



523218

LEGISLATIVE ACTION

Senate	.	House
Comm: RE	.	
03/18/2010	.	
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The Committee on Criminal Justice (Dean) recommended the following:

Senate Amendment (with title amendment)

Between lines 105 and 106
insert:

Section 4. Section 394.933, Florida Statutes, is created to read:

394.933 Introduction or removal of certain articles
unlawful; penalty.-

(1) (a) Except as authorized by law or as specifically
authorized by the person in charge of a facility, it is unlawful
to introduce into or upon the grounds of any facility for
commitment or detention of sexually violent predators under this



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13 part, or to take or attempt to take or send therefrom, any of
14 the following articles, which are declared to be contraband for
15 the purposes of this section:

16 1. Any intoxicating beverage or beverage that causes or may
17 cause an intoxicating effect;

18 2. Any controlled substance as defined in chapter 893;

19 3. Any firearm or deadly weapon; or

20 4. Any other item as determined by the department or agency
21 with jurisdiction as defined in s. 394.912, or as designated by
22 rule or written institutional policies, to be hazardous to the
23 welfare of clients or the operation of the facility.

24 (b) It is unlawful to transmit to, attempt to transmit to,
25 or cause or attempt to cause to be transmitted to or received by
26 any client of any facility under the supervision or control of
27 the department or agency any article or thing declared by this
28 section to be contraband, at any place that is outside the
29 grounds of such facility, except as authorized by law or as
30 specifically authorized by the person in charge of such
31 facility.

32 (2) (a) All individuals or vehicles entering the grounds of
33 any facility to which this section applies are subject to
34 reasonable search and seizure of any contraband materials
35 introduced into or upon the grounds of such facility for the
36 purpose of enforcing this section. This paragraph shall be
37 enforced by institutional security personnel or by a law
38 enforcement officer as defined in s. 943.10.

39 (b) A person who violates subsection (1) commits a felony
40 of the third degree, punishable as provided in s. 775.082, s.
41 775.083, or s. 775.084.



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

And the title is amended as follows:

Delete line 17

and insert:

predator; creating s. 394.933, F.S.; prohibiting the introduction or attempted introduction of certain items into or upon the grounds of any facility for the detention of sexually violent predators; providing an exception; providing that it is unlawful to transmit, attempt to transmit, or cause or attempt to cause any prohibited items to be transmitted or received by any person incarcerated in such a facility; providing that all persons or vehicles entering the grounds of such a facility are subject to reasonable search for and seizure of prohibited items; providing for the enforcement of certain provisions of state law; providing that a person who introduces or attempts to introduce a prohibited item on the grounds of a facility for the detention of sexually violent predators commits a felony of the third degree; providing an effective date.