

By the Committee on Crime & Punishment and Representatives
Stafford, Heyman and Greenstein

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A bill to be entitled
An act relating to local governments; amending
s. 893.138, F.S.; authorizing local governments
to take local administrative action to declare
certain buildings and premises a public
nuisance when the building or premises is used
on more than two occasions in a certain time
period to deal in stolen property; providing an
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 893.138, Florida
Statutes, 1998 Supplement, is amended to read:

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

(2) Any place or premises that has been used ~~on more
than two occasions, within a 6-month period:~~

(a) On more than two occasions within a six-month
period,as the site of a violation of s. 796.07;

(b) On more than two occasions within a six-month
period,as the site of the unlawful sale, delivery,
manufacture, or cultivation of any controlled substance;

(c) On one occasion as the site of the unlawful
possession of a controlled substance, where such possession
constitutes a felony and that has been previously used on more
than one occasion as the site of the unlawful sale, delivery,
manufacture, or cultivation of any controlled substance; ~~or~~

1 (d) ~~Any place or building used~~ By a criminal street
2 gang for the purpose of conducting a pattern of criminal
3 street gang activity as defined by s. 874.03; or

4 (e) On more than two occasions within a six-month
5 period, as the site of a violation of s. 812.019 relating to
6 dealing in stolen property

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8 may be declared to be a public nuisance, and such nuisance may
9 be abated pursuant to the procedures provided in this section.

10 Section 2. This act shall take effect July 1, 1999.

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