119.0712</p>	<p><b>SB 7040 - DHSMV Public Records/E-mail Addresses</b> Creates an exemption from the state's public records laws for customer e-mail addresses collected by the Department while conducting driver license and motor vehicle record transactions.</p>
	<p><b><u>Effective 07/01/15</u></b></p>
<p><b>Ch. Law 2015-36</b></p> <p>97.0525</p>	<p><b>SB 228 - Online Voter Registration</b> Requires the Department of State to develop an online voter registration system by October 2017 and will compare information submitted online with DHSMV. The Division of Elections is tasked with:</p> <ul style="list-style-type: none"> <li>• establishing the secure Internet website</li> <li>• developing security measures to prevent unauthorized tampering with a voter's registration information</li> <li>• must comply with certain federal laws</li> <li>• submit a report to the Legislature regarding the implementation of online voter registration applications no later than January 1, 2016.</li> <li>• Requires the system to comply with the</li> </ul>

	Agency for State Technology's information technology security provisions and to conduct a comprehensive risk assessment before making the online voter registration system available to the public and every two years thereafter.
	<b><u>Effective 07/01/15</u></b>
Ch. Law 2015-41  119.071	<p><b>SB 248 - Public Records/Body Camera Recording Made by a Law Enforcement Officer</b></p> <ul style="list-style-type: none"> <li>Creates a new public record exemption that makes a body camera recording confidential and exempts from public record disclosure and provides specific circumstances in which a law enforcement agency may disclose a confidential and exempt such recordings, and additional circumstances in which a law enforcement agency must disclose such a recording.</li> <li>This exemption applies in the following situations: Within the interior of a private residence; Within the interior of a facility that offers health care, mental health care, or social services; or In a place that a reasonable person would expect to be private</li> <li>Repeals October 2, 2020.</li> </ul>
	<b><u>Effective 07/01/15</u></b>
Ch. Law 2015-48  316.0085	<p><b>SB 408 - Designated Areas for Skateboarding, Inline Skating, Paintball, or Freestyle or Mountain and Off-roading Bicycling</b></p> <p>Eliminates the requirement that a governmental entity obtain a consent form from the parent of a child who utilizes a public skate park or area set aside for skateboarding, inline skating, or freestyle bicycling as a condition of limiting the governmental entity's liability for damages or injuries. The governmental entity can be liable for gross negligence or for failing to guard against or warn of dangerous conditions that are not apparent, regardless of whether a parental consent form is obtained.</p>
	<b><u>Effective 07/01/15</u></b>
Ch. Law 2015-51	<b>SB 570 - Service of Process of Witness Subpoenas</b>

48.031	Adds civil traffic cases to the types of court cases for which service of process may be made on a witness by U.S. mail. Service of process of witness subpoenas may be made by U.S. mail in criminal traffic, misdemeanor, or second or third degree felony cases. To serve process by mail, the server must mail the subpoena to the witness's last known address at least seven days before the witness's appearance is required.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-59</b>  48.031,48.196 & 409.257	<b>SB 672 - Service of Process</b> Authorizes a process server to post a criminal witness subpoena commanding a witness to appear for a deposition at a witness's residence if one attempt to serve the subpoena has failed.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-60</b>  320.02 & 322.08	<b>SB 676 - Voluntary Contributions to End Breast Cancer</b> Authorizes DHSMV to collect a \$1 or more voluntary contributions for the Florida Breast Cancer Coalition Research Foundation, Inc. per applicant through the motor vehicle registration, driver license and identification card application forms.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-67</b>  381.0056,394.4599,1002.2 & 1002.33	<b>SB 954 - Involuntary Examinations of Minors</b> Requires notification for involuntary examinations of minors. Expands the definition of "emergency health needs" to include onsite evaluation of a student for illness or injury and release of the student to a law enforcement officer. The receiving facility may seek assistance from law enforcement if notification is not made within 24 hours after the patient's arrival.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-82</b>  934.03	<b>HB 7001 - Intercepting and Recording Oral Communications</b> Creates an additional exception to the prohibition on intercepting oral communications by making it lawful for a child under 18 years of age to intercept and record an oral communication if the child is a party to the communication and has reasonable grounds to believe that the recording will capture a statement by

