



The Florida Capitol

FSA LEGISLATIVE REPORT 2024

One of the primary roles and responsibilities of the Florida Sheriffs Association is to support and monitor legislation that ensures public safety. During the 2024 legislation session, FSA's legislative team actively worked with lawmakers to ensure the bills that passed are in the best interest of Florida citizens' safety and Florida's law enforcement officers.





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Executive Summary

The 2024 legislative session began on January 9th and sheriffs hit the new year quickly by advocating for several high profile pieces of legislation. Reducing juvenile gun crime, continuing to shore up staffing levels and protecting children while at school were all top priorities of the Florida Sheriffs Association.

As is often the case, drafting, filing, lobbying for, and in the end, passing legislation is no easy task. This year, 1,902 bills were filed in both the House and the Senate and 325 passed both chambers and are now headed to Governor DeSantis for final approval. That is about a 17% passage rate for filed bills.

Reducing Juvenile Gun Crime

HB 1181 by Representative Bernie Jacques and Senator Jonathan Martin was developed with an array of stakeholders, including Attorney General Ashley Moody and the Florida Department of Juvenile Justice (DJJ) to close gaps in the current law to ensure juveniles are held accountable when they commit serious gun crimes. The bill will go a long way towards addressing the increasing violent juvenile gun crime across the state.

This legislation will make several changes relating to juvenile gun crimes, including:

- Authorizes a court to commit a juvenile to a minimum amount of time in a residential program for a misdemeanor violation of unlawful possession of a firearm.
- Requires a court, if a minor is found to have committed the offense of unlawfully possessing a firearm three or more times, to adjudicate the minor delinquent and commit the minor to a DJJ residential program.
- Requires a juvenile who violates the terms of his or her electronic monitoring to be held in secure detention until a detention hearing and requires a juvenile who is on probation for committing a felony firearm offense to be held in secure detention for up to 21 days if he or she is taken into custody for violating his or her probation.
- Requires a court to consider, rather than use, the results of DJJ's risk assessment instrument in deciding whether to continue to detain a juvenile.
- Changes the term "civil citation" to "delinquency citation" and prohibits a juvenile charged with an offense involving the use or possession of a firearm from being issued a delinquency citation.

Additionally, the bill:

- Allows a court to continue to detain a juvenile in secure detention if the court finds probable cause that he or she committed murder or certain offenses involving the use or possession of a firearm.



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- Requires a juvenile who is adjudicated delinquent for committing any offense or attempted offense involving the use of a firearm to be placed on conditional release for one year following his or her release from a juvenile commitment program.
- Increases the penalty to a second degree felony for introducing contraband into a DJJ facility.

Reemployment Post Retirement

The Florida Sheriffs Association strongly supported HB 151 by Representative Demi Busatta Cabrera and Senator Danny Burgess. The legislation will allow all Florida Retirement System (FRS) Pension Plan members, including sworn law enforcement and correctional officers to return to FRS employment after six calendar months of becoming a Pension Plan retiree without restrictions or interruption of Pension Plan benefits. Current law made retirees wait more than a year to return to work at a FRS employer. This change in law will greatly assist sheriffs in being able to bring back experienced personnel sooner and keep staffing levels up.

School Safety

Protecting children, especially while they are at school, will remain a top legislative priority for sheriffs. It is unfortunate that legislation was necessary, but too many schools were leaving doors and gates unlocked during school hours.

HB 1473 by Representative Dana Trabulsy and Senator Alexis Calatayud amended state law to establish new perimeter and door safety requirements that school districts and charter school governing boards must comply with by August 1, 2024. These requirements include keeping routes of ingress and egress securely closed and locked when students are on campus. Each school district is now required to develop a progressive discipline policy for instructional and administrative personnel who knowingly violate school safety requirements.

HB 1473 also clarifies that private schools seeking to participate in the guardian program are responsible for costs associated with background screening in addition to costs associated with training. The sheriff providing training for the participating private school can waive costs related to training and background screening. It also allows an individual certified under, and in good standing with, the Criminal Justice Standards and Training Commission, and who is otherwise qualified to serve as a guardian, to be exempt from the required school guardian training.

The legislation further requires a sheriff's office that certifies individuals to serve as school guardians to report information related to the certification and appointment of school guardians to the Florida Department of Law Enforcement (FDLE) within 30 days of such certification. Each sheriff must also make a one-time report, by September 1, 2024, of every individual previously certified as a school guardian by the sheriff. The required reports must include the name, date of birth, and certification date of the guardian. Additionally, each sheriff must also submit the schedule for upcoming guardian trainings to the FDLE on a quarterly basis.



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Other Important Bills to Pass

Retail Theft/Combating Porch Pirates:

- HB 549 by Representative Bob Rommel and Senator Jay Trumbull will make it a third degree felony for an individual who joins five or more people in retail theft, a second degree if the same group encourages others to join in through social media, and a first degree felony for any repeat offenders who have already been convicted of the same crime within a one year time period. Under the bill, the punishment for criminals who steal delivery packages from private properties, will be a felony if the package is valued at or above \$40. Currently, the law enforces punishments of a felony if the product is valued at \$100 or above.



Sheriff Snyder attends the bill signing of HB 549 in Martin County alongside his son, Representative John Snyder, Attorney General Ashley Moody, and Senator Gayle Harrell.

Citizen Review Boards:

- HB 601 by Representative Wyman Duggan and Senator Blaise Ingolia clarifies that a sheriff can have a civilian oversight board to review policies and procedures. Under the bill, civilian oversight boards will now be prohibited, but like sheriffs, a city could have a civilian board to review a police department's policies and procedures. The bill also includes an increase to the base salary portion of the formula used to calculate the salary of sheriffs, by \$5,000 beginning July 1, 2024.



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Governor Ron DeSantis signs HB 601 at the St. Johns County Sheriff's Office.

Sheriffs' Budgets:

- SB 1704 by Senator Clay Yarborough and Representative Wyman Duggan specifies that a sheriff in a consolidated government (Jacksonville) may transfer funds between the fund and functional categories and object and subobject code levels after the budget has been approved. This is something the other 66 sheriffs had the ability to do because of HB 3 passed during the 2022 legislative session. It also revises the provisions concerning the independence of sheriffs to include procurement, which is applicable to all sheriffs, including sheriffs in a consolidated government.

Conclusion

The 60-day legislative session moves fast, but during those first few weeks of committee work and meetings, a foundation for the session can be set. Sheriffs, FSA staff and our contracted lobbyists worked diligently at the start of the year to ensure the last few weeks of session turned into a successful one for public safety. That turned out to be the case, as numerous law and other bills passed that will have a positive impact on Florida for years to come.



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The Florida Sheriffs Association will continue to keep sheriffs, our law enforcement partners and our honorary members up to date on critically important public safety issues until the next legislative session, which will begin on Tuesday March 4, 2025. For more information on the FSA Legislative Program and to stay informed on all legislative issues, please visit: www.flsheriffs.org/legislative.

Florida Sheriffs Association Priorities

Issue: **Juvenile Justice**
Outcome: **Passed. Chapter No. 2024-130**
Effective: **July 1, 2024**

(HB 1181 Rep. Jacques and SB 1274 Sen. Martin)

This legislation was developed with an array of stakeholders, including Attorney General Ashley Moody and the Florida Department of Juvenile Justice (DJJ) to close gaps in the current law to ensure juveniles are held accountable when they commit serious gun crimes. The bill will go a long way towards addressing the increasing violent juvenile gun crime across the state.

Specifically, the bill requires a juvenile who violates the terms of his or her electronic monitoring to be held in secure detention until a detention hearing. A juvenile on probation for committing a felony firearm offense may be held in secure detention for up to 21 days if he or she is taken into custody for a violation of probation that does not involve a new law violation. This will allow the state attorney to review the violation and determine whether a DJJ program will be sought, and if so, the juvenile must remain in secure detention for 21 days. The juvenile may be held for an additional 21 days if the court makes certain findings. However, if the court releases the juvenile, the juvenile must be placed on supervised release with electronic monitoring.

The bill also requires a court to *consider*, rather than use, the results of DJJ's risk assessment instrument in deciding whether to continue to detain a juvenile. A court may to detain a juvenile in secure detention if a juvenile commits certain offenses, including offenses involving the use of a firearm and the bill creates a presumption that a juvenile must be held in secure detention if the court finds probable cause that the juvenile committed any of these offenses. This will be an important change in current practice and give judges more flexibility and support to hold juveniles who may be at risk to commit violent acts.

Under the bill, a juvenile who is adjudicated delinquent by a court for committing any offense or attempted offense involving a firearm must be placed on conditional release for one year following his or her release from a juvenile commitment program and must include electronic monitoring by DJJ for the first six months. If the court decides not to commit a juvenile that has committed an offense involving the use or possession of a firearm, the court must place the juvenile on probation for at least one year with electronic monitoring and order the juvenile to serve at least 30 days in a secure detention facility.



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The court is prohibited from withholding adjudication if a juvenile previously had adjudication withheld for certain offenses involving a firearm and must adjudicate the juvenile delinquent and sentence the juvenile to a DJJ residential program. The bill also allows the court to commit a juvenile to a minimum amount of time in a residential program for a misdemeanor violation of unlawful possession of a firearm. Prior to the bill, it was optional.

The bill will also require a court, if a minor is found to have unlawfully possessed a firearm three or more times, to adjudicate the minor delinquent and commit the minor to a DJJ residential program. This is not only the best course of action for the community, but also for the juvenile who has repeatedly been found in possession of a firearm. The bill also allows DJJ to create a graduated response matrix (GRM) to address technical violations of probation and requires the GRM to provide sanctions for a juvenile who commits a technical violation of probation. Additionally, a law enforcement officer may arrest a minor without a warrant for unlawfully possessing a firearm if the officer has probable cause to believe the minor committed such an offense.

The bill renames the term “civil citation” to “delinquency citation” and prohibits a juvenile charged with an offense involving the use or possession of a firearm from being issued a delinquency citation.

The bill also increases the penalty for introducing contraband into a DJJ facility to a second degree felony and allows DJJ staff to use canine units to locate and seize contraband.

Finally, the bill allows a juvenile’s educational records to be introduced in court proceedings. By allowing education records to be used in juvenile proceedings without the consent of a parent, DJJ will be able to more accurately determine whether a juvenile who is placed on probation is complying with the requirements of his or her probation by regularly attending school.

Impact to Sheriffs: This bill will ensure that juveniles that commit serious gun crimes or who are repeat offenders are being held accountable and are not continuously being released back into the community where they can commit additional crimes. This bill will not only help increase public safety but will also serve as an intervention for these juveniles that continue to commit crimes using firearms and are running in and out of the system.

Issue: **Reemployment Post Retirement**

Outcome: **Passed. Chapter No. 2024-92**

Effective: **July 1, 2024**

(SB 151 Sen. Busatta Cabrera)

The bill establishes the contribution rates paid by employers that participate in the Florida Retirement System (FRS) beginning July 1, 2024. These rates are intended to fund the full normal cost and the amortization of the unfunded actuarial liability of the FRS and the impact of changes made by the bill.



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The rates for state fiscal year 2024-2025 are:

Membership Class	Effective July 1, 2024				
	Normal Cost	UAL Rate	Admin	HIS	Total
Regular	6.73%	4.84%	0.06%	1.66%	13.63%
Special Risk	18.66%	12.07%	0.06%	1.66%	32.79%
Special Risk Admin Support	11.54%	26.22%	0.06%	1.66%	39.82%
Elected Officers-County Officers	12.39%	44.23%	0.06%	1.66%	58.68%
Senior Management	8.56%	23.90%	0.06%	1.66%	34.52%
DROP	8.49%	10.64%	N/A	1.66%	21.13%

Additionally, the bill allows Florida Retirement System (FRS) retirees to receive both compensation from an employer that participates in the FRS and retirement benefits, provided the retiree is not reemployed within the six months immediately following the date of retirement. Previously, sheriffs, and other FRS employers, had to have their employees wait 12 months before being rehired. This change applies to all FRS employees, not just special risk class members.



The FSA's President, Sheriff Bill Leeper and the FSA's Legislative Chair, Sheriff Bob Gualtieri present Representative Demi Busatta Cabrera with the FSA's Friend of the Sheriff Award for her outstanding work during the 2023 Legislative Session.

The bill also closes the FRS Preservation of Benefits Plan to new members effective July 1, 2026. Federal law caps pension benefits at \$275,000 each year, but this program allows some members to receive payments above that level. The bill closes the Preservation of Benefits Plan to new retirees. Beginning July 1, 2024, the limitation on an annual benefit under a defined benefit plan is \$275,000. In 2023, there were only 75 retirees who took advantage of the plan, but with 835 FRS members earning more than \$275,000, more employees could have been expected to use the plan in the future. Closing the plan to new members could potentially save the state and local government employers over \$25 million next fiscal year.

Impact to Sheriffs: The bill will now allow sheriffs to rehire employees after they have retired for at



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least six months. This change will help sheriffs fill staffing shortages by rehiring or perhaps hiring an FRS retiree from another FRS employer after six months of their retirement.

Issue: **School Safety**
Outcome: **Passed. Chapter No. 2024-155**
Effective: *July 1, 2024*

(HB 1473 Rep. Trabulsy and SB 1356 Sen. Calatayud)

The wide-ranging school safety package bolsters school security among public and private schools through the following changes:

School Guardian Program & Training

Safe-School Officers

The bill clarifies that private schools seeking to participate in the guardian program are responsible for all training and screening-related costs. The bill allows the sheriff to waive these costs, however, funds provided to the sheriff by the Department of Education (DOE) for the school guardian program may not be used to subsidize any costs that have been waived by the sheriff.

