

CHAMBER ACTION

1 The Committee on Appropriations recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to radio transmission; amending s. 16.56,
7 F.S.; authorizing the Office of Statewide Prosecution to
8 investigate and prosecute specified violations relating to
9 unlicensed radio transmissions; creating s. 877.27, F.S.;
10 prohibiting radio transmissions by an unlicensed person
11 and unlicensed radio transmissions to or interference with
12 licensed public or commercial radio stations; providing
13 penalties; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Paragraph (a) of subsection (1) of section
18 16.56, Florida Statutes, is amended to read:

19 16.56 Office of Statewide Prosecution.--

20 (1) There is created in the Department of Legal Affairs an
21 Office of Statewide Prosecution. The office shall be a separate
22 "budget entity" as that term is defined in chapter 216. The
23 office may:

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- 24 (a) Investigate and prosecute the offenses of:
- 25 1. Bribery, burglary, criminal usury, extortion, gambling,
- 26 kidnapping, larceny, murder, prostitution, perjury, robbery,
- 27 carjacking, and home-invasion robbery;
- 28 2. Any crime involving narcotic or other dangerous drugs;
- 29 3. Any violation of the provisions of the Florida RICO
- 30 (Racketeer Influenced and Corrupt Organization) Act, including
- 31 any offense listed in the definition of racketeering activity in
- 32 s. 895.02(1)(a), providing such listed offense is investigated
- 33 in connection with a violation of s. 895.03 and is charged in a
- 34 separate count of an information or indictment containing a
- 35 count charging a violation of s. 895.03, the prosecution of
- 36 which listed offense may continue independently if the
- 37 prosecution of the violation of s. 895.03 is terminated for any
- 38 reason;
- 39 4. Any violation of the provisions of the Florida Anti-
- 40 Fencing Act;
- 41 5. Any violation of the provisions of the Florida
- 42 Antitrust Act of 1980, as amended;
- 43 6. Any crime involving, or resulting in, fraud or deceit
- 44 upon any person;
- 45 7. Any violation of s. 847.0135, relating to computer
- 46 pornography and child exploitation prevention, or any offense
- 47 related to a violation of s. 847.0135;
- 48 8. Any violation of s. 877.27, relating to unlicensed
- 49 radio transmissions to or interference with public or commercial
- 50 radio stations licensed by the Federal Communications
- 51 Commission;

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52 ~~9.8.~~ Any violation of the provisions of chapter 815; or
 53 ~~10.9.~~ Any criminal violation of part I of chapter 499;
 54
 55 or any attempt, solicitation, or conspiracy to commit any of the
 56 crimes specifically enumerated above. The office shall have such
 57 power only when any such offense is occurring, or has occurred,
 58 in two or more judicial circuits as part of a related
 59 transaction, or when any such offense is connected with an
 60 organized criminal conspiracy affecting two or more judicial
 61 circuits.

62 Section 2. Section 877.27, Florida Statutes, is created to
 63 read:

64 877.27 Radio transmissions; prohibited acts; penalties.--

65 (1) No person, firm, or corporation shall:

66 (a) Make, or cause to be made, radio transmissions within
 67 the state without first having obtained a license from the
 68 Federal Communications Commission or without being exempt from
 69 licensure pursuant to 47 U.S.C. s. 301 or other applicable
 70 federal law or rule; or

71 (b) Perform any act, whether direct or indirect, to cause
 72 unlicensed radio transmissions to or interference with public or
 73 commercial radio stations licensed by the Federal Communications
 74 Commission or to enable such radio transmissions or interference
 75 to occur.

76 (2) Any person who violates this section commits a felony
 77 of the third degree, punishable as provided in s. 775.082 or s.
 78 775.083.

79 Section 3. This act shall take effect upon becoming a law.