

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Commerce and Tourism

CS/CS/HB 189 — Criminal Restitution

by Judiciary Committee; Justice Appropriations Subcommittee; and Rep. Young, and others (CS/CS/SB 432 by Budget Subcommittee on Criminal and Civil Justice Appropriations; Criminal Justice Committee; and Senators Flores, Diaz de la Portilla, Garcia, and Lynn)

This bill amends s. 775.089, F.S., by including in the definition of victim a victim's trade association if the offense is a violation of s. 540.11(3)(a)3., F.S., and the victim has granted the trade association written authorization to represent the victim's interests in criminal legal proceedings, as well as to collect restitution on the victim's behalf. The restitution obligation applies to physical articles on which sounds are recorded, but does not apply to any electronic articles or digital files that are distributed or made available online.

Lastly, the term "trade association" is defined to mean an organization founded and funded by businesses that operate in a specific industry to protect their collective interests.

If approved by the Governor, these provisions take effect October 1, 2012.

Vote: Senate 39-0; House 118-0