The bill provides that an individual certified under, and in good standing with, the Criminal Justice Standards and Training Commission, and who is otherwise qualified to serve as a guardian, is exempt from the required school guardian training and a sheriff may issue a school guardian certificate to such individuals.

The bill also changes the 12-hour diversity training to training on de-escalating incidents for guardians and requires that agreements between a school district and a law enforcement agency for the provision of school resource officers (SRO) in district schools must identify the entity responsible for maintaining records relating to SRO training.

Reporting of Certified and Appointed School Guardians

The bill also implements new reporting requirements related to individuals certified as school guardians, with penalties for noncompliance. Under the bill, a sheriff's office that certifies individuals to serve as school guardians, and school districts, charter schools, and private schools that appoint school guardians, must report information related to the certification and appointment of school guardians to the FDLE.

Specifically, each sheriff who issues a school guardian certificate, must report to FDLE within 30 days of certification and must also make a one-time report, by September 1, 2024, of every individual previously certified as a school guardian by the sheriff. The required reports must include the name, date of birth, and certification date of the guardian. Each sheriff must also report to the FDLE, on a quarterly basis, the schedule for upcoming guardian trainings, including the dates, locations, contact person for registration,



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and class capacity. **Any sheriff that fails to comply with the reporting requirements is prohibited from receiving reimbursements from the DOE for costs associated with the school guardian program.** Any school district, charter school, or private school that fails to comply with reporting requirements, is prohibited from operating a school guardian program the following school year. The prohibition is lifted as soon as the sheriff, school district, charter school, or private school complies with the reporting requirements.

School Safety Oversight and Compliance

The bill establishes new perimeter and door safety requirements that school districts and charter school governing boards must comply with by August 1, 2024, including keeping routes of ingress and egress securely closed and locked when students are on campus, or actively staffed when open or unlocked, requiring that violations be reported to the applicable school official or governing board, requiring classrooms to be locked, or actively staffed, during class time, and for classrooms to have the safest part of the room marked, and requiring each school district to develop a progressive discipline policy for instructional and administrative personnel who knowingly violate school safety requirements.

Any person who becomes aware of a violation of these requirements must report the violation to the school principal. The school principal must report the violation to the school safety specialist by the next business day. If the school principal or charter school administrator violated these requirements, then the report must be made directly to the district school superintendent or charter school governing board.

Additionally, the bill requires the Office of Safe Schools (OSS), by August 1, 2024, to develop and adopt a Florida school safety compliance inspection report to document compliance with Florida school safety requirements and requires that the OSS conduct unannounced inspections of all public schools every three years and must reinspect any school with documented deficiencies within six months. The bill provides for a bonus program for school principals and charter school administrators whose schools are found to be in full compliance with school safety requirements.

Security Assessment Grant Program

The bill creates, and the state appropriated \$5 million in FY 2024-25, for a grant program to support private schools' school safety efforts. Under the program, the FDLE shall provide grants to sheriff's offices and law enforcement agencies to conduct physical site security assessments for and provide reports to private schools with recommendations on improving such schools' infrastructure safety and security, assist private schools in developing active assailant response protocols and provide guidance to private schools in implementing a threat management program. Grants awarded under the bill may be used to provide reimbursements for personnel costs, software, and other items necessary to assist private



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schools. The FDLE must develop a site security assessment form for use by sheriff's offices and law enforcement agencies and provide the form to the recipient of funds.

Drone Prohibition Over Schools

The bill prohibits a person from operating a drone over a public or private school serving students in any grade from voluntary prekindergarten through grade 12, unless the person was granted permission by school personnel, or the drone is operated by a law enforcement agency. A violation is punishable as a second-degree misdemeanor for a first offense and a first degree misdemeanor for a second or subsequent offense. If a person commits a violation and records video of the school, including any person or object on the premises of or within the school facility, the person commits a first degree misdemeanor for a first violation, or a third degree felony for a second or subsequent violation.

Impact to Sheriffs: The bill will go a long way toward improving both public, charter, and private school safety across Florida. There are several requirements within the bill that sheriffs should be aware of if they conduct guardian training or if a sheriff would like to participate in the newly created grant program to support private schools' school safety efforts. Sheriffs should be aware of the new reporting requirements described above as sheriffs will be unable to receive reimbursement from the DOE for the school guardian program if they fail to comply with the reporting requirements.

If a private school wants to participate in the guardian program they are required to pay for all associated costs, however sheriffs can now waive the training and background screening costs if they choose to do so. Additionally, through the grant program under FDLE, sheriff's offices may receive reimbursements for personnel costs, software, and other items needed to conduct physical site security assessments and make recommendations to private schools for improving infrastructure safety and security. FDLE will provide law enforcement agencies with the site security assessment for it to be used.

Issue: **Public Records: School Guardians (Linked to HB 1473 and SB 1356)**

Outcome: **Passed. Chapter No. 2024-156**

Effective: *July 1, 2024*

(HB 1509 Rep. Trubus and SB 7056 Sen. Calatayud)

This bill creates a public record exemption for any information held by FDLE, a law enforcement agency, a school district, or a charter school that would identify whether an individual has been certified to serve as a school guardian.



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Impact to Sheriffs: Agencies must ensure that any information held by their office that may identify whether an individual has been certified to serve as a school guardian is kept exempt from public records.

Issue: Harm to Minors
Outcome: Died in committee.

(HB 1129 Rep. Salzman and SB 1196 Sen. Ingoglia)

The bill would have amended s. 787.025, the luring statute, to increase the penalty from a misdemeanor to a felony for an adult who intentionally lures or entices or attempts to lure or entice a child under the age of 12, other than for a lawful purpose. This legislation would have also increased the criminal penalties for repeat offenders.

Issue: Officer Wellness
Outcome: Was not included in the state budget.

This appropriation from the Opioid Settlement Trust Fund would have allocated \$10 million for mental health, wellness, and support services for first responders who experienced trauma associated with opioid-related emergency events. Such action is allowable under the settlement agreement entered into by the state and would have greatly assisted law enforcement agencies as they cope with mental health issues.

Prevention & Youth Services

Issue: Mental Health and Substance Abuse
Outcome: Passed. Chapter No. 2024-245
Effective: July 1, 2024

(HB 7021 Rep. Maney and SB 1784 Sen. Grall)

This bill includes several provisions directly related to law enforcement under the Baker and Marchman Acts. Specifically, the bill provides law enforcement officers with discretion on initiating involuntary examinations by specifying that an officer “may”, instead of “shall” take a person who appears to meet the criteria for involuntary examination into custody. Additionally, the bill specifies that if law enforcement is transporting a minor and the parent or legal guardian is present, before departing the law enforcement officer must provide the parent or guardian of the minor with the name, address, and contact information for the facility within the designated receiving system to which the law enforcement officer is transporting the minor, subject to any safety and welfare concerns for the minor.



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Impact to Sheriffs: If an officer chooses to initiate an involuntary examination of a minor, the officer must provide the minor's parent or guardian with the contact information of the receiving facility, *but only so long as doing so would not risk the minor's safety or welfare*. This provision of the bill was included to address potential instances in which a parent or guardian is suspected of child abuse.

Prevention and Youth Services Bills that Failed:

Issue: Youth Conflict Resolution and Peer Mediation Pilot Program

Outcome: Died in committee.

(HB 857 Rep. Bracy Davis and SB 786 Sen. Powell)

The bill would have created a pilot program to implement a conflict resolution and peer mediation curriculum in a select number of middle schools to reduce juvenile violence.

Issue: Community Mobile Support Teams

Outcome: Died in committee.

(HB 1309 Rep. Canady and SB 1394 Sen. Gruters)

The bill would have required the Department of Children and Families to contract with managing entities for community mobile support teams throughout the state to place crisis counselors from community mental health centers in local law enforcement agencies.

Public Safety

Issue: Social Media Use for Minors

Outcome: Passed. Chapter No. 2024-42

Effective: July 1, 2024

(HB 3 Rep. Tramont and SB 1792 Sen. Grall)

The bill bans children under the age of 14 from creating social media accounts and allows 14- and 15-year-olds to create accounts with parental consent. The bill also requires age verification to access pornographic websites. Under the bill, if a social media platform is found in violation, the state Department of Legal Affairs may fine the platform up to \$50,000 per violation. Parents or caregivers may also file lawsuits against the platforms.



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Impact to Sheriffs: This bill is an important change needed to help protect our youths' mental health and wellbeing by helping to keep the youngest users off social media and protecting them from addictive features, online abusers, and predators targeting our children.

Issue: **Public Records: Investigations by the Department of Legal Affairs**

Outcome: **Passed. Chapter No. 2024-54**

Effective: **July 1, 2024**

(HB 1491 Rep. Tramont and SB 1794 Sen. Grall)

The bill creates a public record exemption for all information held by the Department of Legal Affairs (DLA) pursuant to a notification or an investigation of a violation. The bill provides that the confidential and exempt information may be released by DLA during an active investigation only in the furtherance of its official duties and responsibilities.

Impact to Sheriffs: This bill is linked to HB 3 described above.

Issue: **Retail Theft**

Outcome: **Passed. Chapter No. 2024-69**

Effective: **October 1, 2024**

(HB 549 Rep. Rommel and SB 824 Sen. Ingoglia)

The bill addresses both organized retail theft and porch piracy. The bill reduces the threshold value for third degree felony grand theft from a dwelling or unenclosed curtilage of a dwelling to \$40. If the property stolen is less than \$40, a person faces a first-degree misdemeanor for a first violation and a third-degree felony for a subsequent violation.



The bill also increases penalties for criminals that make coordinated thefts and repeat offenders. Under the bill, if a

person participates in a retail theft with five or more individuals, that person will face a third-degree

Sheriffs from across the state came to the Capitol to meet with legislators to discuss the sheriffs' legislative priorities and other important pieces of legislation that will impact public safety.



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felony and up to five years in prison. Anyone who organizes these types of thefts through social media will face a second-degree felony and up to 15 years in prison. Additionally, the bill enhances the criminal penalty to a first degree felony and up to 30 years in prison, when committed by a person who has two or more prior retail theft convictions or who possesses a firearm during the commission of a retail theft offense.

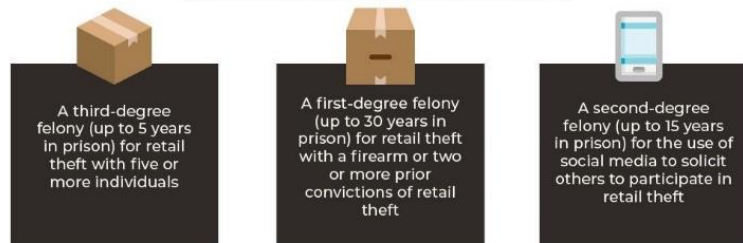
Lastly, the bill revises specified aggregation criteria for retail theft offenses to give law enforcement the ability to charge a felony for multiple retail thefts occurring in the span of 120 days, which is an increase from 30 days, and decreases the aggregate number of retail thefts required to provide a violation from five to three retail thefts.

Impact to Sheriffs: The bill will crack down on organized retail theft and porch piracy in Florida by increasing the criminal penalties associated with organized retail theft and lowering the threshold value for stealing packages from a person's home.

COMBATTING RETAIL THEFT

GOVERNOR DESANTIS IS SIGNING HB 549 TO SIGNIFICANTLY INCREASE PENALTIES FOR RETAIL THEFT AND PORCH PIRATING

HB 549 INSTITUTES THE FOLLOWING:



FLORIDA UPHOLDS LAW AND ORDER

GOVERNOR DESANTIS HAS ALREADY:

- ✓ Enacted higher penalties for drug dealers
- ✓ Removed Soros-funded state attorneys who refused to enforce the law
- ✓ Reintroduced the death penalty for pedophiles
- ✓ Put an end to so-called "bail reform" that let criminals out of custody

LEFTIST JURISDICTIONS ARE ENACTING POLICIES THAT IGNORE RETAIL THEFT AND ENCOURAGE LAWLESSNESS

IN NEW YORK CITY ALONE, SHOPLIFTING HAS INCREASED 63%

RETAILERS LOST \$112 BILLION IN 2022 DUE TO RETAIL THEFT

TO MAKE UP FOR LOSSES DUE TO THEFT, 64% OF SMALL BUSINESS OWNERS NATIONWIDE HAVE INCREASED PRICES

88% OF RETAILERS NATIONWIDE REPORTED THAT SHOPLIFTERS ARE MORE AGGRESSIVE & VIOLENT NOW COMPARED TO A YEAR AGO



2024 FSA LEGISLATIVE REPORT

Issue: **Unauthorized Public Camping and Public Sleeping**
Outcome: **Passed. Chapter No. 2024-11**
Effective: *October 1, 2024 (except as otherwise provided for in the bill)*

(HB 1365 Rep. Garrison and SB 1530 Sen. Martin)

The bill prohibits counties and municipalities from allowing public sleeping or public camping on public property, such as sidewalks, except where the Governor has declared a state of emergency or when local officers have declared a local state of emergency. The bill allows cities and counties to set up homeless camps provided they meet basic minimum requirements and are not used continuously for more than one year.

Under the bill, a county may, by majority vote, designate property owned by the county or a municipality within the boundaries of the county to be used as public property for public camping or sleeping. The county must submit a request to the Department of Children and Families (DCF) certifying a lack of open beds in homeless shelters in the county, the designated property is not contiguous to property designated for residential use and would not adversely affect the property value or safety and security of property, or negatively affect the safety of children.

