

By Senator Braynon

35-00019-17

201744__

1 A bill to be entitled
2 An act for the relief of Brian Pitts; directing the
3 Division of Administrative Hearings to appoint an
4 administrative law judge or special master to
5 determine a basis for equitable relief for the purpose
6 of compensating Mr. Pitts for the wrongful acts or
7 omissions of the State of Florida or officials
8 thereof; requiring a report to the Legislature;
9 authorizing compensation to Mr. Pitts upon a
10 determination by an administrative law judge;
11 providing an appropriation to compensate Mr. Pitts for
12 injuries and damages sustained; providing a limitation
13 on attorney fees and costs; directing that certain
14 court orders and judgments be declared null and void;
15 directing that the clerk of the court for the Supreme
16 Court and for the sixth judicial circuit remove access
17 to specified cases; directing the Department of Law
18 Enforcement to remove access to criminal records
19 related to Mr. Pitts and to ensure the compliance,
20 execution, and enforcement of specified provisions;
21 specifying the limited circumstances under which Mr.
22 Pitts may represent himself or others in judicial or
23 administrative proceedings; directing the Department
24 of Law Enforcement to investigate certain illegal acts
25 committed by certain persons; authorizing the
26 Governor, the President of the Senate, or the Speaker
27 of the House of Representatives to sever portions of
28 this act under certain circumstances; providing an
29 effective date.

30
31 WHEREAS, this state has clearly recognized the practice of
32 law by lay persons since at least 1980 as declared in *The*

35-00019-17

201744__

33 *Florida Bar v. Moses*, 380 So. 2d 412, 416-418 (Fla. 1980), and
34 in *The Florida Bar re Advisory Opinion on Nonlawyer*
35 *Representation in Securities Arbitration*, 696 So. 2d 1178, 1180-
36 1181, 1183-1184 (Fla. 1997), the Legislature and judiciary
37 having concurrent jurisdiction to regulate such, and

38 WHEREAS, Brian Pitts has exercised this privilege since
39 2001 in Pinellas County, and his practice was later enjoined by
40 the Florida Supreme Court in case number SC02-247, in a final
41 order dated November 6, 2003. As stated in the order,
42 "respondent Brian Pitts is enjoined from engaging in the
43 practice of law in the State of Florida as specified in the
44 referee's report. Specifically, respondent is hereby enjoined
45 from engaging in any of the following activities: (1) appearing
46 in any Florida court as a representative of a party, giving
47 legal advice in a Florida case, or otherwise participating in
48 any Florida litigation on behalf of any party unless otherwise
49 authorized by Florida statutes, court rule, case law,
50 administrative rule, or the Rules Regulating The Florida Bar . .
51 . ." See *The Florida Bar v. Pitts*, 861 So. 2d 432 (Fla.
52 2003) (No. SC02-247, November 6, 2003),
53 www.floridasupremecourt.org, and

54 WHEREAS, since the inception of Mr. Pitts' practice, Mr.
55 Pitts contends that the Second District Court of Appeal, the
56 Sixth Judicial Circuit of Florida serving Pasco and Pinellas
57 Counties, the State Attorney's Office for the Sixth Judicial
58 Circuit of Florida, and The Florida Bar have, without cause,
59 continued to deprive Mr. Pitts of the privilege of practicing
60 law as prescribed by the Legislature and Florida Supreme Court,
61 subjecting him to civil and criminal proceedings and penalties

35-00019-17

201744__

62 on an ongoing basis, and

63 WHEREAS, Mr. Pitts opines that the Florida Supreme Court,
64 in its 2003 final order in case number SC02-247, has subjected
65 him to entrapment and needlessly and unjustly avoided and failed
66 to exercise its constitutional duty upon his many requests to
67 clarify or amend the final order or to promulgate court rules
68 through The Florida Bar following original proceedings brought
69 or suggested by Mr. Pitts to correct the matter, and

