

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN (Y/N)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

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Torres offered the following:

4
5 **Amendment (with title amendment)**

6 Remove lines 19-38 and insert:

7 (2) It shall be unlawful for a person to intentionally and
8 without authority:

9 (a) Remove, destroy, alter, tamper with, damage, or
10 circumvent the operation of, an electronic monitoring device
11 that the person is required to wear or use pursuant to any court
12 order or pursuant to an order by the Commission on Offender
13 Review; or

14 (b) Request or solicit any individual to remove, destroy,
15 alter, tamper with, damage, or circumvent the operation of, an
16 electronic monitoring device required to be worn or used

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17 pursuant to any court order or pursuant to an order by the
18 Commission on Offender Review.

19 (3) A person who violates this section commits a felony of
20 the third degree, punishable as provided in s. 775.082, s.
21 775.083, or s. 775.084.

22 Section 2. Subsections (1) and (7) of section 948.11,
23 Florida Statutes, are amended to read:

24 948.11 Electronic monitoring devices.—

25 (1) The Department of Corrections may, ~~at its discretion,~~
26 electronically monitor an offender sentenced to community
27 control when the court has imposed electronic monitoring as a
28 condition of community control.

29 ~~(7) A person who intentionally alters, tampers with,~~
30 ~~damages, or destroys any electronic monitoring equipment~~
31 ~~pursuant to court or commission order, unless such person is the~~
32 ~~owner of the equipment, or an agent of the owner, performing~~
33 ~~ordinary maintenance and repairs, commits a felony of the third~~
34 ~~degree, punishable as provided in s. 775.082, s. 775.083, or s.~~
35 ~~775.084.~~

36 Section 3. This act shall take effect October 1, 2015.

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

40 Remove lines 4-8 and insert:

41 prohibiting a person from removing, destroying, altering,
42 tampering with, damaging, or circumventing the operation of, an

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43 | electronic monitoring device being worn or used pursuant to any
44 | court order or an order by the Commission on Offender Review;
45 | prohibiting requesting or soliciting a person to perform such an
46 | act; providing criminal penalties; amending s. 948.11, F.S.;
47 | clarifying that the Department of Corrections may electronically
48 | monitor an offender sentenced to community control when the
49 | court has imposed electronic monitoring as a condition of
50 | community control; deleting language imposing criminal penalties
51 | on persons who intentionally alter, tamper with, damage, or
52 | destroy electronic monitoring equipment;