If a county designates public property to be used for public camping or sleeping, the county must establish and maintain minimum standards and procedures related to ensuring safety, security, sanitation, mental health and substance abuse services coordination, and illegal substance and alcohol use prohibition, **unless the county is a fiscally constrained county and complying with such requirements would result in a financial hardship.**

Beginning **January 1, 2025**, the bill authorizes a resident, local business owner, or the Florida Attorney General to bring a civil action against a county or municipality for allowing unlawful sleeping or camping on public property. The bill requires an application for an injunction to be accompanied by an affidavit confirming that the applicant provided written notice of the violation to the county or municipality and that the county or municipality failed to cure the violation within five business days.

Impact to Sheriffs: The bill will have the largest impact on urban areas where public sleeping continues to be a significant occurrence. Fiscally constrained counties may be exempt from the requirements under the bill establishing minimum standards for encampments. Law enforcement will be responsible for picking up and transporting any homeless individuals who are sleeping on public streets in violation of the law.

Issue: **Hope Cards for Persons Issued Orders of Protection**
Outcome: **Passed. Chapter No. 2024-109**
Effective: *October 1, 2024*



2024 FSA LEGISLATIVE REPORT

(HB 45 Rep. Gottlieb and SB 86 Sen. Book)

The bill requires the Office of State Courts Administrator to issue Hope Cards, which identify and describe the person who is restrained by an order of protection, identify those protected by the order, and provide the telephone number for the statewide domestic violence hotline. These cards must be issued on a credit-card sized laminated card or in digital form. The bill also specifies that a person who misuses a Hope Card commits a second degree misdemeanor.

Impact to Sheriffs: This bill will allow domestic violence victims to carry a laminated card in their wallet with all necessary information on the card as opposed to having to carry the hardcopy of the order. This will help facilitate the law enforcement response to a violation of the order. Law enforcement will still need to verify the information on the card.

Issue: Taking of Bears

Outcome: Passed. Chapter No. 2024-256

Effective: July 1, 2024

(HB 87 Rep. Shoaf and SB 632 Sen. Simon)

The bill specifies that a person who kills a bear is not subject to civil or criminal penalties if the person reasonably believed that his or her action was necessary to avoid an imminent threat of death or serious bodily injury to himself or herself, a pet, or a dwelling. Additionally, the person must not have lured the bear with food, intentionally put himself or herself in a situation where lethal force would be needed, and the person must contact FWC within 24 hours.

Impact to Sheriffs: The bill will allow individuals to use lethal force to kill a bear on their property without a permit to protect themselves, their pets, or their home without facing potentially criminal or civil penalties.

Issue: Antisemitism

Outcome: Passed. Chapter No. 2024-262

Effective: July 1, 2024

(HB 187 Rep. Gottlieb and SB 148 Sen. Burman)

The bill creates a new statute to define "antisemitism" as *a certain perception of Jewish individuals which may be expressed as hatred toward such individuals. Rhetorical and physical manifestations of antisemitism are directed toward Jewish and non-Jewish individuals and their property and toward Jewish community institutions and religious facilities.*

Impact to Sheriffs: The bill provides a clear definition under Florida law as to what constitutes antisemitism and provides a host of examples as to what constitutes antisemitic acts. This will allow the state to have a working definition for antisemitism to better identify and prosecute hate crimes.



2024 FSA LEGISLATIVE REPORT

Issue: Health Care Practitioners and Massage Therapy

Outcome: Passed. Chapter No. 2024-148

Effective: July 1, 2024

(HB 197 Rep. Lopez (V) and SB 896 Sen. Martin)

The bill significantly expands the Department of Health's (DOH) authority to suspend the license of a massage therapist *or* massage establishment when *any* employee of the establishment is *arrested* for committing or attempting to commit offenses such as prostitution, kidnapping, or human trafficking. The bill authorizes the State Surgeon General to suspend the license of any licensee upon probable cause that the licensee has committed sexual misconduct.

The bill prohibits *sexual activity* in a massage establishment and authorizes the DOH and law enforcement to investigate massage establishments to assist in identifying persons who may be engaging in human trafficking. The bill also prohibits the use of a massage establishment, unless zoned residential under a local ordinance, as a principle or temporary domicile, a shelter or a harbor, or sleeping or napping quarters. The bill also requires DOH investigators to request valid government identifications from *all employees*, in addition to massage therapists, at the time of inspection. If an employee is unable to provide a valid form of government identification, DOH must notify a federal immigration office.

Current law allows massage establishments to be declared a public nuisance if they are operating outside of legal hours, serving as a person's principal domicile, or are unable to provide the required identification and licensure documents upon the request of a law enforcement officer or DOH investigator. The bill expands the circumstances under which a massage establishment may be declared a public nuisance to include a massage establishment which has violated the prohibition of sexual activity or failed to maintain records detailing the services provided.

Impact to Sheriffs: Current law does not fully address human trafficking at massage establishments, allowing for these establishments to continue to operate even if an employee or massage therapist is arrested. This legislation will provide law enforcement and the DOH with additional tools to stop human trafficking at massage establishments by shutting down these establishments when any employee is arrested for violations, expanding the instances in which an establishment can be declared a public nuisance, and prohibiting any sexual activity, in addition to sexual misconduct, in a massage establishment.

Issue: Anti-Human Trafficking

Outcome: Passed. Chapter No. 2024-184

Effective: July 1, 2024

(HB 7063 Rep. Overdorf and SB 796 Sen. Avila)



2024 FSA LEGISLATIVE REPORT

The bill bans anyone under 21 from working at an adult entertainment establishment. Under the bill, a business that hires a person under 21 to perform work while nude is subject to a second-degree felony. The bill also makes it a first degree misdemeanor for a business to allow a person under 21 to work in an adult entertainment establishment. The bill also requires residential treatment centers for minors, massage parlors and public lodging establishments to post signs with messaging to spread awareness of human trafficking.

Impact to Sheriffs: The bill will ensure teens are no longer allowed to work in strip clubs in Florida and will help bolster anti-human trafficking efforts across the state.

Issue: **Exposures of First Responders to Fentanyl and Fentanyl Analogs**

Outcome: **Passed. Chapter No. 2024-68**

Effective: **October 1, 2024**

(HB 231 Rep. Baker and SB 718 Sen. Collins)

The bill makes it a second degree felony, if an adult *recklessly* exposes a first responder, including a law enforcement officer, correctional officer, correctional probation officer, firefighter, emergency medical technician, or paramedic, to fentanyl and the first responder experiences an overdose or serious bodily injury. The bill defines “recklessly” to mean a willful or wanton disregard for the safety of other persons.

SB 718The bill also expands protections from prosecution for individuals who seek help in good faith if they believe that they or someone they know is experiencing an overdose. The bill prohibits a person from being arrested, charged, or prosecuted for violating the prohibition against recklessly exposing a first responder to fentanyl if the evidence for such offense was obtained as the result of a person seeking medical assistance for himself or herself or another individual who is experiencing, or believed to be experiencing, an alcohol-related or drug-related overdose.



Corporal Robert Palmer, of the Collier County Sheriff's Office testifies in Committee in support of SB 718. Corporal Palmer was revived after he came into contact with fentanyl while responding to a domestic-related call. He lost consciousness and his sergeant administered two doses of Narcan to revive him.



2024 FSA LEGISLATIVE REPORT

Impact to Sheriffs: First responders continue to be exposed to fentanyl while making arrests and conducting traffic stops. The bill will help protect all first responders by creating a new crime (a 2nd degree felony) for any person who recklessly exposes a first responder to fentanyl.

Issue: **Intentional Damage to Critical Infrastructure**

Outcome: **Passed. Chapter No. 2024-197**

Effective: *July 1, 2024*

(HB 275 Rep. Canady and SB 340 Sen. Yarborough)

The bill creates new felony offenses and civil remedies if a person improperly tampers with anything defined as “critical infrastructure,” which includes electrical power stations, chemical storage facilities, liquid natural gas storage facilities, deep-water ports, or railyards.

Impact to Sheriffs: The bill will create criminal penalties for individuals who engage in physical and cyber-attacks on critical infrastructure. This will allow law enforcement to go after these criminals and help protect Florida’s electric grid, water utilities and natural gas facilities from attack.

Issue: **Digital Voyeurism**

Outcome: **Passed. Chapter No. 2024-132**

Effective: *October 1, 2024*

(HB 1389 Rep. Cassel and SB 1604 Sen. Book)

The bill enhances penalties for digital voyeurism offenses, gives more authority for prosecutors and sets lesser charges for minors who commit the crime. The bill makes a first offense of digital voyeurism a first-degree misdemeanor for a person under 19 and a third-degree felony for a person 19 or older. A person, regardless of age, commits a third-degree felony for a first offense of digital voyeurism dissemination. Additionally, a person commits a second-degree felony for a subsequent digital voyeurism offense, and a second-degree felony for a digital voyeurism offense against a minor victim.

Under the bill, the penalty for a digital voyeurism offense is reclassified to the next highest felony level and OSRC level if a person is 19 years of age or older and is a family or household member of the victim or holds a position of authority or trust with the victim. Each instance of secretly viewing a person or of broadcasting, recording, disseminating, distributing, or transferring an image or recording made is a separate offense.

Impact to Sheriffs: The bill will give law enforcement additional tools to ensure violators in voyeurism cases are charged individually for each instance and stiffens penalties for those who abuse positions of trust such as parents or guardians.



2024 FSA LEGISLATIVE REPORT

Issue: Offenses Involving Children

Outcome: Passed. Chapter No. 2024-71

Effective: July 1, 2024

(HB 305 Rep. Baker and SB 312 Sen. Collins)

The bill expands the type of evidence that can be presented to a jury in a child sex abuse case and increases the penalties for those who take part in the sex trafficking of minors. Specifically, the bill allows a hearsay statement made by a minor, regardless of age, to be admitted as evidence and requires offenders convicted of human trafficking minors to be registered as sexual offenders on the first offense.

Impact to Sheriffs: The bill may increase the number of offenders who are designated as a sexual predator and, as such, sheriffs' offices may see an increase in monitoring and enforcing sexual offender and sexual predator reporting and registration requirements.

Issue: Online Sting Operations Grant Program

Outcome: Passed. Chapter No. 2024-72

Effective: July 1, 2024

(HB 1131 Rep. Temple and SB 1190 Sen. Ingoglia)

The bill creates the Online Sting Operations Grant Program within FDLE to award grants to local law enforcement agencies to support the creation of online sting operations to target individuals online sexual predators. The legislature appropriated \$2.5 million for fiscal year 2024-2025 for the grant program.

Impact to Sheriffs: Sheriff's offices may apply to FDLE for funding to cover expenses related to online sting operations to help pay for computers, electronics, software, and other related necessary supplies. FDLE will set the criteria and timeline for the grant program. FY 2024-25 state budget has \$2,500,000 for the online sting operations grant program.

Issue: Sexual Predators and Sexual Offenders

Outcome: Passed. Chapter No. 2024-73

Effective: October 1, 2024

(HB 1235 Rep. Baker and SB 1230 Sen. Bradley)

The bill makes several changes to the sexual predators and sexual offenders statutes. Specifically, the bill:

- Prevents sex offenders from using a temporary residence to avoid registration by requiring that certain sexual predators and sexual offenders provide the registration number for a vessel, live-aboard vessel, or houseboat.



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- Requires sex offenders to register vehicles and vessels used as living quarters with the state.
- Makes it more difficult to qualify for registration removal by requiring that certain sexual predators meet criteria provided in s. 943.0435, F.S., to qualify for removal of certain registration requirements. The bill also requires FDLE be notified of a petition by a sexual offender for relief of his or her registration requirements and allows FDLE to present evidence at a hearing for such relief.
- Allows a sexual predator or offender to use FDLE's online reporting system to report any changes to vehicles owned. This will help facilitate access to this information and reduce the impact on sheriff's offices. Current law requires sexual offenders and predators to report in-person to the sheriff's office within 48 hours after any change in vehicle owned.



House Speaker Paul Renner and Senate President Kathleen Passidomo gather with members to celebrate in the traditional "hanky drop" signifying the official close of the Legislative Session.

- Requires the sheriff's office to electronically submit to the FDLE the addresses and locations where a sexual predator or sexual offenders maintains a transient residence within two business days after the sexual predator or sexual offender provides it to the sheriff's office.
- Requires that sexual offenders and sexual predators respond to address verification correspondence from county or local law enforcement agencies (in addition to FDLE). This will allow local agencies to mail their own address verification correspondence should they choose



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to and will no longer be required to ask FDLE to do so. This will assist local law enforcement in confirming that a registrant resides at their registered address. A sexual offender who fails to respond to any address verification correspondence within three weeks commits a third-degree felony.

- Clarifies registration requirements relating to timing of reporting of change of residence to another state by requiring a sexual predator or sexual offender who intends to establish a permanent, temporary, or transient residence in another state or jurisdiction other than Florida to report such an intention *at least*, rather than within, 48 hours before the date he or she intends to leave the state. This removes any possibility of misinterpretation or argument about when the reporting is required.
- Requires international travel to be reported ahead of time. A sexual predator or sexual offender must report to the sheriff's office as soon as possible before departure any travel that is not known by the sexual predator or sexual offender 48 hours before he or she intends to establish a residence in another state or jurisdiction or 21 days before the departure date for travel outside the United States.
- Specifies that each instance of a sexual predator's failure to register or report changes to the required registration information constitutes a separate offense.
- Requires the jail to register a sexual offender within three business days after intake and upon release and forward the registration to FDLE, take a digitized photograph of the sexual offender and forward the photograph to FDLE and notify FDLE if the sexual offender escapes or dies.

