

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.

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 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

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.