	another party to the communication that the other party intends to commit, is committing, or has committed an unlawful sexual act or an unlawful act of physical force or violence against the child, violations of which are a third degree felony.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-85</b>  322.051,322.08, 322.14	<b>HB 27 - Driver Licenses &amp; Identification Cards</b> Provides for DHSMV to accept Military identification cards to meet certain requirements for issuance of a driver license or identification card. Also, authorizes the word "Veteran" in lieu of "V" to be exhibited on the driver license or identification card contingent upon implementation of a new driver license and identification card design.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-89</b>  82.045	<b>HB 305 - Unlawful Detention by a Transient Occupant</b> Establishes a remedy to remove an unwanted guest unlawfully detaining residential property. Provides for removal of a transient occupant by law enforcement officers; cause of action for wrongful removal; limits actions for wrongful removal; and provides civil action for removal of a transient occupant.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-91</b>  320.089	<b>HB 329 - Special License Plates</b> Authorizes DHSMV to issue Women Veteran, World War II Veteran, Navy Submariner, Combat Action Ribbon, Air Force Combat Action Medal and Distinguished Flying Cross license plates to those who meet qualifications.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-92</b>  16.56,16.62,409.9203,501.203,501.20, 501.991,501.992,501.993,501.994, 501.995,501.996,501.997,960.03 960.13,960.195,960.196,960.198 & 960.199	<b>HB 439 - Relating to Department of Legal Affairs</b> Revises the list of offenses that may be investigated and prosecuted by the Office of Statewide Prosecution. <ul style="list-style-type: none"> <li>• Creates "Patent Troll Prevention Act" to prohibit and provide remedies for the bad faith assertion of patent infringement.</li> <li>• Expands the jurisdiction of the Office of Statewide Prosecution.</li> <li>• Prohibits victim assistance awards for</li> </ul>



	<p>“catastrophic injury” from being reduced.</p> <ul style="list-style-type: none"> <li>• Authorizes Department of Legal Affairs to awards a lifetime maximum of \$1,000 on all victim assistance claims relating to elderly persons and disabled adults who suffer a property loss that causes substantial diminution in their quality of life.</li> <li>• Addresses relocation of assistance for victims of human trafficking.</li> </ul> <p>Authorizes Department of Legal Affairs to spend no more than \$20,000 annually to support costs associated with the agency’s Law Enforcement Officer of the Year and Victims Services recognition and awards program.</p>
	<b><u>Effective 07/01/15</u></b>
<p><b>Ch. Law 2015-99</b>  895.06</p>	<p><b>HB 7061 - Public Records/FI. RICO Act</b> Creates a public records exemption related to investigations of violations of the Florida RICO Act, <i>Racketeer Influenced and Corrupt Organization</i>, and provides that information held by an investigative agency during an investigation of RICO Act violations is generally confidential and exempt from a public records request.</p>
	<b><u>Effective 07/01/15</u></b>
<p><b>Ch. Law 2015-103</b>  316.545</p>	<p><b>HB 145 - Commercial Review Board</b> Adds four appointed members to the board who have private sector experience, with the Governor appointing three of the members from the private sector: one from the road construction industry, one from the trucking industry, and one with a general business or legal background. The Commissioner of Agriculture will appoint a final member of the Board from the agriculture industry. Appointments must be made by September 1, 2015, for terms beginning October 1, 2015. Provides that whenever a driver is issued a citation for exceeding weight limits established by s.316.535, F.S., by means of a portable scale, the driver may request to proceed to the nearest weigh station or certified public scale for verification of weight. The officer who issued the citation must escort the driver</p>