Impact to Sheriffs: While the bill may increase the workload to sheriffs by requiring local law enforcement agencies to update sexual predator and sexual offender documentation, policies and procedures, and training manuals, the bill makes several important changes that will impose stricter guidelines for sexual offenders and sexual predators.

Issue: **Child Exploitation Offenses**

Outcome: **Passed. Chapter No. 2024-74**

Effective: *October 1, 2024*

(HB 1545 Rep. Baker and SB 1656 Sen. Martin)

This bill protects children from adult groomers by prohibiting an adult from engaging in a pattern of communication to a minor that includes explicit and detailed verbal descriptions of sexual activity, punishable as a third-degree felony. The bill also increases the OSRC ranking for certain child exploitation offenses.

Impact to Sheriffs: The bill will help crack down on online child exploitation and grooming of minors.

Issue: **Tracking Devices**

Outcome: **Passed. Chapter No. 2024-114**



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Effective: October 1, 2024

(HB 401 Rep. Overdorf and SB 758 Sen. Martin)

The bill prohibits a person from knowingly *placing*, in addition to installing, a tracking device or tracking application on another person's property without that person's consent or using a tracking device or tracking application to determine the location or movement of another person or another person's property without that person's consent. Under the bill, a violation is increased from a second-degree misdemeanor to a third-degree felony, punishable by up to five years in prison and a \$5,000 fine. The bill also allows an owner or lessee of a vehicle to install, *place, or use* a tracking device or tracking application if the owner of the vehicle at the time of the installation or placement was the original manufacturer of the vehicle and the next owner of the vehicle was informed of the location and how to remove the device before the vehicle title is transferred.

Impact to Sheriffs: The bill will allow law enforcement to go after criminals who unlawfully track other individuals by expanding the scope of prohibited conduct to capture those individuals placing AirTags or similar devices in people's cars, purses or anywhere else on their property. Additionally, because the bill increases the penalty for a violation from a second-degree misdemeanor to a third-degree felony, a law enforcement officer may be able to obtain a search warrant for property constituting evidence relevant to proving that a felony has been committed. As such, law enforcement may be able to obtain a search warrant to access evidence such as subscriber information and application, location, and download data from a tracking device, which may be essential to investigating unlawful tracking violations. Parents, caregivers and law enforcement are still able to use tracking devices for lawful purposes.

Issue: Controlled Substances

Outcome: Passed. Chapter No. 2024-20

Effective: July 1, 2024

(HB 1595 Rep. Plakon and SB 1512 Sen. Brodeur)

The bill amends s. 893.03, F.S., to add tianeptine to the list of Schedule I controlled substances.

Impact to Sheriffs: The bill will ensure that a dangerous illegal substance will now be regulated under Florida law.

Issue: Pretrial Detention Hearings

Outcome: Passed. Chapter No. 2024-157

Effective: Took effect on May 6, 2024, upon the governor's signature.

(HB 7067 Rep. Jacques and SB 7068 Sen. Bradley)



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The bill allows a court to base an order of pretrial detention solely on hearsay if a defendant was arrested for a dangerous crime that is a capital felony, life felony, or first degree felony and a pretrial detention hearing is mandatory.

Impact to Sheriffs: The bill aligns the evidentiary standard in mandatory pretrial detention hearings with the evidentiary standard for pretrial detention under the Florida Constitution and Rule 3.131 and ensures that victims and other witnesses are not required to appear in person at such mandatory pretrial detention hearings.

Issue: Car Racing Penalties
Outcome: Passed. Chapter No. 2024-146
Effective: July 1, 2024

(HB 449 Rep. Michael and SB 1764 Sen. Pizzo)

Street takeovers continue to occur throughout the state, putting not only the participants in danger, but other drivers, pedestrians, and innocent bystanders. Despite the dangers street racing creates, a racing violation is currently only a first degree misdemeanor under Florida law. The bill will increase penalties for street racing and raise fines for anyone involved, including spectators.

Specifically, the bill amends as. 316.191, F.S., to:

- Define a “coordinated street takeover” to mean 10 or more vehicles operated in an organized manner to effect a street takeover.
- Increase the fine for participating in a takeover from \$500 to \$1,000, to \$500 to \$2,000.
- Decrease the time period during which a second violation of s. 316.191(2), F.S., will result in an enhanced penalty, from within five years after the date of a prior violation that resulted in conviction, to within one year of such a violation. The bill also increases the penalty from a first degree misdemeanor to a third degree felony and increases the fine for such a violation from \$1,000 to \$3,000, to \$2,500 to \$4,000.
- Increase the spectator fine from \$65 to \$400.
- Create a third degree felony for any person who commits a street takeover and while committing the offense, knowingly impedes, obstructs, or interferes with an authorized emergency vehicle. A person may also lose their license for four years for a subsequent violation.
 - Additionally, the bill removes a provision that limits law enforcement’s ability to impound a vehicle that is used to commit a street takeover, stunt driving, or racing offense to only vehicles that are owned or co-owned by the person who is arrested for the offense.
- Increase the penalty for a third or subsequent violation within five years after the date of a prior violation that resulted in a conviction, from a first degree misdemeanor to a second degree felony, and increase the fine from \$2,000 to \$5,000, to \$3,500 to \$7,500.



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- Create a third degree felony if a person commits an offense involving driving, filming or recording, impeding traffic, or carrying fuel while engaged in a coordinated street takeover and provides for a fine of at least \$2,500 but not more than \$4,000.

Impact to Sheriffs: Street racing and takeovers continue to increase across the state and put innocent drivers at serious risk. The bill creates tougher penalties for drivers and participants who engage in street takeovers, providing law enforcement with additional tools to stop illegal racers. Additionally, law enforcement agencies will now be able to seize vehicles that are used to commit a street takeover and subsequently impede an emergency vehicle, regardless of whether the driver who committed the offense owns the vehicle.

Issue: **Duty to Report Certain Deaths**

Outcome: **Passed. Chapter No. 2024-135**

Effective: *July 1, 2024*

(HB 1653 Rep. Giallombardo and SB 768 Sen. Stewart)

Current law requires a person who becomes aware of the death of a person under certain circumstances, such as where a person dies under suspicious circumstances, by poison, or suddenly when that person was in good health to report the death to the district medical examiner. The bill requires a person who becomes aware of the death of any person under such circumstances, to report the death to *either* the medical examiner or law enforcement. The bill also increases the penalty if a person, willfully touches, removes, or disturbs a body, clothing, or any article upon or near the body, with the intent to conceal the death or alter the evidence or circumstances surrounding the death, from a first degree misdemeanor to a third degree felony.

Impact to Sheriffs: The bill will address instances occurring across Florida where individuals are moving or tampering with the bodies of drug overdose victims to cover up the crime scene.

Issue: **Unauthorized Sale of Alcoholic Beverages**

Outcome: **Passed. Chapter No. 2024-77**

Effective: *July 1, 2024*

(HB 1123 Rep. Bankson and SB 1090 Sen. Martin)

The bill provides that a person, including a licensee, who unlawfully sells alcoholic beverages at a commercial establishment or keeps or maintains a place where alcoholic beverages are sold unlawfully commits a felony of the third-degree and must pay a fine of \$5,000 to \$10,000. A second or subsequent offense constitutes a second-degree felony with an associated fine of \$15,000 to \$20,000. The bill also provides that a local administrative board may declare a place a public nuisance if it is used on more than two occasions within a twelve-month period in violation of the law.



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Impact to Sheriffs: Many after-hours clubs and hookah lounges serve alcoholic beverages without a liquor license. However, the current penalty of a second degree misdemeanor has had little deterrent effect. Persons consume alcohol all night long and shootings and other crimes have been committed at these establishments. Increasing the penalties under the bill will help deter these establishments from selling alcohol unlawfully all hours of the night.

Issue: **Nicotine Products**

Outcome: **Passed. Chapter No. 2024-127**

Effective: *October 1, 2024*

(HB 1007 Rep. Overdorf and SB 1006 Sen. Perry)

The bill authorizes the Florida Attorney General to adopt rules to create a directory of nicotine dispensing devices that are “attractive to minors.” The bill also increases the criminal penalty for a third or subsequent violation of the prohibition against selling or giving a nicotine product to a person under 21 years of age from a first degree misdemeanor to a third-degree felony.

Impact to Sheriffs: This bill will take an important step to remove illegal vape products that are addictive and attractive to children from being sold in Florida and will provide harsher punishments for individuals that repeatedly sell nicotine products to underage persons.

Issue: **Violations Against Vulnerable Road Users**

Outcome: **Passed. Chapter No. 2024-34**

Effective: *July 1, 2024*

(HB 1133 Rep. Redondo and SB 1528 Sen. Collins)

The bill creates (noncriminal) penalties for a person who commits a traffic infraction that causes serious bodily injury or death to a *vulnerable road user*, such as a pedestrian, motorcyclist or bicyclist.

Impact to Sheriffs: The bill will help protect vulnerable road users from injury or death by drivers on the road by establishing high fines, license revocation and requiring driver improvement courses to be completed for any violations.

Issue: **Designation of a Diagnosis on Motor Vehicle Registrations**

Outcome: **Passed. Chapter 2024-150**

Effective: *October 1, 2024*

(HB 341 Rep. Salzman and SB 288 Sen. Rodriguez)



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The bill requires the application form for a motor vehicle registration to include language allowing an applicant to voluntarily indicate that the applicant has been diagnosed with or is the parent or legal guardian of a child who has been diagnosed with certain mentally or physically limited disorders, such as Alzheimer's, autism, down syndrome, or PTSD. If the applicant indicates such a diagnosis on the application, the DHSMV must include the designation "SAFE" in the motor vehicle record.

Impact to Sheriffs: This SAFE designation on a person's registration will greatly assist law enforcement in their day-to-day interactions with this population.

Issue: **Surrendered Infants**
Outcome: **Passed. Chapter No. 2024-213**
Effective: *July 1, 2024*

(HB 775 Rep. Canady and SB 790 Sen. Yarborough)

The bill expands Florida's Safe Haven law to allow parents up to 30 days to surrender newborn infants and allows parents to call 911 to arrange a pickup of the infant by an EMS provider. The bill requires the parent to stay with the infant until the EMS provider arrives.

Impact to Sheriffs: The bill will make it easier for a parent to surrender an infant in a safe manner by allowing the parent to call 911 and have an EMS provider meet them for the exchange.

Issue: **Lights Displayed on Fire Department and Fire Patrol Vehicles**
Outcome: **Passed. Chapter No. 2024-29**
Effective: *July 1, 2024*

(HB 463 Rep. Bartleman and SB 1158 Sen. Bradley)

The bill allows government-owned fire department vehicles, except vehicles of the fire patrol or volunteer fire departments, to show or display blue lights on the rear of firetrucks. Under the bill, for a fire department vehicle to display blue lights, the vehicles must have a gross vehicle rating of more than 24,000 pounds and the fire chief must first authorize the placement of the blue lights in writing.

Impact to Sheriffs: The bill will potentially help increase the safety of firetruck drivers by allowing blue lights to be present on the backs of firetrucks. Some studies have indicated that having blue lights on vehicles can help deter persons from crashing into such vehicles. The bill is limited in scope to only allow blue lights on the rear of a firetruck (24,000 pounds or more) and the fire chief must first authorize the placement of blue lights in writing.

Issue: **Use of Lights and Sirens on Emergency Vehicles**
Outcome: **Passed. Chapter No. 2024-34**
Effective: *July 1, 2024*



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(HB 1113 Rep. Killebrew and SB 1164 Sen. Burton)

The bill allows organ transport vehicles to use red lights and sirens when transporting organs or surgical teams for organ donation or transplant.

Impact to Sheriffs: The bill will increase the speed and efficiency with which organs and surgical teams are transported, helping to save lives.

Issue: **Reclassification of Criminal Penalties**

Outcome: **Passed. Chapter No. 2024-8**

Effective: *October 1, 2024*

(HB 1449 Rep. Michael Rep. Michael and SB 1036 Sen. Ingoglia)

The bill imposes harsher penalties on crimes committed by previously deported illegal aliens that return to the country illegally.

- A third-degree felony (up to 5 years in prison) after deportation will be charged as a second-degree felony (up to 15 years in prison).
- A second-degree felony (up to 15 years in prison) after deportation will be charged as a first-degree felony (up to 30 years in prison).
- A first-degree felony (up to 30 years in prison) after deportation will be charged as a life felony.
- The bill also reclassifies penalties for crimes committed in furtherance of drug cartels.

Impact to Sheriffs: The bill will deter illegal immigrants from returning to the country and committing serious and violent crimes such as carjacking, battery, and burglary by increasing the associated penalties. Additionally, by increasing offenses related to drug trafficking, the bill will help deter organized crime in Florida.

Issue: **ID Documents**

Outcome: **Passed. Chapter No. 2024-9**

Effective: *July 1, 2024*

(HB 1451 Rep. Michael and SB 1174 Sen. Ingoglia)

Florida already prohibits local jurisdictions from issuing IDs or driver licenses to illegal immigrants. The bill expands upon the law to prevent counties and municipalities from accepting ID cards issued to illegal aliens by other jurisdictions, except for documents issued by the federal government.



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Impact to Sheriffs: The bill targets IDs that make it easier for illegal aliens to access benefits in the state. The bill may result in reduced demand for government services by persons who are not lawfully present in the United States. Additionally, the bill might reduce the potential for fraud based on the use of unofficial identification documents.