70 WHEREAS, Mr. Pitts believes that the courts, The Florida
71 Bar, and the State Attorney's Office for the Sixth Judicial
72 Circuit of Florida have engaged in a course of misconduct and
73 colluded against Mr. Pitts in cases SC02-247, SC06-1279, CRCAB-
74 65835CFANO, CRCAB-90407CFANO, CRC07-12964CFANO, CTC07-
75 03965MMANO, CTC03-01885MMANO, CTC03-01887MMANO, and CTC03-
76 09855MMANO from 2001 to 2012 and that such misconduct has
77 resulted in his wrongful and unlawful incarceration in the
78 Pinellas County Jail for a total of nearly 1 year, and

79 WHEREAS, the purpose of this course of misconduct was, in
80 Mr. Pitts' opinion, to retaliate against him for not being a
81 member of The Florida Bar despite being otherwise lawfully
82 authorized to represent certain individuals that he assisted in
83 legitimate legal matters and, by way of his detainment, to
84 thwart his pending pro se actions for relief from the collusion
85 by civil, appellate, or original proceedings directed to or from
86 the above criminal cases, and

87 WHEREAS, appearing pro se in many of his cases, Mr. Pitts
88 was complimented by several judges of the Sixth Judicial Circuit
89 for his exceptional degree of technical and performance
90 competence that would be expected of any trained and experienced

35-00019-17

201744__

91 member of The Florida Bar, yet he was informed by express or
92 implied communication that he would not receive the relief
93 requested in any given proceeding unless represented by a member
94 of The Florida Bar, as a matter of camaraderie, and

95 WHEREAS, although Mr. Pitts appeared pro se in these cases
96 and other actions seeking relief from such collusion, he was at
97 times represented by appointed counsel; however, such
98 proceedings proved to be futile because, Mr. Pitts contends, the
99 proceedings were staged by the courts and the State Attorney's
100 Office for the Sixth Judicial Circuit of Florida to be illusory,
101 and

102 WHEREAS, Mr. Pitts contends that the courts failed to abide
103 by binding precedent and stare decisis, where applicable, as
104 well as Florida Rules of Court, as evidenced by the series of
105 filings in each case by Mr. Pitts, or his court-appointed
106 counsel, hence depriving Mr. Pitts of procedural and substantive
107 due process, equal protection of the law, self-representation,
108 and representation by counsel under the United States
109 Constitution, and

110 WHEREAS, the Second District Court of Appeal declared in
111 *Denson v. State*, 711 So. 2d 1225, 1230 (Fla. 2d DCA 1998) that
112 "appellate judges take an oath to uphold the law and the
113 constitution of this state. The citizens of this state properly
114 expect these judges to protect their rights. When reviewing an
115 appeal with a preserved issue, if we discover that a person has
116 been subjected to a patently illegal sentence to which no
117 objection was lodged in the trial court, neither the
118 constitution nor our own consciences will allow us to remain
119 silent and hope that the prisoner, untrained in the law, will

35-00019-17

201744__

120 somehow discover the error and request its correction. If three
121 appellate judges, like a statue of the 'see no evil, hear no
122 evil, speak no evil' monkeys, declined to consider such serious,
123 patent errors, we would jeopardize the public's trust and
124 confidence in the institution of courts of law." Compare *Bedford*
125 *v. State*, 633 So. 2d 13, 14 (Fla. 1994), and

126 WHEREAS, Mr. Pitts contends that the judges who presided in
127 his cases have deliberately and intentionally, in concert with
128 the Florida Supreme Court justices, failed to abide by these
129 rules of law as to Mr. Pitts' cases on appeal or by original
130 proceedings brought and maintained by him or his counsel, and

131 WHEREAS, it has become evident, in Mr. Pitts' opinion, that
132 The Florida Bar, the State Attorney's Office for the Sixth
133 Judicial Circuit of Florida, and the judges and justices
134 involved at each level of Mr. Pitts' cases all have a personal
135 and private, rather than public, interest at issue in deterring
136 Mr. Pitts from engaging in the authorized practice of law as
137 prescribed in this state, and