	at all times and must attend the reweighing. If the vehicle is found to be in compliance with the weight requirements at the fixed scale then the citation is void. Provides that as an alternative to physical appearance, the FDOT shall provide space and video conference capability at each district office to allow a person who requested a hearing to appear before the board remotely.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-137</b>  265.041	<b>HB 225 - All-American Flag Act</b> Requires the U.S. Flag or state flag that is purchased on or after January 1, 2016 by the state, county or municipality for public use to be made in the U.S.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-132</b>  775.15	<b>HB 133 - Sexual Offenses</b> Extends felony sexual battery offenses statutes of limitations for sexual battery from 4 years to 8 years. Provides that a circuit court has exclusive original jurisdiction over proceedings in which a minor is alleged to have committed a noncriminal violation that has been assigned to juvenile court by law. Revises penalties associated with a minor's first violation of the sexting statute. The minor must sign a citation promising to appear before the juvenile court. In lieu of appearing in court, the minor may complete community service, pay a fine, or participate in a cyber-safety program. The minor must satisfy the penalty within 30 days. If the minor fails to comply with the citation, the court may order the minor to perform community service, pay a fine, participate in a cyber-safety program, or initiate contempt proceedings. Upon a finding of contempt, the court may impose additional penalties including, suspending the minor's driver license. The court may not impose incarceration. If the minor contests the citation and the court finds that the minor committed the act, the court may order the minor to perform 8 hours of community service, pay a \$60 civil penalty, or participate in a cyber-safety program. "
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-173</b>	<b>HB 371 - Agency Inspectors General</b> Provides additional hiring requirements, employment

20.055 & 14.32	qualifications, and terms of employment for inspectors general and staff.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-117</b>  257.015,257.02,257.04,257.05 257.36,257.105,283.31 & 286.001	<b>HB 553 - Public Libraries</b> Establishes State Publications Program requiring each state official, department, court, or agency to designate a state publications liaison and requires that each liaison must maintain a list of the state publications produced by the state entity they represent, and furnish an updated list by December 31 <sup>st</sup> annually.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-120</b>  381.0012,381.00315 & 817.5	<b>HB 697- Public Health Emergencies</b> Authorizes law enforcement officers to immediately enforce isolation and quarantine orders issued by the Department of Health to control communicable diseases or provide protection from unsafe conditions that pose a threat to public health. Creates a violation of an isolation order to be a 2 <sup>nd</sup> degree misdemeanor, as well as a 2 <sup>nd</sup> degree misdemeanor for a person to falsely claim, willfully and with intent to defraud, that he or she has contracted a communicable disease to a health care provider or a law enforcement officer during a declared public health emergency.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-114</b>  316.1964	<b>HB 471 - Disabled Parking</b> Exempts a vehicle displaying a Disabled Veteran "DV" license plate issued under s. 320.084, F.S., from paying parking fees charged by a county, municipality, or any agency that provides timed parking spaces.
	<b><u>Effective 07/01/15</u></b>
<b>Ch. Law 2015-106</b>  311.103	<b>HB 257 - Freight Logistics Zones</b> Authorizes counties to designate geographic areas within its jurisdiction as freight logistics zone. Defines freight logistics zone as a grouping of activities and infrastructure associated with freight transportation and related services within a defined area around an intermodal logistics center.
	<b><u>Effective 07/01/15</u></b>

<p><b>Ch. Law 2015-105</b></p> <p>382.002,382.003,382.006,382.007 382.008,382.0085, 382.011 &amp; 382.0135</p>	<p><b>HB 243 - Vital Statistics</b></p> <p>Updates the Vital Statistics Act to include the Electronic Death Registration System Processes, and authorizes the Department of Health to perform certain tasks related to death registration and final disposition of deceased persons. Requires person filing death certificate to obtain personal information about the decedent from a legally authorized person, as such person is defined under current law. Defines burial-transit permit.</p>
	<p><b><u>Effective 07/01/15</u></b></p>
<p><b>Ch. Law 2015-101</b></p> <p>1006.23 &amp; 1012.45</p>	<p><b>HB 41 - Hazardous Walking Conditions</b></p> <p>"Gabby's Law for Student Safety" amends provisions providing for the identifying, inspecting, and correcting hazardous walking conditions on roads elementary school students walk along or cross in order to walk to school such as:</p> <ul style="list-style-type: none"> <li>• Determines hazardous walking conditions for public school students.</li> <li>• Authorizes a district school superintendent to initiate a formal request for correction of a hazardous walking condition.</li> <li>• Requires state or local governmental entities with jurisdiction over a road with a hazardous walking condition to correct the condition within a reasonable period of time.</li> </ul> <p>Provides that a district school board may implement a safe driver toll-free telephone hotline to report improper driving or operation of a school bus.</p>
	<p><b><u>Effective 07/01/15</u></b></p>
<p><b>Ch. Law 2015-158</b></p> <p>627.041 &amp; 627.728</p>	<p><b>HB 4011 - Motor Vehicle Insurance</b></p> <p>Removes the four vehicle maximum from the definition of "motor vehicle insurance" and the definition "policy" to allow vehicle owners to purchase, and insurers to issue, single policies that cover any number of private passenger motor vehicles, rather than four or less vehicles per policy.</p>
	<p><b><u>Effective 07/01/15</u></b></p>
<p><b>Ch. Law 2015-130</b></p> <p>413.08</p>	<p><b>HB 71 - Service Animals</b></p> <p>Requires public accommodations to permit use of service animal by individual with disability; provides</p>

