

By Senator Hukill

8-00792-14

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1                   A bill to be entitled  
2           An act relating to traveling across county lines to  
3           commit a felony offense; creating s. 843.22, F.S.;  
4           defining the terms "county of residence" and "felony  
5           offense" for the purpose of the crime of traveling  
6           across county lines with the intent to commit a felony  
7           offense; providing a criminal penalty; amending s.  
8           903.046, F.S.; adding the crime of traveling across  
9           county lines with the intent to commit a felony  
10          offense to the factors a court must consider in  
11          determining whether to release a defendant on bail;  
12          providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16           Section 1. Section 843.22, Florida Statutes, is created to  
17           read:

18           843.22 Traveling across county lines with intent to commit  
19           a felony offense.-

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

21           (a) "County of residence" means the county within this  
22           state in which a person resides. Evidence of a person's county  
23           of residence includes, but is not limited to:

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

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

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

28           4. The county in which a person's motor vehicle is  
29           registered;

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30       5. The county in which a person is enrolled in an  
31 educational institution; and

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

33       (b) "Felony offense" means any of the following felony  
34 offenses, including an attempt, solicitation, or conspiracy to  
35 commit such offense:

36       1. Battery as provided in chapter 784.

37       2. Stalking as provided in s. 784.048.

38       3. Kidnapping as defined in s. 787.01.

39       4. Sexual battery as defined in s. 794.011.

40       5. Lewdness as defined in s. 796.07.

41       6. Prostitution as defined in s. 796.07.

42       7. Arson as provided in s. 806.01.

43       8. Burglary as defined in s. 810.02.

44       9. Theft as provided in s. 812.014.

45       10. Robbery as defined in s. 812.13.

46       11. Carjacking as defined in s. 812.133.

47       12. Home-invasion robbery as defined in s. 812.135.

48       13. Trafficking in a controlled substance as provided in s.  
49 893.135.

50       14. Racketeering as provided in chapter 895.

51       (2) A person who travels any distance with the intent to  
52 commit a felony offense in a county in this state other than the  
53 person's county of residence commits an additional felony of the  
54 third degree, punishable as provided in s. 775.082, s. 775.083,  
55 or s. 775.084.

56       Section 2. Paragraph (1) of subsection (2) of section  
57 903.046, Florida Statutes, is amended to read:

58       903.046 Purpose of and criteria for bail determination.—

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59           (2) When determining whether to release a defendant on bail  
60 or other conditions, and what that bail or those conditions may  
61 be, the court shall consider:

62           (1) Whether the crime charged is a violation of s. 843.22  
63 or chapter 874 or alleged to be subject to enhanced punishment  
64 under chapter 874. If any such violation is charged against a  
65 defendant or if the defendant is charged with a crime that is  
66 alleged to be subject to such enhancement, he or she is ~~shall~~  
67 not ~~be~~ eligible for release on bail or surety bond until the  
68 first appearance on the case in order to ensure the full  
69 participation of the prosecutor and the protection of the  
70 public.

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