

Bill No. SB 1292

Amendment No. \_\_\_\_

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| <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Senator Gutman moved the following amendment:

**Senate Amendment (with title amendment)**

On page 2, between lines 2 and 3,

insert:

Section 2. Subsection (10) of section 893.138, Florida Statutes, is amended to read:

893.138 Local administrative action to abate drug-related or prostitution-related public nuisances and criminal street gang activity.--

(10) The provisions of this section may be supplemented by a county or municipal ordinance. The ordinance may include, but is not limited to, provisions that establish additional penalties for public nuisances, including fines not to exceed \$250 per day; provide for the payment of reasonable costs, including reasonable attorney fees associated with investigations of and hearings on public nuisances; provide for continuing jurisdiction for a period of 1 year over any place or premises that has been or is declared to be a public nuisance; establish penalties, including fines

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1 not to exceed \$500 per day for recurring public nuisances;  
 2 provide for the recording of orders on public nuisances so  
 3 that notice must be given to subsequent purchasers, successors  
 4 in interest, or assigns of the real property that is the  
 5 subject of the order; provide that recorded orders on public  
 6 nuisances may become liens against the real property that is  
 7 the subject of the order; and provide for the foreclosure of  
 8 property subject to a lien and the recovery of all costs,  
 9 including reasonable attorney fees, associated with the  
 10 recording of orders and foreclosure. No lien created pursuant  
 11 to the provisions of this section may be foreclosed on real  
 12 property which is a homestead under s. 4, Art. X of the State  
 13 Constitution. The total fines imposed pursuant to the  
 14 authority of this section shall not exceed \$7,500~~\$5,000~~.  
 15 Nothing contained within this section prohibits a county or  
 16 municipality from proceeding against a public nuisance by any  
 17 other means.

18  
 19 (Redesignate subsequent sections.)

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 21  
 22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 On page 1, line 6, after the semicolon

25  
 26 insert:

27 amending s. 893.138, F.S.; increasing the  
 28 maximum cumulative fine that may be levied  
 29 against properties designated public nuisances  
 30 for drug-related activity or other offenses;

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