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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/3R	.	Floor: SENA1/C
04/29/2014 11:59 AM	.	05/01/2014 02:58 PM
	.	

Senator Hukill moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 843.22, Florida Statutes, is created to
read:

843.22 Traveling across county lines with intent to commit
a burglary.-

(1) As used in this section, the term:

(a) "County of residence" means the county within this
state in which a person resides. Evidence of a person's county



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12 of residence includes, but is not limited to:

13 1. The address on a person's driver license or state
14 identification card;

15 2. Records of real property or mobile home ownership;

16 3. Records of a lease agreement for residential property;

17 4. The county in which a person's motor vehicle is
18 registered;

19 5. The county in which a person is enrolled in an
20 educational institution; and

21 6. The county in which a person is employed.

22 (b) "Burglary" means burglary as defined in s. 810.02,
23 including an attempt, solicitation, or conspiracy to commit such
24 offense.

25 (2) If a person who commits a burglary travels any distance
26 with the intent to commit the burglary in a county in this state
27 other than the person's county of residence, the degree of the
28 burglary shall be reclassified to the next higher degree if the
29 purpose of the person's travel is to thwart law enforcement
30 attempts to track the items stolen in the burglary. For purposes
31 of sentencing under chapter 921 and determining incentive gain-
32 time eligibility under chapter 944, a burglary that is
33 reclassified under this section is ranked one level above the
34 ranking specified in s. 921.0022 or s. 921.0023 for the burglary
35 committed.

36 Section 2. Paragraph (1) of subsection (2) of section
37 903.046, Florida Statutes, is amended to read:

38 903.046 Purpose of and criteria for bail determination.—

39 (2) When determining whether to release a defendant on bail
40 or other conditions, and what that bail or those conditions may



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41 be, the court shall consider:

42 (1) Whether the crime charged is a violation of chapter 874
43 or alleged to be subject to enhanced punishment under chapter
44 874 or reclassification under s. 843.22. If any such violation
45 is charged against a defendant or if the defendant is charged
46 with a crime that is alleged to be subject to such enhancement
47 or reclassification, he or she is ~~shall~~ not ~~be~~ eligible for
48 release on bail or surety bond until the first appearance on the
49 case in order to ensure the full participation of the prosecutor
50 and the protection of the public.

51 Section 3. This act shall take effect October 1, 2014.

52

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

54 And the title is amended as follows:

55 Delete everything before the enacting clause
56 and insert:

57 A bill to be entitled
58 An act relating to traveling across county lines to
59 commit a burglary; creating s. 843.22, F.S.; defining
60 the terms "county of residence" and "burglary";
61 providing for reclassification of burglaries committed
62 under certain circumstances; amending s. 903.046,
63 F.S.; adding a burglary that is reclassified under s.
64 843.22, F.S., to the factors a court must consider in
65 determining whether to release a defendant on bail;
66 providing an effective date.