	conditions for public accommodations to exclude or remove a service animal. Revises penalties for persons or entities who interfere with use of service animal and provides penalty for knowing and willful misrepresentation with respect to use or training of service animal.
	<b><u>Effective 07/01/15</u></b>

**The following bills will become effective October 1, 2015:**

<b>Ch. Law 2015-14</b>  668.801 – 668.805	<b>SB 222 - Electronic Commerce</b> “Computer Abuse and Data Recovery Act”; Establishes a civil cause of action for harm or loss caused by unauthorized access or hacking of a protected computer owned by a for-profit or not-for-profit business. Provides for remedies such as recovery of actual damages, lost profits, economic damages, and injunctive or other equitable relief.
	<b><u>Effective 10/01/15</u></b>
<b>Ch. Law 2015-17</b>  741.29,784.046,901.15 &, 903.047	<b>SB 342 - No Contact Orders</b> Defines an order of no contact in a court order granting pretrial release of a criminal defendant. Enforces an order of no contact to be effective immediately and enforceable for the duration of pretrial release or until the court modifies the order of no contact. Provides defendants who are ordered to have “no contact” generally may not: <ul style="list-style-type: none"> <li>• Communicate orally or in writing with the victim in any manner, in person, telephonically, or electronically either directly or through a third person, other than through an attorney and for lawful purposes.</li> <li>• Have physical or violent contact with the victim or other person identified in the order or his or her property.</li> <li>• Be within 500 feet of the victim’s or other identified person’s residence, even if the defendant and victim or other named person share the residence.</li> <li>• Be within 500 feet of the victim’s or other identified person’s vehicle, place of work, or a specified place frequented regularly by either</li> </ul>

	of them.
	<b><u>Effective 10/01/15</u></b>
<b>Ch. Law 2015-24</b>  784.049,901.15 & 933.18	<p><b>SB 538 - Sexual Cyber Harassment</b> Prohibits a person from willfully and maliciously sexually cyber harassing another person. Authorizes law enforcement officers to arrest, without a warrant, any person that he or she has probable cause to believe has committed sexual cyber harassment.</p> <p>With a showing of probable cause in an affidavit the court may issue a search warrant to search private dwellings.</p> <p>Defines sexually explicit image and authorizes an aggrieved person to initiate a civil action against a person who commits sexual cyber harassment to obtain all appropriate relief in order to prevent or remedy a violation. Such relief includes injunctive relief, monetary damages to include \$5,000 dollars or actual damages incurred, whichever is greater, and reasonable attorney fees and costs.</p>
	<b><u>Effective 10/01/15</u></b>
<b>Ch. Law 2015-29</b>  843.08,843.085 & 921.0022	<p><b>SB 1010 - False Personation</b> Revises list of officials who are prohibited from being falsely personated to include firefighters and fire or arson investigators of the Department of Financial Services. Prohibits use of badges or indicia of authority bearing in any manner or combination the words "fire department" and the ownership or operation of vehicles marked "fire department".</p>
	<b><u>Effective 10/01/15</u></b>
<b>Ch. Law 2015-44</b>  790.01	<p><b>SB 290 - Carrying a Concealed Weapon or a Concealed Firearm</b> Provides for an exception to s. 790.01, F.S., prohibiting carrying a concealed weapon or firearm unless a person is licensed to do so or if the weapon is a self-defense chemical spray or nonlethal stun gun or similar device designed for defensive purposes.</p> <p>Allows a person to carry a concealed weapon or firearm while in the act of complying with a</p>

