

By Senator Diaz de la Portilla

40-00452-15

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1 A bill to be entitled
2 An act relating to classified advertisement websites;
3 creating s. 501.180, F.S.; defining the term "safe-
4 haven facility"; requiring a specified number of safe-
5 haven facilities to be designated in each county based
6 upon population size; authorizing state buildings, or
7 alternatively, local governmental buildings, to serve
8 as safe-haven facilities; limiting the liability of an
9 entity that provides a safe-haven facility; limiting
10 actions against the state or local government related
11 to transactions taking place at a safe-haven facility;
12 providing an effective date.

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14 WHEREAS, there have been a number of cases throughout this
15 state in which people selling cellphones, computers, or other
16 valuable goods through classified advertisement websites have
17 been targeted by criminals who intend to rob them when they meet
18 to exchange goods for cash; and

19 WHEREAS, even when the victims of these crimes select
20 public and populated locations for the transactions that they
21 feel are safe, such as shopping centers or parks, they still
22 fall prey to these criminals; and

23 WHEREAS, identifying locations to serve as safe havens for
24 transactions related to classified advertisement websites will
25 deter these crimes and provide greater safety throughout the
26 state, NOW, THEREFORE,

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28 Be It Enacted by the Legislature of the State of Florida:
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30 Section 1. Section 501.180, Florida Statutes, is created to
31 read:

32 501.180 Safe-haven facilities.—

33 (1) As used in this section, the term "safe-haven facility"
34 means a secure location open to the public for the purpose of
35 conducting a sales transaction involving an item or a service
36 that was offered for sale on a classified advertisement website.

37 (2) To promote the safety of an individual who is using a
38 classified advertisement website that requires the seller and
39 buyer to meet in person to conduct the transaction, there shall
40 be at least:

41 1. One safe-haven facility in each county with a population
42 of less than 250,000 residents;

43 2. Two safe-haven facilities in each county with at least
44 250,000, but less than 800,000 residents; and

45 3. Four safe-haven facilities in each county with 800,000
46 or more residents.

47 (3) A safe-haven facility must be easily accessible so that
48 an individual is not discouraged from using the location. A
49 state building such as a college or university, Florida Highway
50 Patrol station, or other state office building may serve as a
51 safe-haven facility. A local governmental building, such as a
52 sheriff's office or a county courthouse, may serve as a safe-
53 haven facility if the local governmental body approves of the
54 use of such building.

55 (4) An entity or its officers, employees, or agents that
56 provides a safe-haven facility is not responsible for overseeing
57 the sales transaction or is not otherwise liable for the actions
58 of the parties involved in the transaction.

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59 (5) An action may not be initiated on a claim against the
60 state or local government or any of their agencies or
61 subdivisions based on an incident that occurs during a sales
62 transaction at a safe-haven facility involving an individual
63 that is not an officer, employee, or agent of the state or local
64 government or of their agencies or subdivisions.

65 Section 2. This act shall take effect July 1, 2015.