

Amendment No. 4 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

11 The Committee on Criminal Justice Appropriations offered the
12 following:

14 **Amendment (with title amendment)**

15 On page 45, between lines 30 and 31 of the bill,
16
17 insert:

18 Section 12. Section 843.167, Florida Statutes, is
19 created to read:

21 843.167 Unlawful use of police communications;
22 enhanced penalties.--

23 (1) A person may not:

24 (a) Intercept any police radio communication by use of
25 a scanner or any other means for the purpose of using that
26 communication to assist in committing a crime or to escape
27 from or avoid detection, arrest, trial, conviction, or
28 punishment in connection with the commission of such crime.

29 (b) Divulge the existence, contents, substance,
30 purport, effect, or meaning of a police radio communication to
31 any person he or she knows to be a suspect in the commission

Amendment No. 4 (for drafter's use only)

1 of a crime with the intent that the suspect may escape from or
2 avoid detention, arrest, trial, conviction, or punishment.

3 (2) Any person who is charged with a crime and who,
4 during the time such crime was committed, possessed or used a
5 police scanner or similar device capable of receiving police
6 radio transmissions is presumed to have violated paragraph (1)
7 (a).

8 (3) The penalty for a crime that is committed by a
9 person who violates paragraph (1) (a) shall be enhanced as
10 follows:

11 (a). A misdemeanor of the second degree shall be
12 punished as if it were a misdemeanor of the first degree.

13 (b). A misdemeanor of the first degree shall be
14 punished as if it were a felony of the third degree.

15 (c). A felony of the third degree shall be punished as
16 if it were a felony of the second degree.

17 (d). A felony of the second degree shall be punished
18 as if it were a felony of the first degree.

19 (e). A felony of the first degree shall be punished as
20 if it were a life felony.

21 (4). Any person who violates paragraph (1) (b) commits
22 a misdemeanor of the first degree, punishable as provided in
23 s. 775.082 or s. 775.083.

24
25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 2, line 23,
29 remove from the title of the bill: all of said line

30
31 and insert in lieu thereof:

Amendment No. 4 (for drafter's use only)

1 prohibiting the interception of police
2 communications for certain purposes;
3 prohibiting disclosure of police
4 communications; providing presumptions;
5 providing penalties; providing an effective
6 date.
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31