

1                                   A bill to be entitled  
 2           An act relating to hate crimes; amending s. 877.19,  
 3           F.S.; revising requirements for acquisition and  
 4           publication of hate crime data; requiring such data to  
 5           be reported in a specified format; requiring specified  
 6           training; requiring certain law enforcement agencies  
 7           to adopt hate crime policies; requiring judges to  
 8           consider noncarceral sentencing for certain first-time  
 9           hate crime offenders; providing additional  
 10          requirements for an annual summary; providing an  
 11          effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

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 15           Section 1. Section 877.19, Florida Statutes, is amended to  
 16          read:

17           877.19 Hate crimes; reporting; law enforcement agency  
 18          duties; sentencing Act.—

19           (1) SHORT TITLE.—This section may be cited as the "Hate  
 20          Crimes Reporting Act."

21           (2) ACQUISITION AND PUBLICATION OF DATA.—

22           (a) The Governor, through the ~~Florida~~ Department of Law  
 23          Enforcement, shall collect and disseminate data on incidents of  
 24          criminal acts that evidence prejudice based on race, religion,  
 25          ethnicity, color, ancestry, sexual orientation, gender, gender

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26 identity, or national origin. All law enforcement agencies shall  
27 report monthly to the ~~Florida~~ Department of Law Enforcement  
28 concerning such offenses in such form and in such manner as  
29 prescribed by rules adopted by the department. Such information  
30 shall be compiled by the department; sorted by individual law  
31 enforcement agency, jurisdiction, and type of incident; and  
32 disseminated upon request to any local law enforcement agency,  
33 unit of local government, federal agency, or state agency.

34 (b) The department must also disseminate comprehensive  
35 hate crime incident information to the Federal Bureau of  
36 Investigation each month in a format suitable for inclusion in  
37 the National Incident-Based Reporting System (NIBRS).

38 (3) TRAINING, DATA COLLECTION, AND REPORTING.—To ensure  
39 the accurate and comprehensive data collection and reporting  
40 requirements in this section, the department and local law  
41 enforcement agencies must use the Federal Bureau of  
42 Investigation's Criminal Justice Information Services (CJIS)  
43 Uniform Crime Reporting (UCR) Program's Hate Crime Data  
44 Collection Guidelines and Training Manual to establish a hate  
45 crime training program. All relevant personnel must be trained  
46 on an annual basis to collect and submit hate crime data to the  
47 FBI's UCR Program according to such training manual.

48 (4) ADOPTION OF A HATE CRIME POLICY.—Every law enforcement  
49 agency in a municipality with more than 50,000 residents shall  
50 adopt and publicize an inclusive hate crime policy outlining the

51 agency's priority for identifying and investigating hate crimes  
52 and hate incidents and assisting targeted or victimized  
53 individuals and communities.

54 (5) NONCARCERAL AND ALTERNATIVE SENTENCING.—For first-time  
55 nonviolent hate crime offenders, especially juvenile offenders,  
56 the sentencing judge shall consider whether community service or  
57 anti-bias education is appropriate, in lieu of other sentencing  
58 options. The judge shall also consider payments or compensation  
59 to community-based programs or victim support services in lieu  
60 of a term of incarceration or other fines.

61 (6)-(3) LIMITATION ON USE AND CONTENT OF DATA.—Such  
62 information is confidential and exempt from s. 119.07(1). Data  
63 required pursuant to this section shall be used only for  
64 research or statistical purposes and shall not include any  
65 information that may reveal the identity of an individual victim  
66 of a crime.

67 (7)-(4) ANNUAL SUMMARY.—The Attorney General shall publish  
68 an annual summary of the data required pursuant to this section.  
69 The annual summary shall specifically list the law enforcement  
70 agencies in municipalities with more than 50,000 residents that  
71 either did not adopt a hate crime policy pursuant to subsection  
72 (4) or that affirmatively reported zero hate crimes pursuant to  
73 subsection (2).

74 Section 2. This act shall take effect upon becoming a law.