

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 67 Classified Advertisement Websites  
**SPONSOR(S):** Government Operations Subcommittee; Watson  
**TIED BILLS:** **IDEN./SIM. BILLS:** SB 1152

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Government Operations Subcommittee	8 Y, 2 N, As CS	Moore	Williamson
2) Civil Justice Subcommittee			
3) Government Operations Appropriations Subcommittee			
4) State Affairs Committee			

### SUMMARY ANALYSIS

In response to a continuing trend of crimes stemming from transactions related to online classified advertisement websites, such as Craigslist, a number of police departments have opened their lobbies and parking lots for citizens to use as safe havens to complete the sales transactions. The goal, according to police around the country, is to create a public space for legitimate transactions to take place, often in the presence of authorities.

The bill authorizes local governmental bodies to designate a certain number of safe-haven facilities to facilitate sales transactions related to classified advertisement websites. A "safe-haven facility" is defined as a public local government building approved by the local governmental body to be used by the public for the purpose of conducting a sales transaction involving an item or a service that was offered for sale on a classified advertisement website.

The bill authorizes local governmental bodies to designate at least:

- One safe-haven facility in each county with a population of less than 250,000 residents;
- Two safe-haven facilities in each county with at least 250,000 but less than 800,000 residents; and
- Four safe-haven facilities in each county with 800,000 or more residents.

The bill requires safe-haven facilities to be easily accessible and authorizes a local governmental body to approve the use of a public local government building, such as a sheriff's office or a county courthouse, to serve as a safe-haven facility.

The bill does not appear to have a fiscal impact on the state or local governments.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Background

In response to a continuing trend of crimes stemming from transactions related to online classified advertisement websites, such as Craigslist, a number of police departments have opened their lobbies and parking lots for citizens to use as safe havens to complete the sales transactions.<sup>1</sup> The goal, according to police around the country, is to create a public space for legitimate transactions to take place, often in the presence of authorities.<sup>2</sup>

One of the first police departments to establish a safe haven for citizens to use to conduct transactions arranged online was the East Chicago Police Department.<sup>3</sup> In May 2014, after a series of robberies related to Craigslist transactions, the department began “Operation Safe Sale,” and offered the use of its headquarters parking lot and lobby to conduct transactions.<sup>4</sup> The parties may request an officer to oversee a transaction in the lobby if it is conducted between 9 a.m. and 7 p.m. on weekdays or between 11 a.m. and 3 p.m. on Saturdays.<sup>5</sup> If no officer is desired, the parking lot and police lobby are available for use for transactions any time.<sup>6</sup>

Similarly, in January 2015, the Virginia Beach, Virginia, Police Department launched the “Find a Safe Place” initiative, through which it offered its precinct lobbies for residents to use to conduct the transactions.<sup>7</sup> The lobbies are available for use from 9 a.m. to 9 p.m., seven days a week.<sup>8</sup> However, the lobbies may not be used for transactions involving large, cumbersome household items or the sale of any contraband, stolen property, or other illegal items.<sup>9</sup>

Safe havens have also been established in many other states across the country, including Georgia, Iowa, Indiana, Kansas, Louisiana, Michigan, Missouri, North Carolina, Nebraska, New Hampshire, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, and Texas.<sup>10</sup>

Florida police departments have also begun creating safe havens at their facilities. In July 2014, the Boca Raton Police Department, in response to “at least three cases in June where people were ripped off by buyers when trying to sell something off Craigslist,” offered the department’s lobby and parking lot for transactions.<sup>11</sup> Safe havens have also been created by law enforcement in Boynton Beach, Delray Beach,<sup>12</sup> Gainesville, Gilchrist County, Miami-Dade County, and Hillsborough County.<sup>13</sup>

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<sup>1</sup> Peter Holley, *After Craigslist Crimes, Police across U.S. Are Opening Safe Havens for Transactions*, THE WASHINGTON POST, March 2, 2015, available at <https://www.washingtonpost.com/news/morning-mix/wp/2015/03/02/following-craigslist-crimes-police-across-the-country-are-opening-safe-havens-for-transactions>.

