

1 A bill to be entitled
 2 An act relating to judgments in criminal cases;
 3 amending s. 921.241, F.S.; requiring fingerprints of
 4 defendants found guilty of misdemeanors to be attached
 5 to the judgment; requiring a convicted defendant's
 6 social security number or an explanation for its
 7 absence to be attached to a judgment; providing for
 8 electronic records of judgments; authorizing judges to
 9 sign specified documents electronically; providing a
 10 definition; repealing s. 921.242, F.S., relating to
 11 judgments for subsequent offenses under chapter 796,
 12 F.S.; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Section 921.241, Florida Statutes, is amended
 17 to read:

18 921.241 Criminal ~~Felony~~ judgments; fingerprints and social
 19 security number required in record.—

20 ~~(1) At the time a defendant is found guilty of a felony,~~
 21 ~~the judge shall cause the defendant's fingerprints to be taken.~~

22 (1)(2) Each ~~Every~~ judgment of guilty or not guilty of a
 23 felony or misdemeanor shall be in a written or electronic record
 24 ~~writing~~, signed by the judge, and recorded by the clerk of the
 25 court.

26 (2) At the time a defendant is found guilty of a felony or
 27 misdemeanor, the judge shall cause the following to occur ~~to be~~
 28 ~~affixed to every written judgment of guilty of a felony,~~ in open
 29 court, in the presence of such judge, and at the time the
 30 judgment is rendered:7

31 (a) The fingerprints of the defendant shall be taken
 32 manually or electronically ~~against whom such judgment is~~
 33 ~~rendered.~~ Such fingerprints shall be attached ~~affixed~~
 34 beneath the judge's signature on the ~~to such~~ judgment. Beneath
 35 such fingerprints shall be attached ~~appended~~ a certificate to
 36 the following effect:

37 "I hereby certify that the above and foregoing fingerprints
 38 on this judgment are the fingerprints of the defendant, ,
 39 and that they were placed thereon by said defendant in my
 40 presence, in open court, this the day of ,
 41 . . . (year)"

42 Such certificate shall be signed by the judge, whose signature
 43 thereto shall be followed by the word "Judge."

44 (b) The social security number of the defendant shall be
 45 taken and indicated on the judgment. If the defendant is unable
 46 or unwilling to provide his or her social security number, the
 47 reason for its absence shall be indicated on the judgment.

48 (3) A ~~Any such written~~ judgment of guilty ~~of a felony,~~ or
 49 a certified copy thereof, shall be admissible in evidence in the
 50 several courts of this state as prima facie evidence that the

51 fingerprints appearing thereon and certified by the judge as
52 aforesaid are the fingerprints of the defendant against whom
53 such judgment of guilty ~~of a felony~~ was rendered.

54 (4) A judge may electronically sign:

55 (a) An electronic judgment of guilty or not guilty under
56 subsection (1) if the judge determines, after examination of the
57 electronic record, that the electronic record accurately
58 reflects the judgment entered by the court.

59 (b) The certificate required under paragraph (2)(a) if the
60 judge witnesses the electronic taking of the defendant's
61 fingerprints and certifies that such fingerprints have been
62 attached to the judgment by reliable electronic means.

63 (5) As used in this section, the term "electronic
64 signature" has the same meaning provided in s. 933.40(1).

65 ~~(4) At the time the defendant's fingerprints are taken,~~
66 ~~the judge shall also cause the defendant's social security~~
67 ~~number to be taken. The defendant's social security number shall~~
68 ~~be affixed to every written judgment of guilty of a felony, in~~
69 ~~open court, in the presence of such judge, and at the time the~~
70 ~~judgment is rendered. If the defendant is unable or unwilling to~~
71 ~~provide his or her social security number, the reason for its~~
72 ~~absence shall be indicated on the written judgment.~~

73 Section 2. Section 921.242, Florida Statutes, is repealed.

74 Section 3. This act shall take effect July 1, 2018.