

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee
 3 Representative Watson, B. offered the following:

Amendment (with title amendment)

Remove lines 46-71 and insert:

Section 2. Subsections (1), (2), (3), and (4) of section
 843.085, Florida Statutes, are amended to read:

843.085 Unlawful use of police badges or other indicia of
 authority. ~~It is unlawful for any person:~~

(1) It is unlawful for any person, Unless appointed by the
 Governor pursuant to chapter 354, authorized by the appropriate
 agency, or displayed in a closed or mounted case as a collection
 or exhibit, to wear or display any authorized indicia of
 authority, including any badge, insignia, emblem, identification
 card, or uniform, or any colorable imitation thereof, of any
 federal, state, county, or municipal law enforcement agency, or

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18 other criminal justice agency as now or hereafter defined in s.
19 943.045, with the intent to mislead or cause another person to
20 believe that he or she is a member of that agency or is
21 authorized to display or wear such item, or to wear or display
22 any item that ~~which could deceive a reasonable person into~~
23 ~~believing that such item is authorized by any of the agencies~~
24 ~~described above for use by the person displaying or wearing it,~~
25 ~~or which~~ displays in any manner or combination the word or words
26 "police," "patrolman," "agent," "sheriff," "deputy," "trooper,"
27 "highway patrol," "commission officer," "Wildlife Officer,"
28 "Marine Patrol Officer," "state attorney," "public defender,"
29 "marshal," "constable," ~~or~~ "bailiff," or "fire department," with
30 the intent to mislead or cause another person to believe that he
31 or she is a member of that agency or is authorized to wear or
32 display such item ~~which could deceive a reasonable person into~~
33 ~~believing that such item is authorized by any of the agencies~~
34 ~~described above for use by the person displaying or wearing it.~~

35 (2) It is unlawful for a person To own or operate a motor
36 vehicle marked or identified in any manner or combination by the
37 word or words "police," "patrolman," "sheriff," "deputy,"
38 "trooper," "highway patrol," "commission officer," "Wildlife
39 Officer," "Marine Patrol Officer," "marshal," "constable," ~~or~~
40 "bailiff," or "fire department," or by any lettering, marking,
41 or insignia, or colorable imitation thereof, including, but not
42 limited to, stars, badges, or shields, officially used to
43 identify the vehicle as a federal, state, county, or municipal

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44 law enforcement vehicle or a vehicle used by a criminal justice
45 agency as ~~now or hereafter~~ defined in s. 943.045, or a vehicle
46 used by a fire department with the intent to mislead or cause
47 another person to believe that such vehicle is an official
48 vehicle of that agency and is authorized to be used by that
49 agency ~~which could deceive a reasonable person into believing~~
50 ~~that such vehicle is authorized by any of the agencies described~~
51 ~~above for use by the person operating the motor vehicle,~~ unless
52 such vehicle is owned or operated by the appropriate agency and
53 its use is authorized by such agency, or the local law
54 enforcement agency or fire department authorizes the use of such
55 vehicle, or unless the person is appointed by the Governor
56 pursuant to chapter 354.

57 (3) It is unlawful for a person To sell, transfer, or give
58 away the authorized badge, or colorable imitation thereof,
59 including miniatures, of any criminal justice agency as ~~now or~~
60 ~~hereafter~~ defined in s. 943.045, or bearing in any manner or
61 combination the word or words "police," "patrolman," "sheriff,"
62 "deputy," "trooper," "highway patrol," "commission officer,"
63 "Wildlife Officer," "Marine Patrol Officer," "marshal,"
64 "constable," "agent," "state attorney," "public defender," ~~or~~
65 "bailiff," or "fire department," with the intent to mislead or
66 cause another person to believe that he or she is a member of
67 that agency or is authorized to wear or display such item ~~which~~
68 ~~could deceive a reasonable person into believing that such item~~
69 ~~is authorized by any of the agencies described above, except for~~

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70 agency purchases or upon the presentation and recordation of
71 both a driver's license and other identification showing any
72 transferee to actually be a member of such criminal justice
73 agency or unless the person is appointed by the Governor
74 pursuant to chapter 354. A transferor of an item covered by this
75 subsection is required to maintain for 2 years a written record
76 of such transaction, including records showing compliance with
77 this subsection, and if such transferor is a business, it shall
78 make such records available during normal business hours for
79 inspection by any law enforcement agency having jurisdiction in
80 the area where the business is located.

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86 **T I T L E A M E N D M E N T**

87 Remove lines 5-9 and insert:

88 amending s. 843.085, F.S.; prohibiting the sale or transfer of
89 specified badges bearing in any manner or combination the word
90 "fire department;" requiring a person to have the intent to
91 mislead or cause another person to believe that he or she is a
92 member of specified agencies or is authorized to wear or display
93 a specified item; prohibiting the ownership or operation of
94 vehicles marked or identified by the word "fire department;"
95 requiring a person have the intent to mislead or cause another

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96 person to believe that the vehicle is an official vehicle
97 authorized by specified agencies for use by the person operating
98 it; prohibiting the sale or transfer of specified badges bearing
99 in any manner or combination the word "fire department;"
100 requiring a person to have the intent to mislead or cause
101 another person to believe that he or she is a member of
102 specified agencies or is authorized to wear or display a
103 specified item; providing an
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