

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

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3 Section 1. Task Force for the Remediation of Illicit
4 Drug Labs.--

5 (1)(a) There is created within the Executive Office of
6 the Governor the Task Force for the Remediation of Illicit
7 Drug Labs, a task force as defined in s. 20.03, Florida
8 Statutes. The task force is created for the purpose of
9 recommending strategies and actions for reducing or
10 eliminating health risks from structures and locations
11 anywhere a lab is found in this state at which methamphetamine
12 or other contraband has been manufactured in violation of law.

13 (b) The task force shall consist of the following 13
14 members:

15 1. The director of the Office of Drug Control within
16 the Executive Office of the Governor, who shall serve as
17 chairperson of the task force.

18 2. The executive director of the Department of Law
19 Enforcement or his or her designee.

20 3. The Secretary of Health or his or her designee.

21 4. The Secretary of Environmental Protection or his or
22 her designee.

23 5. The Secretary of Community Affairs or his or her
24 designee.

25 6. A member of the Senate, appointed by the President
26 of the Senate.

27 7. A member of the House of Representatives, appointed
28 by the Speaker of the House of Representatives.

29 8. A state attorney or his or her designee.

30 9. A representative of the Florida League of Cities.

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1 10. A representative of the Florida Association of
2 Counties.

3 11. A sheriff or his or her designee.

4 12. A police chief or his or her designee.

5 13. A representative of the Florida Association of
6 Realtors.

7 (c) The Governor shall appoint the task force members
8 described in subparagraphs (b)8.-13. by July 1, 2007. Such
9 appointees must be representative of the geographic regions
10 and ethnic and gender diversity of this state. The first
11 meeting of the task force shall be held by August 1, 2007. All
12 recommendations of the task force shall be by majority vote.
13 Seven members constitute a quorum.

14 (d) The task force shall meet at the call of the
15 chairperson and shall conduct at least three public meetings
16 in the state.

17 (e) Members of the task force shall serve without
18 compensation, but are entitled to reimbursement for per diem
19 and travel expenses in accordance with s. 112.061, Florida
20 Statutes.

21 (f) The Office of Drug Control within the Executive
22 Office of the Governor, the Department of Law Enforcement, the
23 Department of Health, the Department of Community Affairs, and
24 the Department of Environmental Protection shall provide staff
25 support for the task force within existing appropriations.

26 (2) The task force shall study, take testimony, and
27 develop findings and recommendations regarding the remediation
28 of health risks from structures and locations anywhere a lab
29 is found in this state at which methamphetamine or other
30 contraband has been manufactured in violation of law,
31 including, but not limited to:

1 (a) The nature and extent of such remediation; the
2 standards, training, and funding that are relevant to such
3 remediation; and the responsibility for such remediation.

4 (b) Current state or local laws governing remediation,
5 including consideration of revisions to such laws.

6 (c) Current federal laws or laws of other states which
7 are relevant to such remediation, including the effectiveness
8 of those laws in remediating health risks from structures and
9 locations anywhere a lab is found at which contraband has been
10 manufactured.

11 (d) Any other subject that is relevant to reducing or
12 eliminating the health risks from structures and locations
13 anywhere a lab is found in this state at which methamphetamine
14 or other contraband has been manufactured.

15 (3) The task force shall submit a preliminary draft
16 report of its findings and recommendations to the Governor,
17 the President of the Senate, and the Speaker of the House of
18 Representatives at least 90 days before the first day of the
19 2008 Regular Session of the Legislature. The final report
20 shall be filed with the Governor, the President of the Senate,
21 and the Speaker of the House of Representatives at least 30
22 days before the first day of the 2008 Regular Session. In
23 addition to the findings and recommendations included in the
24 final report, the report must include a draft of proposed
25 rules and proposed legislation for any recommendations
26 requiring a change in rules or legislation.

27 (4) Each state agency shall fully cooperate with the
28 task force in the performance of its duties.

29 (5) All meetings of the task force and all business of
30 the task force for which reimbursement may be requested shall
31 be concluded before the final report is filed.

1 Section 2. Drug Paraphernalia Abatement Task Force.--
2 (1)(a) There is created within the Executive Office of
3 the Governor the Drug Paraphernalia Abatement Task Force for
4 the purpose of recommending strategies and actions for abating
5 access to and the use and proliferation of drug paraphernalia,
6 as that term is defined in s. 893.145, Florida Statutes.
7 (b) The task force shall consist of the following nine
8 members:
9 1. The Secretary of Business and Professional
10 Regulation or his or her designee.
11 2. The Secretary of Health or his or her designee.
12 3. The director of the Office of Drug Control within
13 the Executive Office of the Governor.
14 4. A representative from a corporation that is
15 licensed to do business in this state and that sells any of
16 the items described in s. 893.145, Florida Statutes, which may
17 be used as drug paraphernalia.
18 5. A local law enforcement official or officer.
19 6. A member of a faith-based community.
20 7. A superintendent of a school district or a
21 principal of a secondary school.
22 8. A member of a community organization concerned
23 about issues relating to illicit activities involving
24 controlled substances, including access to and the use and
25 proliferation of drug paraphernalia.
26 9. A former or recovering drug addict.
27 (c) Members of the task force shall be appointed by
28 the Governor by July 1, 2007, and shall be representative of
29 the geographic regions and ethnic and gender diversity of this
30 state. The first meeting of the task force shall be held by
31 July 15, 2007, at which time the members shall select by

1 majority vote a chairperson from among the task force members.