	<p>mandatory evacuation order issued during a state of emergency declared by the Governor pursuant to ch. 252, F.S., or declared by a local authority pursuant to ch. 870, F.S., regardless of the person's licensure status, so long as he or she may otherwise lawfully possess a firearm.</p> <p>Provides a definition for "in the act of evacuating." It also sets forth a 48-hour period within which the exception to s. 790.01, F.S., is applicable, which may be extended by executive order.</p>
	<b><u>Effective 10/01/15</u></b>
<p><b>Ch. Law 2015-46</b>  943.051, 985.11 &amp; 985.12</p>	<p><b>SB 378 - Relating to Juvenile Justice</b> Expands juvenile civil citation by allowing law enforcement to issue a civil citation to youth who have committed a second or subsequent misdemeanor. Civil citation is presently only available to youth who admit to committing a first-time misdemeanor.</p> <p>Authorizes law enforcement to issue a simple warning to the youth, inform the youth's parents of the misdemeanor, issue a civil citation or require participation in a similar diversion program. If an arrest is made, law enforcement must provide written documentation as to why the arrest is warranted.</p>
	<b><u>Effective 10/01/15</u></b>
<p><b>Ch. Law 2015-78</b>  97.0585, 741.4651</p>	<p><b>SB 7034 - OGSR/Stalking Victims Identifying Information</b> Continues the "victim stalking exemption" that the Legislature adopted in 2010, exempting from public records disclosure the names, addresses, and telephone numbers of victims and victim registrants who participate in the Attorney General's Address Confidentiality Program for Victims of Domestic Violence.</p>
	<b><u>Effective 10/01/15</u></b>
<p><b>Ch. Law 2015-86</b>  119.071</p>	<p><b>HB 185 - Public Records Exemption for Active Duty Service members &amp; Families</b> Provides a public records exemption for military servicemembers and veterans, and their family members, specifically for the identification and</p>

	<p>location information of current or former active duty servicemembers of the United States (U.S.) Armed Forces, their reserve components, or the National Guard who served after September 11, 2001, and their spouses and dependents.</p> <p>The current or former servicemember must submit to the custodial agency a written request and a written statement that reasonable efforts had been made to protect the identification and location information from being accessible through other means available to the public.</p> <p>Defines "identification and location information" to mean the:</p> <ul style="list-style-type: none"> <li>• Home address, telephone number, and date of birth of a servicemember, and the telephone number associated with a servicemember's personal communication device.</li> <li>• Home address, telephone number, date of birth, and place of employment of the spouse or dependent of such servicemember, and the telephone number associated with such spouse's or dependent's personal communication device.</li> <li>• Name and location of the school attended by the spouse, or the school or day care facility attended by the dependent of such servicemember.</li> </ul> <p>Additionally, provides for retroactive application of the public records exemption.</p> <p>Repeals October 2, 2020.</p>
	<b><u>Effective 10/01/15</u></b>
<p><b>Ch. Law 2015-168</b></p> <p>943.1926</p>	<p><b>HB 201 - Diabetes Awareness Training for Law Enforcement Officers</b></p> <p>Requires FDLE to establish an online continued employment training component relating to diabetic emergencies. Instruction must include recognition of symptoms of such an emergency, distinguishing such an emergency from alcohol intoxication or drug overdose, and appropriate first aid for such an</p>



	<p>emergency. Completion of such training may count toward the 40 hours of required instruction for continued employment or appointment as a LEO.</p>
	<b><u>Effective 10/01/15</u></b>
<p><b>Ch. Law 2015-144</b>  796.07 &amp; 943.0583</p>	<p><b>HB 465 - Human Trafficking</b> Increases criminal penalties for soliciting, inducing, enticing, or procuring another to commit prostitution. A first offense is a 1<sup>st</sup> degree misdemeanor, second offense is a 3<sup>rd</sup> degree felony, &amp; third, or subsequent, offense is a 2<sup>nd</sup> degree felony.</p> <p>Requires a judge to sentence a person convicted of solicitation to 10 days in jail if second or subsequent conviction for solicitation. Requires court to order person convicted of solicitation to perform 100 hours of community service and complete an educational program about the negative effects of prostitution and human trafficking. Authorizes a judge to impound or immobilize the car of a person convicted of solicitation up to 60 days.</p>
	<b><u>Effective 10/01/15</u></b>
<p><b>Ch. Law 2015-145</b>  119.071, 943.583</p>	<p><b>HB 467 - Public Records Exemption Human Trafficking Victims</b> Expands the types of criminal intelligence and criminal investigative information that are confidential and exempt from public records requirements to include:</p> <ul style="list-style-type: none"> <li>• Any information revealing the identity of a person under the age of 18 who is victim of a crime of human trafficking for labor or services,</li> <li>• Any information revealing the identity of a person who is the victim of a crime of human trafficking for commercial sexual activity, or</li> <li>• A photograph, videotape, or image of any part of the body of a victim of a crime of human trafficking involving commercial sexual activity.</li> </ul> <p>Making the above-described criminal intelligence and criminal investigative information confidential and exempt from public records requirements under the section providing expunction for human trafficking</p>

