

By the Committee on Appropriations; and Senator Hukill

576-04687A-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.

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

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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 burglary as defined in s.
34 810.02, including an attempt, solicitation, or conspiracy to
35 commit such offense.

36 (2) A person who travels any distance with the intent to
37 commit a felony offense in a county in this state other than the
38 person's county of residence, if the purpose of the person's
39 travel is to thwart law enforcement attempts to track the items
40 stolen in the burglary, commits an additional felony of the
41 third degree, punishable as provided in s. 775.082, s. 775.083,
42 or s. 775.084.

43 Section 2. Paragraph (1) of subsection (2) of section
44 903.046, Florida Statutes, is amended to read:

45 903.046 Purpose of and criteria for bail determination.—

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

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

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