138 WHEREAS, Mr. Pitts believes that such determent is due to a
139 matter of camaraderie among those of the legal profession and an
140 interest in protecting it by any means from lawful competition,
141 where applicable, and

142 WHEREAS, this determent demonstrates a lack of neutrality,
143 proper motives, and discretion which deprives Mr. Pitts of the
144 required process and means of justice or resolution as normally
145 expected of esteemed persons in their official capacities, and

146 WHEREAS, Mr. Pitts believes that the Pinellas County
147 Sheriff's Office further participated in the concerted effort of
148 the courts, The Florida Bar, and the State Attorney's Office for

35-00019-17

201744__

149 the Sixth Judicial Circuit of Florida by illegally incarcerating
 150 him in the Pinellas County Jail during the periods of January
 151 2003 through April 2004 and March 12, 2010, through July 4,
 152 2010, refusing him administrative alternative sentencing without
 153 cause, and subjecting him to living conditions and circumstances
 154 in violation of Florida Model Jail Standards (2.15)(c); (4.12);
 155 (4.13); (4.15); (5.08)(a), (c)(1)-(8), and (j); (6.02);
 156 (9.06)(b); (9.08); (9.10); (10.01); (11.12); (11.16);
 157 (12.03)(d)-(g), (i); (12.06); Appendix A; and ss. 951.03 and
 158 951.033(3), Florida Statutes, and

159 WHEREAS, Mr. Pitts also contends that the Pinellas County
 160 Sheriff's Office further participated in the concerted effort of
 161 the courts, The Florida Bar, and the State Attorney's Office for
 162 the Sixth Judicial Circuit of Florida by extending his sentence
 163 an additional 50 days of detention in violation of Inmate
 164 Handbook XI. A., Florida Model Jail Standard (4.16), and ss.
 165 951.21(1) and 921.16(1), Florida Statutes, which subjected him
 166 to cruel and unusual punishment, false imprisonment, and a
 167 denial of due process and equal protection of the law. See
 168 *Miller v. Carson*, 599 F.2d 742 (5th Cir. 1979); *Miller v.*
 169 *Carson*, 563 F.2d 757 (5th Cir. 1977); *Miller v. Carson*, 563 F.2d
 170 741 (5th Cir. 1977); *Miller v. Carson*, 401 F. Supp. 835 (M.D.
 171 Fla. 1975); *Miller v. Carson*, 392 F. Supp. 515 (M.D. Fla. 1975);
 172 *Solomos v. Jenne*, 776 So. 2d 953 (Fla. 4th DCA 2000); *Douthit v.*
 173 *Jones*, 619 F.2d 527 (5th Cir. 1980), and

174 WHEREAS, such conditions and circumstances of the jail are
 175 reflected in a *St. Petersburg Times* article dated July 5, 2010,
 176 and titled "Thousands of Pinellas jail inmates released without
 177 a judge ever setting bail," which is complemented by a series of

35-00019-17

201744__

178 articles released by the *Orlando Sentinel*, including "Florida's
179 suspect jails: The state's hands-off approach to inspecting
180 jails leaves them vulnerable," dated April 8, 2010; "Jail-
181 standards chief defends system of checks," dated May 15, 2010;
182 "If all Central Florida jails rate an A, is it deserved?" dated
183 May 15, 2010; "Beef up jail oversight: Florida jails need tough
184 oversight, not coddling," dated May 18, 2010; and other
185 articles, and

186 WHEREAS, Mr. Pitts contends that such conduct was a clear
187 abuse of judicial, executive, and administrative authority as to
188 the state court system and local government, including the State
189 Attorney's Office for the Sixth Judicial Circuit of Florida and
190 the Pinellas County Sheriff's Office, which resulted in a public
191 embarrassment to this state because such authorities knew that
192 there was not any basis in fact or law for their unlawful acts
193 against him, and