FSA's President, Sheriff Bill Leeper and FSA's immediate past President, Sheriff Al Nienhuis present Governor Ron DeSantis with the FSA's President's Award for his dedication to public safety and bolstering the recruitment and retention of officers in the state of Florida.

Issue: Driving Without a Valid Driver License

Outcome: Passed. Chapter No. 2024-10

Effective: July 1, 2024

(HB 1589 Rep. Plakon and SB 1324 Sen. Ingoglia)

The bill expands on a law that passed in 2023 (SB 1718, Chapter No. 2023-040), which prohibits an illegal alien from obtaining a driver's license in Florida and invalidates drivers' licenses from states that provide them to illegal aliens. The bill increases penalties on all individuals who operate a vehicle without a license. Specifically, the bill changes the maximum sentence from 60 days in jail to one year in jail for two or more offenses and imposes a minimum mandatory sentence of ten days in jail for three or more offenses.

Impact to Sheriffs: This bill will help deter illegal immigrants from driving in Florida and potentially harming Floridians on the roads.



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Issue: **Return of Weapons and Arms Following an Arrest**
Outcome: **Passed. Chapter No. 2024-61**
Effective: *July 1, 2024*

(HB 485 Rep. Brackett and SB 1286 Sen. Collins)

The bill requires a law enforcement agency to return any weapons or firearms that are taken from a person following an arrest, but that are not seized as evidence or seized and subject to forfeiture under the FCFA, upon request of the person arrested within 30 days after such request is made upon the person's release from detention. The person must provide an ID and complete a criminal history background check confirming the person is not prohibited from possessing a firearm, including not having any prohibition arising from an injunction, a risk protection order. A sheriff or chief of police may not require a court order to release weapons or firearms that are not seized as evidence unless there are competing claims of ownership. Additionally, a sheriff or chief of police may develop reasonable procedures to ensure the timely return of weapons or firearms.

The bill also amends s. 933.14, F.S., to delete a provision requiring an order of a trial court judge to return a pistol or firearm to its owner if such pistol or firearm was taken by an officer upon a view by the officer of a breach of the peace. This provision was included to ensure that the bill did not conflict with s. 933.14, F.S.

Impact to Sheriffs: The bill will increase the timeliness with which firearms or weapons that are not taken as evidence are returned to individuals. Sheriffs should ensure that any firearms or weapons taken from a person following an arrest, but that are not seized as evidence, are returned within 30 days after a request is made so long as the person meets the above specified criteria. Additionally, sheriffs may develop reasonable policies and procedures to specify how and when those firearms and weapons should be returned, within the confines of the bill.

Issue: **Schemes to Defraud**
Outcome: **Passed. Chapter No. 2024-129**
Effective: *October 1, 2024*

(HB 1171 Rep. Steele and SB 1220 Sen. Martin)

The bill reclassifies organized fraud and communications fraud offenses that are committed against a person 65 years of age or older, a minor, or a person with a mental or physical disability.

- A misdemeanor of the first-degree is reclassified to a felony of the third-degree.
- A felony of the third-degree is reclassified to a felony of the second-degree.
- A felony of the second-degree is reclassified to a felony of the first-degree.
- A felony of the first-degree is reclassified to a life felony.



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Impact to Sheriffs: The bill will help to protect those most vulnerable by increasing penalties for engaging in a scheme to defraud a person 65 or older, a person with a disability, or a minor.

Issue: **Naloxone Awareness Day**

Outcome: **Passed. Chapter 2024-67**

Effective: *July 1, 2024*

(HB 89 Rep. Plakon and SB 66 Sen. Brodeur)

The bill creates “Victoria’s Law” and designates June 6 of each year as “Awareness Day.” The bill encourages the Department of Health to hold events to raise awareness of the dangers of opioid overdose and the availability and safe use of opioid antagonists.

Impact to Sheriffs: The bill will take a step to help combat the ongoing opioid epidemic in Florida, by helping raise awareness of the dangers of opioid overdose and how to safely use opioid antagonists to save lives.

FIGHTING FENTANYL

GOVERNOR DESANTIS HAS TAKEN ACTION TO POSITION FLORIDA AS THE NATIONAL LEADER IN FIGHTING THE OPIOID EPIDEMIC

- Established the Statewide Task Force on Opioid Abuse to research opioid drug abuse in Florida and identify best practices to combat the epidemic through education, treatment, prevention, recovery, and law enforcement
- Established Florida’s Coordinated Opioid Recovery (CORE) network as the first comprehensive solution to addiction cases in the nation
- Increased penalties against drug dealers and those seeking to distribute dangerous substances like fentanyl and methamphetamine

TODAY, GOVERNOR DESANTIS IS SIGNING SB 718 AND SB 66 TO FURTHER COMBAT THE FENTANYL FLOODING THROUGH OUR OPEN SOUTHERN BORDER

SB 718 makes it a second-degree felony to expose a first responder to fentanyl

SB 66 designates June 6 as Revive Awareness Day

FLORIDA IS EXPANDING THE COORDINATED OPIOID RESPONSE (CORE) NETWORK FROM 12 TO 29 COUNTIES

Florida’s CORE network provides response, stabilization, and long-term treatment

CORE IS WORKING:

- CORE providers responded to nearly 18,000 emergency calls that resulted in lives saved
- While nationwide statistics show that only 18.8% of adults with an opioid use disorder have received medication for opioid addiction in the past year, 48.9% of Florida’s CORE clinic patients have medication
- Recent state level data shows 607 fewer EMS responses to suspected overdoses since 2022, a 3% decrease
- Data shows a 9% decrease in opioid overdose deaths from September 2022 to September 2023 compared to the previous year



2024 FSA LEGISLATIVE REPORT

Issue: **Student Transportation Safety**
Outcome: **Passed. Chapter No. 2024-190**
Effective: *Took effect on May 16, 2024, upon the Governor's signature.*

(HB 1045 Rep. Michael and SB 994 Sen. Burgess)

The bill builds on legislation that passed in 2023 (SB 766) by revising current law related to camera enforcement of traffic infractions where a driver passes a stopped school bus. The bill requires a court that has jurisdiction over traffic violations to determine whether to uphold a notice of violation and revises the permissible uses of civil penalties collected for violations. Under the bill, penalties must be used for the installation, operation, or maintenance of school bus infraction detection systems on school buses, including student transportation safety initiatives, driver recruitment and retention stipends, or other student transportation safety enhancements. The bill also provides that the signage posted on the rear of a school bus indicating the use of a school bus infraction system no longer must be high-visibility reflective signage.

Finally, the bill specifies that a school bus infraction detection system may not be used for remote surveillance. However, the collection of evidence by a school bus infraction detection system to enforce violations does not constitute remote surveillance. The bill provides that video and images recorded as part of the school bus infraction detection system may only be used for traffic enforcement and for purposes of determining criminal or civil liability for incidents captured by the school bus infraction detection system incidental to the permissible use of the school bus infraction detection system.

Impact to Sheriffs: The bill seeks to clean up the school bus camera bill that passed in 2023 (SB 766).

Public Safety Bills that Failed:

Issue: **Professional Licensing for Barbers and Cosmetologists**
Outcome: **Vetoed.**

(HB 133 Rep. Chambliss and SB 42 Sen. Stewart)

The bill would have reduced the time frame to look back at and use a criminal conviction as grounds to deny an application for licensure as a barber or cosmetologist from five years to three years, unless the applicant was convicted of a crime in the three years prior to the application.

Issue: **Food and Hemp Products**
Outcome: **Vetoed by the Governor.**

(HB 1613 Rep. Gregory and SB 1698 Sen. Burton)



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The bill would have expanded on a law passed in 2023 (SB 1676, Chapter No. 2023-299) that prohibits the sale of hemp-extract products intended for human ingestion to anyone under age 21. This bill would have built on the 2023 law and further regulating hemp products in Florida.

Specifically, the bill would have banned the sale of delta-8 and delta-10 hemp products in Florida and altered the permissible amount of delta-9 concentration in approved products. The bill would have also expanded the laboratory testing and packaging requirements that are currently applicable to hemp extract that is distributed or sold in the state to also apply such requirements to hemp extract that is manufactured, delivered, held, or offered for sale in the state.

Issue: Probation and Community Control Violations
Outcome: Vetoed by Governor.

(HB 1241 Rep. Snyder and SB 1154 Sen. Simon)

The bill would have required a court to modify, rather than revoke, probation if a probationer meets certain conditions and has fewer than two previous violations of probation. Additionally, the bill would have limited the jail sentence a court may impose for a low-risk violation to 90 days for a first low-risk violation and 120 days for a second low-risk violation. The bill also prohibits a previous community sanction violation that was resolved through the ASP from being assessed sentencing points and being used when determining an offender's sentence for a violation of probation.

Issue: Interstate Safety
Outcome: Vetoed by Governor.

(HB 317 Rep. Persons-Mulicka and SB 258 Sen. Perry)

The bill would have specified that the left lane on most Florida highways is reserved for passing and exiting only. Under the bill, a driver cannot operate in the left-hand lane on a road with two or more lanes and a speed limit of 65 miles or more except when passing another vehicle, when preparing to exit the road, or when directed by an official traffic control device. The bill would not have applied to emergency vehicles and vehicles engaged in highway maintenance or construction operations.

Issue: Sheltering or Aiding Unmarried Minors
Outcome: Died in committee.

(HB 875 Rep. Tramont and SB 450 Sen. Wright)

The bill would have increased the crime of sheltering or aiding an unmarried minor from a first-degree misdemeanor to a third-degree felony.



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Issue: **Lewd or Lascivious Grooming**

Outcome: **Died on House calendar.**

(HB 1135 Rep. Yarkosky and SB 1238 Sen. Martin)

The bill would have prohibited a person 18 years of age or older from committing lewd or lascivious grooming by engaging in a pattern of inappropriate communication or conduct directed toward a person less than 16 years of age for the purpose of preparing, encouraging, or enticing such person to engage in any unlawful sexual activity, unlawful sexual conduct, or unlawful sexual performance.

Issue: **Traveling Across County Lines to Commit Criminal Offenses**

Outcome: **Died in committee.**

(HB 531 Rep. Snyder and SB 538 Sen. Harrell)

The bill would have reclassified the penalty for all forcible felonies and grand theft offenses when the offense is committed by an offender who travels any distance with the intent to commit the forcible felony or grand theft in a county other than his or her county of residence. Additionally, the bill would have prohibited a person who is arrested for a forcible felony or grand theft offense from being released on bail until he or she appears for a first appearance hearing.

Issue: **UTVs**

Outcome: **Died in committee.**

(HB 649 Rep. Killebrew and SB 440 Sen. Wright)

The bill would have allowed a UTV to legally operate on two-lane county roads and two-lane municipal streets in which the posted speed limit is less than 55 miles per hour.

Issue: **Unlawful Possession of Firearms, Ammunition, or Electric Weapons or Devices**

Outcome: **Died in committee.**

(HB 489 Rep. Tuck and SB 206 Sen. Burgess)

The bill would have narrowed the prohibition in s. 790.23(1)(b) and (d), F.S., against possessing a firearm, ammunition, or specified weapons to apply only if a person was adjudicated delinquent of a felony offense as a juvenile.

Issue: **Career Offenders**

Outcome: **Died in committee.**



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(HB 1539 Rep. Jacques and SB 1634 Sen. Collins)

The bill would have made changes to registration requirements for career offenders. Many of the changes would have increased registration requirements, and created similar requirements contained in the sexual predator and sexual offender registry.

Law Enforcement

Issue: Complaints Against Law Enforcement and Correctional Officers

Outcome: Passed. Chapter No. 2024-86

Effective: July 1, 2024

(HB 601 Rep. Duggan and SB 576 Sen. Ingoglia)

The bill codifies the creation of civilian oversight boards to ensure they are directed by a county sheriff or chief of police and are comprised of at least three to seven members, all of whom must be appointed by the sheriff or chief of police, and at least one member must be a retired law enforcement officer.

Additionally, under the bill the base salary portion of the formula used to calculate the salary of sheriffs will be increased by \$5,000 beginning July 1, 2024. Specifically, the law amends s. 145.071, F.S., to increase the base salary for a sheriff in each of the six population groups by \$5,000 as listed below.

Population Group	County Population Range		Base Salary	Group Rate
	Minimum	Maximum		
I	0	49,999	\$33,350	\$0.07875
II	50,000	99,999	\$36,500	\$0.06300
III	100,000	199,999	\$39,650	\$0.02625
IV	200,000	399,999	\$42,275	\$0.01575
V	400,000	999,999	\$45,425	\$0.00525
VI	1,000,000	-	\$48,575	\$0.00400

Impact to Sheriffs: The bill clarifies a sheriff can have a civilian oversight board to review policies and procedures of his or her office and its subdivisions. The focus of the bill was to eliminate cities from creating these boards to conduct investigations. Under the bill, those will now be prohibited, but like



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sheriffs, a city could have a civilian oversight board to review a police department's policies and procedures. The bill ensures that misconduct allegations will be investigated by those properly trained and equipped to handle such investigations, such as Internal Affairs Departments or the CJSTC.