	<p>victims.</p> <ul style="list-style-type: none"> <li>• Authorizes release of the confidential and exempt information by a law enforcement agency in certain instances, and provides for retroactivity.</li> <li>• Repeals October 2, 2020.</li> </ul>
	<p><b><u>Effective 10/01/15</u></b></p>
<p><b>Ch. Law 2015-136</b>  934.425 &amp; 493.6118</p>	<p><b>HB 197 - Tracking Devices or Tracking Applications</b> Prohibits a person from installing a tracking device or tracking application on another person's property without the other person's consent; such violation is a second degree misdemeanor. This prohibition does not apply to:</p> <ul style="list-style-type: none"> <li>• A law enforcement officer or law enforcement agency that lawfully installs a tracking device or tracking application on another person's property as part of a criminal investigation.</li> <li>• A parent or legal guardian of a minor child that installs a tracking device or tracking application on the minor child's property if: <ul style="list-style-type: none"> <li>○ The parents or legal guardians are lawfully married to each other and are not separated or otherwise living apart, and either parent or legal guardian consents to the installation of the tracking device or tracking application.</li> <li>○ The parent or legal guardian is the sole surviving parent or legal guardian of the minor child.</li> <li>○ The parent or legal guardian has sole custody of the minor child.</li> <li>○ The parents or legal guardians are divorced, separated, or otherwise living apart and both consent to the installation of the tracking device or tracking application.</li> </ul> </li> <li>• A caregiver of an elderly person or disabled adult, if the elderly person or disabled adult's treating physician certifies that such installation is necessary to ensure the safety of the elderly person or disabled adult.</li> <li>• A person who is not engaged in private investigation, and is acting in good faith on</li> </ul>

	<p>behalf of a business entity for a legitimate business purpose.</p> <ul style="list-style-type: none"> <li>An owner or lessee of a motor vehicle, in specified circumstances.</li> </ul> <p>Provides for administrative disciplinary action against persons engaged in private investigation, security, or repossession, who install tracking devices or tracking applications in violation of the provisions of law. Creates a new second degree misdemeanor, which is punishable by up to 60 days in county jail and a \$500 fine.</p>
	<b><u>Effective 10/01/15</u></b>
<p><b>Ch. Law 2015-147</b>  409.1678,787.06</p>	<p><b>HB 469 - Public Records Exemption related to Residential Facilities Serving Victims of Sexual Exploitation</b> Creates public record exemptions for information about the location of safe houses, safe foster homes, other residential facilities serving child victims of sexual exploitation, and residential facilities serving adult victims of human trafficking involving commercial sexual activity.</p> <p>Provides the information regarding the facility location held by an agency before, on, or after the effective date of the bill is confidential and exempt from public record requirements.</p> <p>Allows this information to be provided to any agency in order to maintain health and safety standards and to address emergency situations. Additionally, the public records exemption does not apply to facilities licensed by the Agency for Health Care Administration.</p> <p>Repeals on October 2, 2020.</p>
	<b><u>Effective 10/01/15</u></b>
<p><b>Ch. Law 2015-131</b>  775.089,838.23 &amp; 839.27</p>	<p><b>HB 115 - Sentencing</b> Redefines "victim" for purposes of restitution provisions to include governmental entities &amp; political subdivisions. Requires a judge to order a person convicted of any offense in Chapters 838 (entitled "Bribery; Misuse of Public Office") and 839, F.S.,</p>