194 WHEREAS, Mr. Pitts believes that his good name and
195 reputation have been damaged; he has been deprived of due
196 process, the ability to conduct a lawful business, freedom of
197 speech, property, liberty, and equal protection of the law; he
198 has not benefited from constitutional protections against
199 unlawful trusts by public officers and employees under oath of
200 office and double jeopardy protections as to criminal
201 proceedings and sanctions; and he has suffered mental anguish
202 and emotional distress as the result of the intentional
203 misconduct and gross negligence of the courts, the State
204 Attorney's Office for the Sixth Judicial Circuit of Florida, The
205 Florida Bar, and the Pinellas County Sheriff's Office relating
206 to his practice of law as a nonlawyer in this state, and,

35-00019-17

201744__

207 further, there is no state-action exception to federal antitrust
208 laws, which were violated in the subject cases, and

209 WHEREAS, Mr. Pitts has suffered, and continues to suffer,
210 significant monetary damage by virtue of lost income, property,
211 and time, expenses, fees, fines, costs, and restitution
212 resulting from the civil and criminal proceedings relating to
213 his alleged unauthorized or unlicensed practice of law, and

214 WHEREAS, Mr. Pitts frequently appears before the
215 Legislature to instruct, advise, inform, and advocate for or
216 against proposed legislation covering a broad spectrum of topics
217 and subject matter in fact and law with an exceptional degree of
218 technical competence that would be expected of any trained and
219 experienced member of The Florida Bar, and

220 WHEREAS, the Legislature recognizes that no system of
221 justice is impervious to human error, and

222 WHEREAS, the Legislature acknowledges that any system of
223 justice may sometimes yield imperfect results that may have
224 tragic consequences, and

225 WHEREAS, this claim is based on a moral and legal
226 obligation of the Legislature to acknowledge its actions and act
227 on its authority to correct a wrong when those actions have
228 resulted in a manifest injustice or disregard for the law, and

229 WHEREAS, the filing of this claim bill is in accord with
230 the holdings of the Florida Supreme Court regarding legislative
231 claim bills. *See Circuit Court of Twelfth Judicial Circuit v.*
232 *Dep't of Natural Res.*, 339 So. 2d 1113, 1116-1117 (Fla.
233 1976) ("Absent legislation waiving the state's sovereign immunity
234 . . . this Court cannot authorize relief through the judicial
235 process"); *Gerard v. Dep't of Transp.*, 472 So. 2d 1170, 1172

35-00019-17

201744__

236 (Fla. 1985) (“[W]e agree with the Department of Transportation’s
237 assertion that a judgment in this case was not a prerequisite to
238 Gerard’s filing a claims bill in the legislature.”), and

239 WHEREAS, the First District Court of Appeal in *Jetton v.*
240 *Jacksonville Electric Authority*, 399 So. 2d 396, 397 (Fla. 1st
241 DCA 1981), stated that although the Legislature has placed
242 limits on recovery, “claimants remain free to seek legislative
243 relief bills, as they did during days of complete sovereign
244 immunity,” and

245 WHEREAS, the Florida Supreme Court in *Dickinson v. Bradley*,
246 298 So. 2d 352, 354 (Fla. 1974), held that “any claim bill is
247 restricted to less than the general public and its purpose is to
248 discharge the state’s moral obligation to any individual or
249 other entity whom or which the legislature recognizes as being
250 entitled to such. . . . The legislature may enact a claim bill
251 for what would be a tort if a private party was involved just as
252 effectively as for what would constitute a contractual debt,”
253 and

254 WHEREAS, the Legislature intends that any compensation made
255 pursuant to this act be the sole compensation provided by the
256 state for any and all present and future claims arising out of
257 the facts presented in this act, NOW, THEREFORE,

258
259 Be It Enacted by the Legislature of the State of Florida:

260
261 Section 1. The facts stated in the preamble to this act are
262 found and declared to be true, and all judicial and
263 administrative remedies were exhausted as of September 9, 2003-
264 April 30, 2004; September 30, 2005; May 21, 2007; September 7,

35-00019-17

201744__

265 2007; December 12, 2008; September 14, 2009; February 22, 2010;
266 March 11-July 4, 2010; and March 30, 2012, respectively.