While it might not be exactly the same, the salary increase will be similar to the pay increase sheriffs received in 2022. Sheriffs received an increase on July 1, when the new base was calculated with the \$5,000 increase, and again with the new fiscal year calculation was done for the October 1 fiscal year start date. State employees will receive a 3% pay increase in the budget and that will have a positive effect on the formula that will be calculated and take effect October 1. The EDR has updated the sheriff's salary as of April 23, 2024, and will do so again before October 1st. EDR's updates can be found here: [Local Government Annual Reports \(state.fl.us\)](https://state.fl.us/LocalGovernment/AnnualReports)

PROTECTING & RECRUITING LAW ENFORCEMENT

FLORIDA'S LAW ENFORCEMENT RECRUITMENT BONUS PROGRAM HAS NOW AWARDED NEARLY 5,000 BONUSES

Each of these officers has received a **\$5,000 AFTER-TAX BONUS** with a total program distribution of **MORE THAN \$32 MILLION** to date

Governor DeSantis is approving an **ADDITIONAL \$17 MILLION** in next year's budget for this program to continue

GOVERNOR DESANTIS HAS MADE FLORIDA THE FRIENDLIEST STATE IN THE COUNTRY FOR LAW ENFORCEMENT OFFICERS

- ✓ Strengthened incentives to join the force
- ✓ Reinforced our support for the men and women protecting our communities
- ✓ Signed legislation to prohibit localities from defunding the police
- ✓ Introduced law enforcement-oriented education initiatives in Florida high schools
- ✓ Created the Florida Law Enforcement Academy Scholarship Program which covers tuition, fees, and up to \$1,000 of eligible education expenses for trainees enrolled in a law enforcement officer basic recruit training program

PROTECTING POLICE K9S

Governor DeSantis signed legislation in 2022 to give caregivers of retired police dogs a stipend for veterinary bills

Under this program, 86 retired police dogs have found good homes and received veterinary care at no charge to the owner

GOVERNOR DESANTIS IS SIGNING LEGISLATION TO PROTECT LAW ENFORCEMENT OFFICERS AND ENSURE THEY ARE AFFORDED DUE PROCESS

SB 184

Prohibits the harassment of a police officer or first responder who is actively doing their job

This law pertains to any person who has received a verbal warning not to approach an officer and approaches with the intent to:

- Interfere with the officer's ability to perform their duties
- Threaten the first responder with physical harm, or
- Harass the first responder

Under this bill, an individual who harasses a law enforcement officer in the line of duty will be charged with a second-degree misdemeanor

HB 601

Prevents anti-police activists from carrying out extrajudicial investigations against law enforcement and infringing upon their rights to due process

It's a trend in blue jurisdictions for liberal local leaders to appoint politically weaponized "Citizen Oversight Boards" to achieve an anti-police agenda

This bill ensures any "Citizen Oversight Board" in Florida must be composed of 3-7 members, all of whom are appointed by the sheriff or chief of police, and at least one member who is a retired law enforcement officer

This prevents cities and counties in Florida from using "Citizen Oversight Boards" to drive an anti-police agenda

This bill ensures that misconduct allegations will be investigated by those properly trained and equipped to handle such investigations, such as an Internal Affairs Department or the Criminal Justice Standards and Training Commission (CJSTC)



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Issue: Property Rights
Outcome: Passed. Chapter No. 2024-44
Effective: July 1, 2024

(HB 621 Rep. Steele and SB 888 Sen. Perry)

This bill addresses a rise in instances in which squatters are moving into people's homes and claiming residence, forcing a lengthy judicial review process before they can be removed from the property. The bill gives a homeowner the ability to quickly remove a squatter from a property and increases the criminal penalties for squatting.

Under the bill, a property owner or authorized agent can file a verified complaint with the sheriff in the county in which the property is located to request the sheriff immediately remove a squatter if all of the following conditions are met:

(1) the requesting person is the owner; (2) the real property is a residential dwelling; (3) the unauthorized person has unlawfully entered and remains on the property; (4) the real property was not open to members of the public when the unauthorized person entered; (5) the unauthorized person has been directed to leave the property by the owner but has not done so; (6) the unauthorized person is not a current or former tenant in a legal dispute; (7) the unauthorized person is not an immediately family member of the property owner; and (8) there is no pending litigation related to the real property between the owner and the unauthorized person. Additionally, the owner or authorized agent must present identification or documentation evidencing the person's authorization to act on behalf of the owner. The owner or authorized agent must sign the complaint stating that the statements are truthful, and any false statements are made under penalty of perjury.



Sheriff Dennis Lemma speaks at the bill signing of HB 621 highlighting the importance of the new law and the need to hold squatters accountable.



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The sheriff, upon receiving the complaint, must verify the person submitting the complaint is the property owner or authorized agent of the owner and must then quickly serve a notice on all unlawful occupants to immediately vacate. Service may be accomplished by hand delivery or by posting the notice on the front door of the dwelling. The sheriff must also attempt to verify the identities of all occupants and note the identities on the return of service. The sheriff may arrest anyone found in the dwelling for trespass, outstanding warrants or any other legal cause.

The bill requires the sheriff to charge the same fee (\$90) for service of the notice as if the sheriff were serving a writ of possession under s. 30.231, F.S. The sheriff may, but is not required, to charge a reasonable hourly rate if the property owner requests the sheriff's assistance in keeping the peace while changing the locks and removing the unlawful occupant's personal property from the residence, just as the sheriff may do now when serving a writ of possession under s. 83.62, F.S.

The bill provides immunity from liability to the sheriff for any loss, destruction, or damage to property. Further, the bill provides the lawful property owner immunity from liability for any loss, destruction, or damage to personal property, unless the removal was wrongful.

The bill also creates criminal penalties for squatters and for those who encourage squatting and teach others the scam. The bill makes it a first-degree misdemeanor if a person uses a false document with the intent to detain or remain upon the property. Under the bill, a person who, with the intent to detain or remain on the property, knowingly and willfully presents to another person a false document purporting to be a valid lease, deed, or other document conveying rights to the property, commits a first-degree misdemeanor. Additionally, the bill creates the crime of criminal mischief for a person who unlawfully detains or occupies or trespasses upon a residential dwelling and who intentionally causes \$1000 or more in damages, punishable as a second-degree felony. Lastly, a person who knowingly advertises the sale or rent of a residential property without legal authority or ownership commits a first-degree felony.

Impact to Sheriffs: The bill will give law enforcement and property owners additional tools to quickly remove squatters from people's homes and prosecute squatters for vandalism. Sheriffs should be aware of the new provisions under the bill, specifically as it relates to receiving complaints from property owners and serving notices. Sheriffs may develop the complaint form for use and should ensure all required elements are included in the form as specified in the bill. The bill can be found [here](#).



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ENDING THE SQUATTERS SCAM

FLORIDA STANDS WITH LAW-ABIDING HOMEOWNERS

Homes across the country are being invaded by squatters who move in and claim residence, forcing a long judicial review before they can be removed from the property

WHILE OTHER STATES ALLOW CRIMINALS AND VAGRANTS TO TAKE OVER, FLORIDA IS PUSHING BACK

California:

BEVERLY HILLS

Beverly Crest neighbors furious after squatters take over multimillion-dollar home

Neighbors are demanding that authorities evict the alleged squatters over public safety concerns.

New York City:

METRO

Fed-up homeowner arrested after tense standoff with squatters 'stealing' \$1M house she inherited from parents

By Reuters Fenton, Olivia Land and Emily Crane
Published March 19, 2024 | Updated March 19, 2024, 6:03 p.m. ET



Airbnb renter-turned-squatter leaves Los Angeles homeowner tied up in legal red tape: report

Landlord, tenant have filed lawsuits against each other as dispute drags on

TODAY, GOVERNOR DESANTIS SIGNED HB 621, WHICH GIVES A HOMEOWNER THE ABILITY TO QUICKLY REMOVE A SQUATTER FROM A PROPERTY & INCREASES THE CRIMINAL PENALTIES FOR SQUATTING

Under HB 621, a property owner can request law enforcement to quickly remove a squatter if:

- The individual has unlawfully entered and remains on the property
- The individual has been directed to leave the property but has not done so
- The individual is not a current or former tenant in a legal dispute

IN FLORIDA, IT WILL BE QUICK AND SIMPLE TO RECLAIM YOUR HOME FROM SQUATTERS—AVOIDING COSTLY LITIGATION, DELAYS, AND MISSED RENTAL INCOME

Issue: Protection of Children and Victims of Crime/Lethality Assessments
Outcome: Passed. Chapter No. 2024-70
Effective: July 1, 2024, except as otherwise provided for in the bill.

(HB 185 Rep. Trabulsy and SB 1224 Sen. Burton)



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The bill requires a law enforcement officer who investigates an alleged incident of domestic violence to administer a lethality assessment if the allegation is against an *intimate partner*, regardless of whether an arrest is made. An officer who administers a lethality assessment must advise the victim of the results and record the score on the written police report and refer the victim to the nearest certified domestic violence center depending on the victim's responses to the questions or if the victim cannot provide sufficient information for the officer to administer the lethality assessment. The officer must document a lack of lethality assessment in the written police report. An officer may not include in a probable cause statement, written police report, or incident report the center that the victim was referred to.

The bill also requires the Florida Department of Law Enforcement (FDLE) to develop policies, procedures, and training for a statewide, evidence-based, domestic violence lethality assessment by **January 1, 2025**, and to submit several reports about lethality assessments to the legislature.

The FDLE must consult with the Department of Children and Families, the Florida Sheriffs Association, the Florida Police Chiefs Association, and the Florida Partnership to End Domestic Violence, and at least two domestic violence advocacy organizations in developing the policies, procedures, and training necessary for implementation of a statewide evidence-based lethality assessment. The policies, procedures and training must establish how to determine whether a victim and aggressor are intimate partners and develop a statewide process for referring a victim to a domestic violence center. The group will be responsible for reviewing the twelve questions listed in the bill and make a recommendation as to whether all questions should be included in the instrument. The FDLE must report to the legislature the recommendations of the group, including any proposed statutory changes that are needed to implement a statewide lethality assessment.

The approved training on how to administer the assessment must be accessible to a law enforcement officer in an online format. **The bill requires each law enforcement agency to ensure its officers complete lethality assessment training either as part of basic recruit training or continued employment training by October 1, 2026. The head of each law enforcement agency must certify to FDLE by November 1, 2026, that the agency is in compliance with the lethality assessment training requirements for all sworn personnel.** An officer may not administer a lethality assessment if the officer has not received training. The FDLE will be responsible for submitting a report to the legislature by January 1, 2027, that identifies each agency that is not in compliance.

Impact to Sheriffs: The FDLE and the FSA and other groups will consult and develop the policies, procedures, and training necessary for officers to administer a lethality assessment. Sheriffs will need to ensure that all sworn personnel have completed the online lethality assessment training by October 1, 2026, and should certify in writing to FDLE that all officers are in compliance by November 1, of 2026.

Issue: Safe Exchange of Minor Children

Outcome: Passed. Chapter No. 2024-226

Effective: July 1, 2024



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(HB 385 Rep. Rudman and SB 580 Sen. Yarborough)

The bill requires each sheriff to designate at least one parking lot, or a substation, at the sheriff's office as a neutral safe exchange location for use by parents of a common child. The designated parking lot and respective sheriff's office must comply with certain minimum requirements, including:

- Be identified with a purple light or a sign on the premises to clearly designate the safe exchange location.
- Be accessible 24 hours a day, 7 days a week.
- Provide adequate lighting.
- Provide an external video surveillance system that records continuously for 24 hours a day, 7 days a week.
- Provide at least one camera that is fixed on the parking lot, and which can record the area of the purple light or sign during both day and night.
- Record images and video that clearly and accurately display the time and date.
- Retain video surveillance recordings or images for at least 45 days.

The bill provides a county, sheriff, law enforcement officer, or employee of the safe exchange location protection from a legal suit based on an incident arising out of a meeting at a safe exchange location.

Impact to Sheriffs: The bill will provide a safe location for parents to exchange custody of a child. Each sheriff should ensure they have at least one parking lot designated as a safe exchange location using either a sign or a purple light. Sheriffs should ensure the designated parking lot complies with all other requirements in the bill as described above.

Issue: **Lost and Abandoned Property**

Outcome: **Passed. Chapter No. 2024-30**

Effective: *July 1, 2024*

(HB 487 Rep. Chaney and SB 682 Sen. DiCeglie)

Currently, law enforcement is required to obtain the name and address of the owner of a derelict vessel and mail a copy of the notice on *or before* posting the notice on the vessel. The bill changes current law to allow law enforcement to mail the notice on the date of posting *or as soon as thereafter is practical*.

Impact to Sheriffs: This bill will save officers from having to make multiple trips to a derelict vessel by allowing an officer to mail a copy of the notice as soon as possible following posting of the notice on the vessel.

Issue: **Sheriffs in Consolidated Governments**

Outcome: **Passed. Chapter No. 2024-120**

Effective: *July 1, 2024*



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(HB 1447 Rep. Duggan and SB 1704 Sen. Yarborough)

The Florida Legislature passed HB 3 in 2022, which included language to ensure sheriffs retain the ability to move money between budget categories at their discretion, including the ability to transfer funds between the fund and functional categories and object and subobject levels after their budget has been approved by the board of county commissioners or budget commission. However, this provision in current law does not expressly apply to sheriffs in a consolidated government, nor does it expressly include budget approval from a city council. The Jacksonville Sheriff's Office operates within the consolidated city of Jacksonville. As such, the Jacksonville Sheriff's Office does not hold the same autonomy to move funds between budget categories as all other elected sheriffs in Florida.

The bill addresses this issue and provides that a sheriff in a consolidated government may transfer funds between the fund and functional categories and object and subobject code levels after the budget has been approved. The bill also authorizes such a budget to be approved by a city council in addition to the board of county commissioners or budget commission. Additionally, the bill provides that the independence of sheriffs concerning the purchase of supplies and equipment and the management of personnel applies to a sheriff in a consolidated government.

Lastly, it revises the provisions concerning the independence of sheriffs to include *procurement*, which is applicable to all sheriffs, including sheriffs in a consolidated government.