<sup>2</sup> *Id.*

<sup>3</sup> Juan Perez Jr., *East Chicago Police Offer Up Their Lobby, Parking Lot for Craigslist Transactions*, CHICAGO TRIBUNE, May 01, 2014, available at [http://articles.chicagotribune.com/2014-05-01/news/chi-east-chicago-police-offer-up-their-lobby-parking-lot-for-craigslist-transactions-20140501\\_1\\_craigslist-transactions-becker-lobby](http://articles.chicagotribune.com/2014-05-01/news/chi-east-chicago-police-offer-up-their-lobby-parking-lot-for-craigslist-transactions-20140501_1_craigslist-transactions-becker-lobby).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> Becca Mitchell and Todd Corillo, *Virginia Beach Police Offering Precinct Lobbies as a Safe Place for Craigslist Transactions*, WTKR NEWS CHANNEL 3, January 27, 2015, available at <http://wtkr.com/2015/01/27/virginia-beach-police-offering-precinct-lobby-as-a-safe-place-for-craigslist-transactions/>.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> SafeTrade, *Where to Trade*, available at <http://www.safetradestations.com/uploads/4/8/6/9/48698381/policestationlist.pdf>.

<sup>11</sup> Kate Jacobson, *Boca Raton police ask Craigslist sellers to use station lobby*, THE SUN SENTINEL, July 5, 2014, available at [http://articles.sun-sentinel.com/2014-07-05/news/fl-boca-raton-craigslist-lobby-20140701\\_1\\_boca-raton-police-station-lobby-craigslist-sellers](http://articles.sun-sentinel.com/2014-07-05/news/fl-boca-raton-craigslist-lobby-20140701_1_boca-raton-police-station-lobby-craigslist-sellers).

<sup>12</sup> Alexandra Seltzer, *Safest place to sell on Craigslist? Police lobbies*, PALM BEACH POST, July 18, 2014, available at <http://www.mypalmbeachpost.com/news/news/local/safest-place-to-sell-on-craigslist-police-lobbies/ngh79/>.

<sup>13</sup> SafeTrade, *Where to Trade*, available at <http://www.safetradestations.com/uploads/4/8/6/9/48698381/policestationlist.pdf>.

## Effect of Proposed Changes

The bill authorizes local governmental bodies to establish a certain number of safe-haven facilities to facilitate sales transactions related to classified advertisement websites. A “safe-haven facility” is defined as a public local government building approved by the local governmental body to be used by the public for the purpose of conducting a sales transaction involving an item or a service that was offered for sale on a classified advertisement website.

The bill authorizes local governmental bodies to designate at least:

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

The bill requires safe-haven facilities to be easily accessible and authorizes a local governmental body to approve the use of a public local government building, such as a sheriff’s office or a county courthouse, to serve as a safe-haven facility.

The bill specifies that a local governmental entity, or its officers, employees, or agents, that provides a safe-haven facility is not responsible for overseeing the sales transaction and is not otherwise liable for the actions of the parties involved in the transaction or nonparties present at the transaction. An action may not be initiated on a claim against the state or a local government, including any agencies or subdivisions, based on an incident that occurs during a sales transaction at a safe-haven facility involving an individual who is not an officer, employee, or agent of the state, local government, agency, or subdivision.

### B. SECTION DIRECTORY:

Section 1. creates s. 501.180, F.S., relating to safe-haven facilities.

Section 2. provides an effective date of July 1, 2016.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

### **III. COMMENTS**

#### **A. CONSTITUTIONAL ISSUES:**

##### **1. Applicability of Municipality/County Mandates Provision:**

Not applicable. The bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

##### **2. Other:**

None.

#### **B. RULE-MAKING AUTHORITY:**

None.

#### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On January 20, 2016, the Government Operations Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment limits the application of the bill to local governmental entities and specifies that establishment of the safe-haven facilities is optional rather than required.

This analysis is drafted to the committee substitute as passed by the Government Operations Subcommittee.