

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**CRIMINAL JUSTICE**  
**Senator Evers, Chair**  
**Senator Dean, Vice Chair**

**MEETING DATE:** Monday, March 14, 2011  
**TIME:** 1:00 —3:00 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

**MEMBERS:** Senator Evers, Chair; Senator Dean, Vice Chair; Senators Dockery, Margolis, and Smith

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 118</b> Bullard (Identical H 981)	Bicycle Safety; Revises safety standard requirements for bicycle helmets that must be worn by certain riders and passengers. Provides for enforcement of requirements for bicycle lighting equipment. Provides penalties for violations. Provides for dismissal of the charge following a first offense under certain circumstances.  TR     02/22/2011 Favorable CJ     03/14/2011 Favorable BC	Favorable Yeas 5 Nays 0
2	<b>SB 234</b> Evers (Similar H 517, Compare S 956)	Firearms; Provides that a person in compliance with the terms of a concealed carry license may carry openly notwithstanding specified provisions. Allows the Division of Licensing of the Department of Agriculture and Consumer Services to take fingerprints from concealed carry license applicants. Limits a prohibition on carrying a concealed weapon or firearm into an elementary or secondary school facility, career center, or college or university facility to include only a public elementary or secondary school facility or administration building, etc.  CJ     02/22/2011 Temporarily Postponed CJ     03/09/2011 Temporarily Postponed CJ     03/14/2011 Fav/CS JU RC	Fav/CS Yeas 3 Nays 2
3	<b>SB 240</b> Joyner (Identical H 101)	Violations of Injunctions for Protection; Adds circumstances that violate an injunction for protection against repeat violence, sexual violence, or dating violence.  CJ     03/14/2011 Favorable JU BC	Favorable Yeas 5 Nays 0

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4	<b>CS/SB 246</b> Health Regulation / Joyner (Compare H 477)	Human Trafficking; Requires operators of massage establishments to maintain valid work authorization documents on the premises for each employee who is not a United States citizen. Requires presentation of such documents upon request of a law enforcement officer. Prohibits the use of a massage establishment license for the purpose of lewdness, assignation, or prostitution. Provides criminal penalties. Includes within the severity ranking chart of the Criminal Punishment Code certain offenses prohibited by the act.  HR 02/08/2011 Fav/CS CJ 03/14/2011 Favorable BC	Favorable Yeas 5 Nays 0
5	<b>SB 438</b> Hill (Compare H 563)	Injunctions for Protection Against Violence; Subject to available funding, directs the Florida Association of Court Clerks to develop an automated process by which a petitioner for an injunction for protection may request notification of service of the injunction or notice of other court actions related to the injunction. Requires that notice be given to the petitioner within a specified time. Provides for the content of the notice.  CJ 03/14/2011 Fav/CS JU BC	Fav/CS Yeas 5 Nays 0
6	<b>SB 888</b> Dean (Similar CS/H 75)	Offense of Sexting; Provides that a minor commits the offense of sexting if he or she knowingly uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of himself or herself which depicts nudity and is harmful to minors. Provides noncriminal and criminal penalties. Provides that the act does not prohibit prosecution of a minor for conduct relating to material that includes the depiction of sexual conduct or sexual excitement or for stalking, etc.  CJ 03/14/2011 Fav/1 Amendment JU CU BC	Fav/1 Amendment (755604) Yeas 5 Nays 0

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7	<b>SB 1086</b> Hill (Identical H 779)	Restraint of Incarcerated Pregnant Women; Prohibits a correctional institution or county or municipal detention facility from using restraints on a prisoner known to be pregnant unless a corrections official makes an individualized determination that the prisoner presents an extraordinary circumstance requiring restraints. Provides that a doctor, nurse, or other health care professional treating the prisoner may request that restraints not be used, in which case the corrections official accompanying the prisoner shall remove all restraints, etc.  CJ 03/14/2011 Fav/CS HR CA BC	Fav/CS Yeas 5 Nays 0
8	<b>SB 1092</b> Wise (Compare H 4159)	State Attorneys; Deletes a provision that requires each state attorney to quarterly submit deviation memoranda relating to offenders who are not sentenced to the mandatory minimum prison sentence in cases involving the possession or use of a weapon. Repeals provisions relating to criteria to be used when state attorneys decide to pursue habitual felony offenders or habitual violent felony offenders. Repeals provisions relating to direct-file policies and guidelines for juveniles, etc.  CJ 03/14/2011 Favorable JU BC	Favorable Yeas 5 Nays 0
<b>Pending Reconsideration:</b>			
9	<b>SB 144</b> Smith (Identical H 1177)	Elderly Inmates; Creates the Elderly Rehabilitated Inmate Supervision Program to authorize the Parole Commission to approve the early release of certain elderly inmates. Provides eligibility requirements for an inmate to participate in the program. Authorizes members of the public to be present at meetings of the commission held to determine an inmate's eligibility for the program. Authorizes a victim to make an oral statement or provide a written statement regarding the granting, denying, or revoking of an inmate's supervised release under the program, etc.  CJ 02/22/2011 Temporarily Postponed CJ 03/09/2011 Pending reconsider (Unfavorable) CJ 03/14/2011 Adopted reconsider (Temporarily Postponed) JU BC	Pending Motion to Reconsider Adopted: Temporarily Postponed