Impact to Sheriffs: The bill will ensure that the Jacksonville Sheriff's Office has the same autonomy as all other elected sheriffs in Florida to move funds between budget categories. Additionally, the bill will now add complete autonomy for all elected sheriffs in purchasing *and procurement*.

Issue: **Purple Alert**

Outcome: **Passed. Chapter No. 2024-82**

Effective: **July 1, 2024**

(HB 937 Rep. Cassello and SB 640 Sen. Berman)

The bill amends the existing Purple Alert program to better align it with the AMBER Alert and Silver Alert programs. The bill provides that a statewide Purple Alert may only be issued when an identifiable vehicle is involved. If no identifiable vehicle is involved, dissemination of the Purple Alert is limited to local distribution in the area where the person may be reasonably located. Local law enforcement is responsible for entering the case into the FCIC, notifying local media, informing all on-duty law enforcement officers, and alerting all law enforcement agencies having jurisdiction. If a local or state Purple Alert is determined to be necessary and appropriate, the local law enforcement agency may also request that a case be opened with FDLE's Missing and Endangered Persons Information Clearinghouse.

Impact to Sheriffs: Updating the statute to issue statewide Purple Alerts only when a vehicle is involved will allow for addressing only those who may reasonably reach multiple jurisdictions. When a purple



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alert is issued with no vehicle involved, the reach of the alert is significantly limited. When a person has gone missing on foot, public safety may be better served if the agency of jurisdiction issues a local alert and contacts the local news or uses their own social media. Each sheriff's office should ensure they have policies in place to implement a local Purple Alert involving a person who is missing on foot or in an unidentifiable vehicle. A sheriff's office or other local law enforcement agency may now only request the issuance of a statewide Purple Alert from FDLE when the investigation indicates that there is a motor vehicle with an identified license plate or other vehicle information involved.

Issue: Retention of Sexual Offense Evidence

Outcome: Passed. Chapter No. 2024-169

Effective: October 1, 2024

(HB 607 Rep. Plakon and SB 764 Sen. Stewart)

The bill requires a sexual assault kit (SAK) collected from a non-reporting victim to be retained for a minimum of 50 years by the FDLE and requires medical facilities and certified rape crisis centers that collect a SAK to transfer the kit to FDLE within 30 days after collection.

If a non-reporting victim later makes a report to law enforcement or requests to have his or her SAK tested, the kit must then be retained until the prosecuting agency or FDLE authorizes its destruction. Additionally, the bill requires DNA evidence not contained in a SAK and collected from a reporting victim to be retained until the prosecuting agency authorizes its destruction.



FSA's President Sheriff Bill Leeper, the FSA's Legislative Chair Sheriff Bob Gualtieri, and the FSA's past-president Sheriff Al Nienhuis present Senate President Kathleen Passidomo with the FSA's Legislative Champion Award for her dedication to public safety and law enforcement throughout the 2023 Legislative Session.

Impact to Sheriffs: The FDLE will be responsible for storing SAKs from non-reporting victims. However, if a victim later makes a report to law enforcement to have the SAK tested, the kit must be retained until either FDLE, or the prosecuting agency authorizes its destruction. Any DNA evidence not contained in a SAK from a reporting victims must also be retained until the prosecuting agency authorizes its destruction.



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Issue: **Impeding, Threatening, or Harassing First Responders**

Outcome: **Passed. Chapter No. 2024-85**

Effective: *January 1, 2025*

(HB 75 Rep. Rizo and SB 184 Sen. Avila)

The bill makes it a second-degree misdemeanor for any person, after receiving a warning from a first responder not to approach, to violate the warning and approach or remain within 25 feet of a first responder with the intent to interfere with their official duties, threaten with physical harm, or harass the officer. A first responder includes a law enforcement officer, correctional probation officer, firefighter, or emergency medical care provider.

Impact to Sheriffs: The bill will help protect first responders from being harassed and being obstructed in their work by requiring bystanders to provide necessary space when first responders are addressing an emergency. A person may still record a law enforcement officer so long as they do so from a distance of at least 25 feet.

Issue: **Qualifications for Emergency Management Directors**

Outcome: **Passed. Chapter No. 2024-193**

Effective: *July 1, 2024*

(HB 1567 Rep. Grant and SB 1262 Sen. Collins)

The bill creates minimum education, experience, and training standards for all county emergency management directors. Specifically, all county directors must have at least 50 hours of training in certain fields (public administration, business or public management, emergency management or preparedness) or a bachelor's degree. County directors must also meet other minimum qualifications including four years of experience in emergency management services, must have directly supervised at least one emergency or disaster and must complete other specific courses. County directors who do not currently meet the required qualifications will have until June 30, 2026, to complete the requirements.

Impact to Sheriffs: The bill will ensure that current and future county emergency directors have the relevant and necessary experience to effectively run emergency management in their county. The bill also ensures that currently county directors that have experience and training are not also required to obtain a bachelor's degree.

Issue: **Forensic Genetic Genealogy Grants**

Outcome: **Passed. Chapter No. 2024-113**

Effective: *July 1, 2024*

(HB 453 Rep. Anderson and SB 678 Sen. Bradley)



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The Forensic Investigative Genetic Genealogy (FIGG) Program is currently funded internally within the FDLE and accepts cases when a CODIS eligible DNA profile has been developed but no further leads are available. The bill creates the FIGG Grant Program to allow the FDLE to annually award grants to statewide and local law enforcement agencies and medical examiner's offices to cover expenses related to using forensic investigative genetic genealogy methods to generate investigative leads for criminal investigations of violent crimes and unidentified human remains. The bill appropriates a non-recurring sum of \$500,000 for the 2024-2025 fiscal year from the General Revenue Fund to FDLE for the grant program.

Impact to Sheriffs: Sheriff's offices may apply to the FDLE for funding to assist in generating leads in unsolved violent crimes and unidentified human remains using forensic genetic genealogy. Grant recipients must comply with rules the FDLE adopts and must provide a report detailing certain information to the FDLE. The FDLE will provide additional details to law enforcement agencies upon adopting rules to implement the grant program.

Issue: **Alzheimer's Disease and Related Dementia Training for Law Enforcement Officers**

Outcome: **Passed. Chapter No. 2024-52**

Effective: *October 1, 2024*

(HB 801 Rep. Buchanan and SB 208 Sen. Burgess)

The bill establishes a continued employment training component related to Alzheimer's disease and related forms of dementia. The FDLE will develop the training online and will include instruction on interacting with persons with Alzheimer's disease. The training may count towards the 40 hours of instruction for continued employment or appointment as a law enforcement officer, correctional officer, or correctional probation officer.

Impact to Sheriffs: Law enforcement officers may complete this new training related to Alzheimer's as part of continuing education. The training may be beneficial to officers in their interactions with individuals with dementia.

Issue: **Peer Support for First Responders**

Outcome: **Passed. Chapter No. 2024-35**

Effective: *October 1, 2024*

(HB 1415 Rep. Chamberlin and SB 1712 Sen. Collins)

The bill amends current law relating to peer support to include correctional officers and correctional probation officers for the purpose of peer support communications.



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Impact to Sheriffs: Correctional officers are often exposed to traumatic events. Florida law will now recognize the right to confidentiality for peer support communication between a first responder, including a correctional officer, and a first responder peer, ensuring correctional officers receive the same benefit of confidentiality with respect to peer support communications as law enforcement officers, firefighters, and other statutorily-defined first responders.

Issue: **Treatment by a Medical Specialist**

Outcome: **Passed. Chapter No. 2024-209**

Effective: **October 1, 2024**

(HB 637 Rep. Yeager and SB 808 Sen. DiCeglie)

The bill allows firefighters, law enforcement officers, correctional officers, and correctional probation officers to receive medical treatment for a compensable presumptive condition by his or her selected medical specialist. Under the bill, compensable presumptive conditions include tuberculosis, heart disease, or hypertension.

The bill permits firefighters, law enforcement officers, correctional officers, or correctional probation officers in need of medical treatment for a compensable, presumptive condition to file a written notice with their employer/carrier to obtain authorization of treatment from the selected medical specialist. The employer/carrier may approve the selected medical specialist or authorize an alternative specialist with equal or greater qualifications. The authorization must be resolved within five business days and the appointment date must be within 30 business days of the written notice. If the authorization is not timely, the firefighter's or officer's selected medical specialist is automatically authorized. The bill also increases the maximum reimbursement for selected medical specialists. The maximum reimbursement is raised from 110 percent (non-surgeons) and 140 percent (surgeons) to 200 percent of the Medicare allowance for



Governor Ron DeSantis signs SB 66, "Revive Awareness Day" to heighten public knowledge about opioid overdose dangers and the importance of opioid antagonists in the prevention of overdose deaths. The Seminole County Sheriff's Office championed this important bill alongside the bill sponsors, Representative Rachel Plakon and Senator Jason Brodeur.



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both non-surgeons and surgeons.

Impact to Sheriffs: The bill will give first responders an option to go out of network to receive certain specialty medical care in a timely manner.

Issue: Use of Artificial Intelligence in Political Ads

Outcome: Passed. Chapter No. 2024-126

Effective: July 1, 2024

(HB 919 Rep. Rizo and SB 850 Sen. DiCeglie)

The bill requires disclaimers on political ads that depict a real person performing an action that did not occur. The bill does not limit the content of the ad. The disclaimer must state that the ad was “created in whole or in part with the use of generative artificial intelligence.” Additionally, the disclaimer must comply with certain specifications depending on the medium used.

- For a printed communication, the disclaimer must be in a bold font or at least 12 points.
- For a TV or video ad, the disclaimer must be clearly readable and take up at least four percent of the vertical picture height.
- For an internet ad that includes text or graphic components, the disclaimer must be viewable without the user taking any action and be clearly readable.
- For any audio component of a communication, the disclaimer must be at least three seconds and clearly audible at either the beginning or the end of the ad.

The bill provides that in addition to any civil penalties provides by law, a person identified pursuant to another disclaimer required for campaign finance purposes as paying for, sponsoring, or approving an advertisement or electioneering communication of a political nature that is required to include the AI disclaimer and fails to do so commits a first-degree misdemeanor and faces a \$1,000 fine. The bill also allows a complaint to be filed with the Florida Elections Commission if a disclaimer is not included.

Impact to Sheriffs: If a sheriff uses AI for political Ads, the sheriff must ensure there is a disclaimer on the political ad that includes the above-referenced text and must meet the above-referenced specifications.

Issue: Interception and Disclosure of Wire, Oral, or Electronic Communications

Outcome: Passed. Chapter No. 2024-131

Effective: Took effect on April 26, 2024, upon the Governor’s signature.

(HB 1281 Rep. Persons-Mulicka and SB 1618 Sen. Martin)

The bill expands expand the limited exceptions under which a person may lawfully intercept a communication. The bill authorizes a person to intercept an oral communication if the person is a



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parent or legal guardian of a child under 18 years of age if the child is a party to the communication and the parent or guardian has reasonable grounds to believe 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. The bill requires that any recording capturing such evidence must be provided to a law enforcement agency.

Impact to Sheriffs: The bill may assist in stopping sexual predators by exempting the recording of certain communications from the prohibition against wiretapping and authorizing a private citizen to collect admissible evidence for specified criminal offenses, which may make it easier to prove a violation of such offenses.

Issue: **Traffic Enforcement**
Outcome: **Passed. Chapter No. 2024-223**
Effective: *July 1, 2024*

(HB 1363 Rep. Busatta Cabrera and SB 1464 Sen. Calatayud)

The bill requires a county or municipality to enact an ordinance to authorize the placement or installation of traffic infraction detectors if the traffic infraction detectors are placed or installed on or after July 1, 2025. Additionally, beginning July 1, 2025, a government entity may not knowingly entering into or renew a contract with a vendor of a school bus infraction detection system, speed detection system, traffic infraction detector, **or any other camera system used for traffic enforcement** if the contracting vendor is owned by a government of a foreign country of concern or the government of a foreign country of concern has a controlling interest in the contracting vendor.

Impact to Sheriffs: Sheriff's offices may not contract with a vendor owned by a foreign country of concern or a vendor where a foreign country of concern has a controlling interest in the company for the procurement of any camera systems used for enforcing Chapter 316, Florida Statutes. While the intent of the bill appears to be to prevent a government entity, including a sheriff's office, from using cameras manufactured by a vendor owned by or with a controlling interest in a foreign country of concern, the bill does not specifically restrict what equipment the contractor uses or provides.

Issue: **Advanced Technology**
Outcome: **Passed. Chapter No. 2024-118**
Effective: *July 1, 2024*

(HB 1459 Rep. McFarland and SB 1680 Sen. Bradley)

The bill makes it a third-degree felony if a person creates generated child pornography or knowingly possesses or views a photograph, movie, image, or any other presentation which he or she knows includes generated child pornography. The bill includes a carve out for the possession, control or viewing of generated child pornography by law enforcement during an investigation. The bill also requires any



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property or material that constitutes generated child pornography to be secured or locked in the custody of a law enforcement agency, the state attorney, or the court. A defendant may not receive reproductions of generated child pornography as part of discovery so long as the state attorney makes the material available to the defendant.

Impact to Sheriffs: The bill will help address the increase in AI production of child pornography by ensuring that the law prohibits the creation or viewing of an image that, although not containing or being derived from an image of a real minor, is indistinguishable from an image of a real minor engaging in sexual conduct. Law enforcement will be able to arrest predators engaging in this type of conduct and charge them with a felony under the new law.