267 Section 2. The Division of Administrative Hearings shall
268 appoint an administrative law judge, or a special master shall
269 be appointed, to conduct a hearing to determine a basis for
270 equitable relief for the purpose of compensating Brian Pitts for
271 any wrongful act or omission of the State of Florida, the State
272 Attorney's Office for the Sixth Judicial Circuit of Florida, and
273 the Pinellas County Sheriff's Office regarding investigations
274 involving Mr. Pitts, the civil and criminal proceedings relating
275 to Mr. Pitts' alleged unlicensed or unauthorized practice of
276 law, and his incarcerations totaling nearly 12 months from 2001
277 to 2012, if not longer.

278 Section 3. (1) The administrative law judge or special
279 master shall determine by a preponderance of the evidence
280 whether the State of Florida, the State Attorney's Office for
281 the Sixth Judicial Circuit of Florida, or the Pinellas County
282 Sheriff's Office committed a wrongful act or omission and
283 whether a basis for equitable relief exists, and if it so finds,
284 the administrative law judge or special master shall award Mr.
285 Pitts an amount of up to \$7 million, but not less than \$1
286 million, to be paid proportionately by the parties that wronged
287 him and to be paid in a lump sum or in payments over a period of
288 no more than 10 years.

289 (2) The administrative law judge or special master shall
290 report his or her determination to the President of the Senate
291 and the Speaker of the House of Representatives by July 1, 2017.
292 The Chief Financial Officer is directed to draw a warrant in
293 satisfaction of the relief awarded by the administrative law

35-00019-17

201744__

294 judge, special master, or Legislature, as provided in this act,
295 and to pay the warrant out of the Administrative Trust Fund or
296 State Courts Revenue Trust Fund within the state courts system
297 and the State Attorneys Revenue Trust Fund to Brian Pitts.
298 Pinellas County shall pay the warrant out of its general revenue
299 fund or by other means it has provided to pay valid claims
300 against it relating to the Pinellas County Sheriff's Office and
301 as to its share of the total award to Mr. Pitts.

302 (3) This award is intended to provide the sole compensation
303 for all present and future claims arising out of the factual
304 situation described in this act which resulted in unlawful or
305 unconstitutional acts committed against Mr. Pitts in connection
306 with allegations, judgments, and convictions of the unlicensed
307 or unauthorized practice of law and his incarcerations totaling
308 nearly 12 months, if not longer, from 2001 through 2012. The
309 total amount paid for attorney fees, lobbying fees, costs, and
310 other similar expenses relating to this claim may not exceed 25
311 percent of the amount awarded under this act.

312 (4) All final orders, judgments, decrees, and convictions,
313 and orders or liens pertaining to fees, fines, costs, and
314 restitution, rendered in cases SC06-1279, SC09-195 and SC09-
315 2243, CRCAB-90407CFANO, CRCAB-65835CFANO, CRC07-12964CFANO,
316 CTC07-03965MMANO, CTC03-09855MMANO, CTC03-01885MMANO, and CTC03-
317 01887MMANO in which Mr. Pitts is the respondent or defendant are
318 null and void by this act by virtue of the doctrine of
319 separation of powers because the courts failed to recognize the
320 Legislature's lawful and valid enactments, in addition to the
321 courts' own lawful and valid case precedent, rules, and orders,
322 authorizing lay representation as expressed in *The Florida Bar*