	(entitled "Offenses by Public Officers and Employees") to make restitution to the victim of the offense if, after conducting a hearing, the judge finds that the victim suffered an actual financial loss caused directly or indirectly by the person's offense or an actual financial loss related to the person's criminal episode; and perform 250 hours of community service work.
	<b><u>Effective 10/01/15</u></b>
<b>Ch. Law 2015-166</b>  817,921.0022	<b>HB 157 - Relating to Fraud</b> Revises definitions, restitution guidelines, and business requirements regarding fraud cases, and provides additional exceptions, procedures, protocols, and penalties for offenders of fraud, Extends persons who can be victims of fraud.
	<b><u>Effective 10/01/15</u></b>
<b>Ch. Law 2015-147</b>  409.1678, 787.06	<b>HB 469 - Pub. Rec./Residential Facilities Serving Victims of Sexual Exploitation</b> Provides exemption from public records requirements for information about the location of safe houses, safe foster homes, other residential facilities serving child victims of sexual exploitation, and residential facilities serving adult victims of human trafficking involving commercial sexual activity.  Provides the information regarding the location of these facilities that is held by an agency before, on, or after the effective date of the bill is confidential and exempt from public record requirements. Allows this information to be provided to any agency in order to maintain health and safety standards and to address emergency situations. Additionally, the public records exemption does not apply to facilities licensed by the Agency for Health Care Administration.  Repeals October 2, 2020.
	<b><u>Effective 10/01/15</u></b>
<b>Ch. Law 2015-163</b>	<b>HB 7055 - Highway Safety and Motor Vehicles</b> <ul style="list-style-type: none"> <li>• Authorizes employing agency to pay up to \$5,000 directly to a venue to cover funeral</li> </ul>

<p>112.19,316.212,316.228,316.515, 318.18, 319.141, 319.2, 320.02, 320.03, 320.08053,320.08056, 320.08058, 320.086, 322.08, 324.242, 381.88, 19.23, &amp; 320.08</p>	<p>and burial expenses of a law enforcement officer killed in the line of duty.</p> <ul style="list-style-type: none"> <li>• Allows for the use of golf carts on a two-lane county road located within the jurisdiction of a municipality designated by that municipality for use by golf carts.</li> <li>• Requires an 18 inch square, red flag on all loads that extend four feet or more beyond a vehicle's perimeter.</li> <li>• Authorizes the Department of Transportation to permit transport of multiple sections or single units on an overlength trailer of no more than 80 feet.</li> <li>• Increases the fine from \$100 to \$500 for a violation of unlawfully displaying vehicles for sale, hire, or rental.</li> <li>• Extends the Rebuilt Inspection Pilot Program until 2018 and includes additional requirements.</li> <li>• Allows for the titling of a residential manufactured building when located on a mobile home lot.</li> <li>• Directs DHSMV to include language permitting a voluntary contribution of \$1 or more on a motor vehicle registration and driver license application listed as "End Breast Cancer." Such contributions will be distributed by DHSMV to the Florida Breast Cancer Foundation.</li> <li>• Removes obsolete requirements for establishing a specialty license plate that were declared unconstitutional.</li> <li>• Removes provisions for the issuance of the Corrections Foundation license plate, the Children First license plate, and the Veterans of Foreign Wars license plate which are no longer in circulation.</li> <li>• Provides for Major League Soccer to be included as part of Florida's professional sports team for specialty license plate purposes.</li> <li>• Revises the identification of a motor vehicles ancient and antique status to model year instead of manufactured year and discontinues verification of the age of the</li> </ul>
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	<p>engine.</p> <ul style="list-style-type: none"> <li>• Requires DHSMV, and their authorized agents, to provide each applicant for a motor vehicle registration or driver license the option to register emergency contact information and the option to be contacted with information about state and federal benefits available as a result of military service.</li> <li>• Expands existing public record exemption for personal injury protection and property damage liability insurance policies to allow the DHSMV to provide personal injury protection and property damage liability insurance policy numbers to department approved third parties that provide data collection services to an insurer of any person involved in such accident.</li> <li>• Provides that certified emergency medical technicians with proper training can administer emergency allergy treatment.</li> </ul>
	<p style="text-align: right;"><b><u>Effective 10/01/15</u></b></p>