Issue: **Rabies Vaccinations**
Outcome: **Passed. Chapter No. 2024-27**
Effective: *July 1, 2024*

(HB 303 Rep. Killebrew and SB 334 Sen. Burgess)

The bill allows an employee, an agent, or a contractor of a county or municipal animal control authority, or sheriff, acting under the indirect supervision of a veterinarian, to administer rabies vaccinations to impounded dogs, cats, and ferrets that will be transferred, rescued, fostered, adopted, or reclaimed by the owner. Under the bill, the supervising veterinarian assumes responsibility for any person vaccinating animals at his or her direction or supervision.

Impact to Sheriffs: Sheriffs who run animal control in their county may now administer rabies vaccinations to impounded dogs, cats and ferrets through telehealth with a veterinarian.

Issue: **Towing and Storage**
Outcome: **Passed. Chapter No. 2024-27**
Effective: *July 1, 2024*

(HB 179 Rep. Bell and SB 774 Sen. Perry)

Currently, if a law enforcement agency authorizes a towing-storage operator to remove a vehicle or vessel, or a towing-storage operator notifies a law enforcement agency of possession of a towed vehicle or vessel, the law enforcement agency where the vehicle or vessel is stored must contact the DHSMV within 24 hours and provide a full description of the vehicle or vessel. The DHSMV must search its records to determine the identity of the owner, the company insuring the vehicle or vessel, and any lienholders and provide the information to the law enforcement agency within 72 hours. The towing-storage operator must obtain such information from the law enforcement agency within 5 days after the date of storage and provide the required notice. The bill clarifies that the process provided in current law for law enforcement's search for information on a towed vehicle or vessel may only be utilized if an approved third-party service cannot obtain the vehicle's or vessel's owner, lienholder, and insurer



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information or last state of record. The bill also clarifies that notices must still be sent by the approved third-party service.

Additionally, under current law, an investigating agency may place a hold on a motor vehicle stored within a wrecker operator's storage facility for up to 5 days, unless extended in writing. If the hold is to continue beyond 5 days, the investigating agency may have the vehicle removed to a designated impound lot, in which event the investigating agency will not release the vehicle to the owner until proof of payment of the towing and storage charges incurred by the wrecker operator is presented to the investigating agency.

If the investigating agency chooses to have the vehicle remain at the wrecker operator's storage facility beyond 5 days, the investigating agency is responsible for payment of the storage charges incurred by the wrecker operator for the requested extended period. The owner or lienholder is responsible for payment of accrued towing and storage charges for the first 5 days when the investigating agency either moves the vehicle from the wrecker operator's storage facility to a designated impound lot or provides written notification to extend the hold on the vehicle prior to the expiration of the 5 days.

If there is a judicial finding of no probable cause for having continued the immobilization or impoundment, the investigating agency ordering the hold must pay the accrued charges for any towing and storage. When a vehicle owner is found guilty of the offense that resulted in a hold being placed on his or her vehicle, the owner must pay the accrued towing and storage charges assessed against the vehicle.

The bill provides that if a vehicle is stored at a wrecker operator's facility pursuant to an investigatory hold or a hold for other evidentiary purposes, the investigating agency or other person requiring the hold must take possession of the vehicle within 30 days after the first day on which the vehicle is stored,



The FSA's Legislative Chair, Sheriff Bob Gualtieri presents Senator Danny Burgess with the FSA's Friend of the Sheriff Award for his work during the 2023 Legislative Session to protect the Office of the Sheriff and ensure all sheriffs in Florida are independently elected.



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unless another timeframe is otherwise agreed upon by the wrecker operator and the investigating agency or other person requiring the hold.

Impact to Sheriffs: The bill encourages law enforcement agencies to have a policy in place to move a towed vehicle from a wrecker operator's storage facility after 5 days to a location that does not incur high costs, such as a location other than a wrecker operator's storage facility.

Issue: Department of Agriculture

Outcome: Passed. Chapter No. 2024-137

Effective: July 1, 2024

(HB 1071 Rep. Alvarez and SB 1084 Sen. Collins)

The bill provides modifications to several agricultural, consumer services, and licensure activities under the jurisdiction of the Department of Agriculture and Consumer Services (DACS). The bill makes it a second degree misdemeanor to sell, or manufacture cultivated (lab-grown) meat. The bill also allows a Class "G" statewide firearm licensee to qualify for up to two calibers of firearms in one 4-hour firearm requalification class. The bill also makes it a third-degree felony for trespassing on commercial agricultural property with the intent to commit a crime. Finally, the bill seeks to combat palmetto berry theft by allowing any law enforcement officer or DACS employee who finds that any saw palmetto berries are being harvested or offered for sale without a landowner's written permission or a permit, to seize or hold the saw palmetto berries until the individual provides the officer with the permit and the landowner's written permission to harvest within seven days following the seizure.

Impact to Sheriffs: The bill will help protect Florida's food production by enhancing criminal penalties for trespassing on commercial agricultural property, banning the sale and production of lab-grown meat, and providing law enforcement with the tools to help protect the illegal harvesting of saw palmetto berries which are a commercially exploited plant.

Issue: Public Records: Military Personnel and their Spouses and Dependents

Outcome: Passed. Chapter No. 2024-111

Effective: Took effect on April 26, 2024, upon the Governor's signature.

(HB 319 Rep. Holcomb and SB 548 Sen. Collins)

Current law provides several public record exemptions for certain identification and location information of specified current or former agency employees and their spouses and children. However, no exemption from public record requirements currently exists for United States military personnel. The bill creates a public records exemption on certain identifying information of military personnel and their families held by an agency. The exemption applies to the home address, phone numbers, and date of birth of current and former military personnel and their spouses and dependents, and the name and location of a school attended by such a spouse and schools or daycare facilities attended by



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such dependents. Military personnel are either persons employed by the Department of Defense who have access to information designated as secret or top secret or servicemembers of a special operations force. To receive the exemption, a request must be made in writing and include a statement of reasonable efforts to protect the information from access. The exemption applies to information held by the agency before, on, or after the effective date of the bill.

Impact to Sheriffs: Sheriff's office employees that are former or current military personnel will now be able to have their identification and location information and their family's information exempt from public records.

Issue: **Ethics**

Outcome: **Passed. Chapter No. 2024-253**

Effective: *Took effect on June 21, 2024, upon the Governor's signature, except as otherwise provided for in the bill.*

(HB 1597 Rep. Brackett and SB 7014 Sen. Burgess)

The bill makes several changes to the Code of Ethics for Public Officers and Employees, including requiring local ethics boards to have a consistent standard statewide by requiring them to meet the same standards as the Florida Ethics commission. Under the bill, a complaint can no longer be filed anonymously, and the complaint must be based on personal knowledge or information other than hearsay. As a result, the Florida Commission on Ethics may not consider any ethics complaints based on "hearsay." This includes any complaints based on what a person heard or read. This provision of the bill took effect on June 21, 2024, upon the Governor's signature.

The bill also adds candidates for public office to the categories of persons authorized to recover costs and attorney fees for defending against a maliciously filed ethics complaint.

Impact to Sheriffs: This legislation ensures that a person can no longer file a complaint solely based on what a person may have heard from someone else or read in a social media post or a newspaper. Under the bill, the person would need to have witnessed the ethics violation or otherwise have substantiating documentation to support the complaint.

Law Enforcement Bills that Failed:

Issue: **Cybersecurity**

Outcome: **Vetoed.**

(HB 473 Rep. Giallombardo and SB 658 Sen. DiCeglie)

The bill would have built on legislation passed in 2022 that required state agencies and local governments to report cybersecurity and ransomware incidents. The bill also mandated local



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governments comply with certain cybersecurity training, standards, and incident notification protocols that safeguard the local government's data, information technology, and information technology resources. This legislation would have exempted counties, municipalities and *political subdivisions* that comply with those standards, training and notification protocols from liability in cybersecurity incidents. Specifically, the bill would have offered liability protection – in the form of an affirmative defense – to entities that substantially comply with these frameworks. In the event of a lawsuit, entities must prove substantial compliance as part of their defense.

Issue: **Autism Spectrum Disorder Training for Law Enforcement Officers**

Outcome: **Died in messages.**

(HB 829 Rep. Stark and SB 864 Sen. Collins)

The bill would have required new and existing law enforcement officers to complete a training component relating to individuals with autism.

Issue: **First Responders and Crime Scene Investigators**

Outcome: **Failed. Died in committee.**

(HB 993 Rep. Holcomb and SB 1490 Sen. Burgess)

The bill would have extended PTSD benefits to 911 public safety telecommunicators and crime scene investigators who are diagnosed with PTSD after experiencing certain qualifying events. The bill would have also expanded the definition of "first responder" relating to workers compensation benefits to include law enforcement officers, firefighters, emergency medical technicians (EMTs) and paramedics, 911 public safety telecommunicators, and federal law enforcement officers.

Issue: **Public Safety Programs**

Outcome: **Failed. Died in committee.**

(HB 833 Rep. Yarkosky and SB 1708 Sen. Yarborough)

This bill would have required any public safety program established, created, funded, administered, or promoted by a sheriff or police department that provides training to businesses on assisting crime victims or reporting crimes, to provide training on a broad range of victims and the common crimes affecting persons, property, and businesses in the area.

Issue: **Cold Case Murders**

Outcome: **Failed. Died in committee.**

(HB 837 Rep. Benjamin and SB 350 Sen. Osgood)

This bill would have established a framework for the review and reinvestigation of cold case murders. Specifically, the bill would have provided criteria for the review of a cold case and would have required



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a law enforcement agency to conduct a full reinvestigation if the review concludes that a reinvestigation may result in previously unidentified probative leads or in the identification of a likely perpetrator.

Issue: Sovereign Immunity
Outcome: Failed. Died on the Senate Calendar.

(HB 569 Rep. McFarland and SB 472 Sen. Brodeur)

This bill would have increased the liability limit for tort claims against the state from \$200,000 to \$400,000 per person and from \$300,000 to \$600,000 per incident. The bill would have also specified that every five years, the limits must be adjusted to reflect changes in the Consumer Price Index, but not to exceed three percent for any adjustment. Additionally, the bill would have specified that liability limits in effect the claims accrual date would apply. Finally, the bill would have reduced the statute of limitations for a negligence claim against the State or its agency, or subdivision from four years to two years.

Administration

Issue: Public Records: Suicide Victims

Outcome: Passed. Chapter No. 2024-18
Effective: Took effect March 22, 2024, upon the Governor's signature.

(HB 529 Rep. Trabulsy and SB 474 Sen. Grall)

The bill makes confidential and exempt photographs or video or audio recordings that depicts or records the suicide of a person when it is held by an agency. The bill also makes confidential and exempt an autopsy report of a person whose manner of death was suicide. The bill allows for disclosure to a surviving spouse of the deceased, the surviving parents, if there is no surviving spouse, or the surviving adult children or siblings, if there are no surviving spouse or parents.

The bill gives retroactive application to both exemptions so that photographs, recordings, and autopsy reports addressed by this bill, regardless of when they were initially held by an agency, are treated as confidential and exempt upon this bill becoming a law on March 22, 2024.

Impact to Sheriffs: Agencies should ensure that they keep the above specified records confidential and exempt. Additionally, any currently held video or audio recording that depicts the suicide of a person and autopsy reports of a person who died by suicide are now made confidential and exempt.

Issue: Leave of Absence to Officials and Employees
Outcome: Passed. Chapter No. 2024-19
Effective: July 1, 2024



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(HB 765 Rep. Daley and SB 818 Sen. Avila)

Currently a public employer must provide an employee or official who is a servicemember a full paid leave of absence for the first 30 days of active federal military service. The bill limits application of the paid leave of absence to a servicemember who is activated under federal military service that is equal to or greater than 90 consecutive days.

Impact to Sheriffs: A servicemember called to active federal military service in a Sheriff's Office for fewer than 90 days will no longer be eligible for up to 30 days of pay.

Issue: **OGSR: Campus Emergency Response**

Outcome: **Passed. Chapter No. 2024-41**

Effective: *October 1, 2024*

(HB 7007 Rep. Griffiths, Jr. and SB 7022 Education Postsecondary)

Current law provides a public record exemption for a campus emergency response held by a public postsecondary educational institution, a state or local law enforcement agency, a county or municipal emergency management agency, the Executive Office of the Governor, the Department of Education, the Board of Governors of the State University System, or the Division of Emergency Management. Current law also provides a public meeting exemption for portions of a meeting where matters specifically exempt from disclosure are discussed. The bill saves from repeal the public record and public meeting exemptions.

Impact to Sheriffs: Agencies should continue to keep campus emergency response records confidential and exempt.

Administration Bills that Failed:

Issue: **County Commissioner Term Limits**

Outcome: **Died on the House Calendar.**

(HB 57 Rep. Salzman and SB 438 Sen. Ingoglia)

The bill would have led to local referendums in November about whether voters want to impose term limits on county commissioners. Specifically, the bill would have required each county that does not have eight year term limits for county commissioners as of July 1, 2024, to hold a referendum at the 2024 general election to determine whether to adopt such term limits.



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Jails, Corrections & Re-Entry

Issue: **DNA Samples from Inmates**

Outcome: **Passed. Chapter No. 2024-31**

Effective: *Took effect on March 22, 2024, upon the Governor's signature.*

(HB 533 Rep. Fabricio and SB 524 Sen. Ingoglia)

The bill requires each inmate in the custody of the Department of Corrections, regardless of their crime, to submit a DNA sample to DOC no later than September 30, 2024, if he or she has not previously provided a DNA sample.

Impact to Sheriffs: This bill will help assist in solving unsolved murder cases in Florida and will assist in cold case investigations by adding additional DNA samples to the database.