35-00019-17

201744__

323 v. Moses, 380 So. 2d 412, 416-418 (Fla. 1980); by virtue of
324 inherent authority of this Legislature as expressed in Florida
325 House of Representatives v. Crist, 999 So. 2d 601, 611 (Fla.
326 2008), Trianon Park Condominium Ass'n v. City of Hialeah, 468
327 So. 2d 912, 918, 919 (Fla. 1985); by virtue of checks and
328 balances exercised by this Legislature as expressed in State Ex
329 Rel. Young v. Duval County, 79 So. 692, 697 (Fla. 1918), in
330 which the court found, "[a] clear violation of the
331 constitutional provisions dividing the powers of government into
332 departments should be checked and remedied." As the court found
333 in State v. City of Stuart, 120 So. 335, 346 (Fla. 1929), "[t]he
334 general rule is that the Legislature is supreme in the
335 legislative field, which is the most powerful branch of
336 government, so long as it does not violate any of the provisions
337 of the organic law. There is to our minds no justifiable
338 exception of any class of legislation from this all-pervasive
339 and fundamental principle." Finally, by virtue of the cases
340 involving Mr. Pitts, the courts failed to comply with the
341 mandates of s. 20.02(1), Florida Statutes, which states that
342 "[t]he judicial branch has the purpose of determining the
343 constitutional propriety of the policies and programs and of
344 adjudicating any conflicts arising from the interpretation or
345 application of the laws."

346 (5) The clerk of the court for the Florida Supreme Court,
347 as to cases SC06-1279, SC09-195, and SC09-2243, and the clerk of
348 the court for the Sixth Judicial Circuit, as to cases CRCAB-
349 90407CFANO, CRCAB-65835CFANO, CRC07-12964CFANO, CTC07-
350 03965MMANO, CTC03-09855MMANO, CTC03-01885MMANO, and CTC03-
351 01887MMANO, all pertaining to Mr. Pitts, are hereby directed to

35-00019-17

201744__

352 remove from public and private access all dockets, records,
353 documents, and recorded orders or liens related to those cases
354 and transmit them to the Department of Law Enforcement to
355 fulfill the duties required under section 6 of this act. The
356 Department of Law Enforcement is hereby directed to remove from
357 public and private access all record history and information of
358 a criminal nature concerning Mr. Pitts. This record history and
359 information include, but are not limited to, fingerprints, felon
360 registration, and all other matters concerning the case numbers
361 cited in this subsection. These records, information, or
362 documents may not be used by or accessed for any purpose by
363 anyone unless access to those records is required by federal
364 authorities or for investigations conducted under section 6 of
365 this act.

366 (6) The Department of Law Enforcement is directed to ensure
367 the compliance, execution, and enforcement of subsections (4)
368 and (5) of this section and section 6, and shall provide
369 protective services to Mr. Pitts ensuring his rights,
370 privileges, and safety under sections 4, 5, and 6 of this act.

371 Section 4. In accordance with the Florida Supreme Court's
372 final order in case number SC02-247 and the exception contained
373 in clause (1) of that order, unless otherwise authorized by
374 Florida Statutes, court rule, case law, administrative rule, or
375 the rules regulating The Florida Bar, thereby authorizing Mr.
376 Pitts to practice law in this state, the Legislature authorizes
377 Mr. Pitts to practice law in this state under the following
378 designations, titles, rules, decisions, or acts in the capacity
379 as a lay counselor or lay representative:

380 (1) Chapter 120, Florida Statutes, relating to a qualified

35-00019-17

201744__

381 representative.

382 (2) Chapter 44, Florida Statutes, relating to a designated
383 representative.

384 (3) Chapter 709, Florida Statutes, relating to an attorney-
385 in-fact under a durable power of attorney, when coupled with an
386 interest in any personal or property claim, election, right, or
387 interest.

388 (4) Decisions or rules of the Florida Supreme Court
389 relating to representation in real property management.

390 (5) Decisions or rules of the Florida Supreme Court
391 relating to a nonlawyer using approved forms.

392 (6) Decisions or rules of the Florida Supreme Court
393 relating to representation in county or small claims civil
394 proceedings.

395 (7) Decisions or rules of the Florida Supreme Court
396 relating to third-party standing representation.

397 (8) Rule 5-15, Rules of the Supreme Court Relating to
398 Admission to the Bar.

399 (9) Judicial discretion under the inherent authority
400 doctrine.

401 (10) Federal law, state law, local rule, statute, local
402 law, or any other court or administrative decision or order
403 under federal, state, or local law and authority.