2 All recommendations of the task force shall be by majority
3 vote.

4 (d) The task force shall meet at the call of the
5 chairperson, as approved by the Governor, and shall conduct at
6 least three public meetings, which shall be held in localities
7 throughout this state that have a significant urban business
8 district or have experienced problems with illicit
9 controlled-substance activity resulting, in part, from access
10 to and the use and proliferation of drug paraphernalia.

11 (e) Meetings of the task force shall be open to the
12 public and are subject to the requirements of chapter 286,
13 Florida Statutes. Records of the task force are public records
14 and subject to the requirements of chapter 119, Florida
15 Statutes, except to the extent that public access to any of
16 those records may be restricted pursuant to that chapter.

17 (f) Members of the task force shall serve without
18 compensation but are entitled to reimbursement for per diem
19 and travel expenses in accordance with s. 112.061, Florida
20 Statutes.

21 (g) The Office of Drug Control within the Executive
22 Office of the Governor shall provide staff support for the
23 task force within existing appropriations.

24 (2)(a) The task force shall study and take testimony
25 regarding:

26 1. The nature and extent of the problem of access to
27 and the use and proliferation of drug paraphernalia in this
28 state, including the extent to which the marketing, selling,
29 or purchasing of items that may be used as drug paraphernalia
30 may contribute to that problem.

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- 1 2. Businesses that sell items that may be used as drug
2 paraphernalia, including, but not limited to, consideration
3 of:
- 4 a. The types, ownership, organization, and operation
5 of those businesses.
- 6 b. The regulation of those businesses and the state
7 and federal laws applicable to them.
- 8 c. The marketing or selling of those items by those
9 businesses.
- 10 d. The inventory and sale of those items relative to
11 the total inventory and total sales of those businesses.
- 12 e. Measures taken by those businesses to restrict
13 purchases of those items by minors or otherwise restrict
14 purchases of those items.
- 15 f. The clientele of those businesses.
- 16 g. The prevalence of civil or criminal enforcement
17 actions taken against those businesses for violations of state
18 or federal rules or laws that are relevant to prohibited
19 activities involving drug paraphernalia.
- 20 h. The location of those businesses relative to the
21 location of schools; churches or places of worship;
22 neighborhoods; and buildings, facilities, and areas where
23 children may regularly congregate.
- 24 i. The opinions and concerns of local residents,
25 community and neighborhood activists and leaders, faith-based
26 community members and leaders, school personnel and students,
27 businesses, service providers, local law enforcement officials
28 and officers, and local government officials regarding those
29 businesses.
- 30 j. Local or community efforts to restrict or regulate
31 those businesses.

1 3. Current rules and laws and current efforts by
2 regulatory agencies and law enforcement agencies to abate
3 access to and the use and proliferation of drug paraphernalia
4 in this state, including, but not limited to, consideration of
5 whether it is necessary to amend those rules or laws or
6 propose new rules or new legislation.

7 4. Approaches to abate access to and the use and
8 proliferation of drug paraphernalia, including, but not
9 limited to:

10 a. Conforming the rules or laws of this state to
11 federal rules or laws that are relevant to abating access to
12 and the use and proliferation of drug paraphernalia.

13 b. Restricting the marketing, selling, or purchasing
14 of any item that may be used as drug paraphernalia and legal
15 concerns relevant to that restriction.

16 c. Adopting provisions of rules or laws of other
17 states that are relevant to abating access to and the use and
18 proliferation of drug paraphernalia.

19 5. Any other subject that is relevant to abating
20 access to and the use and proliferation of drug paraphernalia.

21 (b) The task force shall submit a preliminary draft
22 report of its findings and recommendations to the Governor,
23 the President of the Senate, and the Speaker of the House of
24 Representatives at least 45 days before the first day of the
25 2008 Regular Session of the Legislature. The final report
26 shall be filed with the Governor, the President of the Senate,
27 and the Speaker of the House of Representatives at least 30
28 days before the first day of the 2008 Regular Session. In
29 addition to the findings and recommendations included in the
30 final report of the task force, the final report must include
31 a draft of proposed rules and proposed legislation for any

1 recommendations requiring proposed rules and proposed
2 legislation.

3 (c) Each state agency shall fully cooperate with the
4 task force in the performance of its duties.

5 (3)(a) All meetings of the task force and all business
6 of the task force for which reimbursement may be requested
7 shall be concluded before the final report is filed.

8 (b) The task force is abolished July 1, 2008.

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

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12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13 COMMITTEE SUBSTITUTE FOR
14 Senate Bill 928

15 The committee substitute includes the substance of the bill as
16 filed and creates an additional task force for the Remediation
17 of Illicit Drug Labs.
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