404 Section 5. Any appearance or public testimony given by Mr.
405 Pitts on bills or matters before the Legislature, wherever held
406 or convened throughout this state, does not constitute the
407 practice of law. In all circumstances Mr. Pitts retains the
408 right to represent himself at any time he has valid standing
409 supported by law. If Mr. Pitts is the subject of civil,

35-00019-17

201744__

410 administrative, or criminal proceedings, he retains the right to
411 represent himself without a lawyer in court and in
412 administrative actions or cases.

413 Section 6. Due to the ongoing conduct from 2001 to 2012
414 against Mr. Pitts as described in the preamble of this act, the
415 Legislature directs the Department of Law Enforcement, assisted
416 by Mr. Pitts, to investigate these acts committed by:

417 (1) The Florida Supreme Court justices involved for
418 violations of ss. 914.22(2)(f) or (4)(f), Florida Statutes, and
419 18 U.S.C. 1512, relating to their final ruling rendered on
420 February 22, 2010, in case SC06-1279, which resulted in the
421 incarceration of Mr. Pitts on the eve of the 2010 Legislative
422 Session while proceedings on SB 58 were pending, and in Mr.
423 Pitts' cases relating to motions, reviews, and original
424 proceedings for violations of ss. 542.21(2), 775.15(12)(b),
425 777.04(2) and (3), 836.05, 838.015, 838.016, 838.022, 839.13(1),
426 839.24, 843.03, 843.0855(2) and (3), 876.10, 895.03, and 918.13,
427 Florida Statutes; 15 U.S.C. 1, 2, and 3; and 18 U.S.C. 201, 241,
428 242, 1951, and 1962.

429 (2) The Second District Court of Appeal judges assigned to
430 Mr. Pitts' cases on motions, reviews, and original proceedings;
431 the Sixth Judicial Circuit judges; and the state attorneys
432 involved in violations of ss. 542.21(2), 775.15(12)(b),
433 777.04(2) and (3), 836.05, 838.015, 838.016, 838.022, 839.13(1),
434 839.24, 843.03, 843.0855(2) and (3), 876.10, 895.03, and 918.13,
435 Florida Statutes; 15 U.S.C. 1, 2, and 3; and 18 U.S.C. 201, 241,
436 242, 1951, and 1962.

437 (3) The Florida Bar and its representatives, who pursued
438 charges of unlicensed practice of law against Mr. Pitts, for

35-00019-17

201744__

439 their violations of ss. 542.21(2), 777.04(2) and (3), 836.05,
440 838.015, 838.016, 839.13(1), 895.03, and 918.13, Florida
441 Statutes; 15 U.S.C. 1, 2, and 3; and 18 U.S.C. 201, 241, 242,
442 1951, and 1962.

443 (4) The Pinellas County Sheriff's Office for violations of
444 ss. 775.15(12)(b), 839.13(1), 843.03, 843.0855(2) and (3),
445 876.10, 950.09, and 951.14, Florida Statutes, and 18 U.S.C. 201,
446 241, or 242.

447
448 The Department of Law Enforcement shall exercise all authority
449 granted to it under general law to investigate criminal
450 violations under this act and shall refer any evidence of such
451 crimes to the appropriate state attorney for prosecution.
452 Failure of the Department to Law Enforcement to investigate
453 these criminal violations and refer any evidence of such
454 violations to the appropriate officials is a misdemeanor of the
455 first degree under s. 775.15(12)(b). Charges arising out of the
456 criminal investigation shall be brought before a grand jury
457 impaneled in Leon County within 1 year after passage of this
458 act.

459 Section 7. The Governor, the President of the Senate, or
460 the Speaker of the House of Representatives may sever in whole
461 or in part any section of this act, excluding this section,
462 which remaining parts shall be in full force and effect upon
463 becoming law. Notwithstanding severance, Brian Pitts shall
464 retain the right or privilege during future legislative sessions
465 to request the relief severed in whole or in part by virtue of
466 this section until fully remedied.

467 Section 8. This act shall take effect upon becoming a law.