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A bill to be entitled
An act relating to criminal justice accountability;
creating s. 16.081, F.S.; authorizing the Attorney
General to call upon a state attorney to appear before
the Cabinet for a certain purpose; creating s. 16.082,
F.S.; authorizing the Attorney General to receive
cases from certain state attorneys upon request of the
Governor; amending s. 16.09, F.S.; requiring state
attorneys' reports to be submitted to the Attorney
General as he or she prescribes, rather than
quarterly; amending s. 16.53, F.S.; revising the use
of the Legal Affairs Revolving Trust Fund to pay for
the investigation, prosecution, and enforcement of
certain cases forwarded to the Attorney General;
amending s. 27.14, F.S.; authorizing the Governor to
move cases to the Attorney General from a state
attorney for prosecution under certain circumstances;
amending s. 43.16, F.S.; providing that the Attorney
General shall serve as a permeant member and chair of
the Justice Administrative Commission; expanding the
duties of the commission; revising applicability;
amending s. 900.05, F.S.; requiring state attorneys to
collect data on annual charges referred by law
enforcement agencies for which case numbers were not
assigned; requiring the Department of Legal Affairs,

26 by a specified date, to develop a schedule for
 27 auditing certain records, and review compliance and
 28 performance of the reporting entities and the validity
 29 of their reports; requiring the department, by a
 30 specified date, to begin auditing certain entities;
 31 requiring periodic auditing; reenacting s. 27.151(1)
 32 and (3), F.S., relating to the confidentiality of
 33 specified executive orders, to incorporate the
 34 amendment made to s. 27.14, F.S., in references
 35 thereto; reenacting s. 943.6871, F.S., relating to
 36 criminal justice data transparency, to incorporate the
 37 amendment made to s. 900.05, F.S., in references
 38 thereto; providing an effective date.

39
 40 Be It Enacted by the Legislature of the State of Florida:

41
 42 **Section 1. Section 16.081, Florida Statutes, is created to**
 43 **read:**

44 16.081 Prosecutorial expediency; enforcement.—The Attorney
 45 General may, with the consent of the Governor, call upon a state
 46 attorney to speak before the Cabinet to provide information
 47 regarding the oversight of his or her office.

48 **Section 2. Section 16.082, Florida Statutes, is created to**
 49 **read:**

50 16.082 Reception of cases for prosecution.—Upon request by

51 the Governor, the Attorney General may receive cases forwarded
 52 from a state attorney in a process under s. 27.14.

53 **Section 3. Section 16.09, Florida Statutes, is amended to**
 54 **read:**

55 16.09 Regulations as to the reports of state attorneys.—
 56 The Attorney General shall prescribe the time and manner in
 57 which ~~regular quarterly~~ reports must ~~shall~~ be made to him or her
 58 by state attorneys, and they shall comply with the Attorney
 59 General's instructions in this respect.

60 **Section 4. Subsection (1) of section 16.53, Florida**
 61 **Statutes, is amended to read:**

62 16.53 Legal Affairs Revolving Trust Fund.—

63 (1) There is created in the State Treasury the Legal
 64 Affairs Revolving Trust Fund, from which the Legislature may
 65 appropriate funds for the purpose of funding investigation,
 66 prosecution, and enforcement by the Attorney General of:

67 (a) the provisions of The Racketeer Influenced and Corrupt
 68 Organization Act.7

69 (b) The Florida Deceptive and Unfair Trade Practices Act.7

70 (c) The Florida False Claims Act.7

71 (d) State or federal antitrust laws.7

72 (e) Section ~~s.~~ 501.1735.7~~or~~

73 (f) Part V of chapter 501.

74 (g) Cases forwarded from state attorneys under s. 27.14.

75 **Section 5. Subsection (1) of section 27.14, Florida**

76 **Statutes, is amended to read:**

77 27.14 Assigning state attorneys to other circuits.—

78 (1) (a) If any state attorney is disqualified to represent
 79 the state in any investigation, case, or matter pending in the
 80 courts of his or her circuit or if, for any other good and
 81 sufficient reason, the Governor determines that the ends of
 82 justice would be best served, the Governor may, by executive
 83 order filed with the Department of State: ~~either~~

84 1. Order an exchange of circuits or of courts between such
 85 state attorney and any other state attorney; ~~or~~

86 2. Order an assignment of any state attorney to discharge
 87 the duties of the state attorney with respect to one or more
 88 specified investigations, cases, or matters, specified in
 89 general in the executive order of the Governor; or

90 3. Order the assignment to the Attorney General for
 91 prosecution one or more specified investigations, cases, or
 92 matters of any state attorney, specified in general in the
 93 executive order of the Governor.

94 (b) Any exchange or assignment of any state attorney to a
 95 particular circuit shall expire 12 months after the date of
 96 issuance, unless an extension is approved by order of the
 97 Supreme Court upon application of the Governor showing good and
 98 sufficient cause to extend such exchange or assignment.

99 **Section 6. Subsections (2), (5), (7), and (8) of section**
 100 **43.16, Florida Statutes, are amended to read:**

101 43.16 Justice Administrative Commission; membership,
 102 powers and duties.—

103 (2) Other than the Attorney General, members of the
 104 Justice Administrative Commission shall serve for a period of 2
 105 years, ~~with the terms of each dating from July 1, 1985, except~~
 106 ~~that initially, one state attorney member and one public~~
 107 ~~defender member shall each serve a 1-year term.~~ The Attorney
 108 General shall be a permanent member and shall serve as chair.
 109 The remaining members shall be selected in the following manner:

110 (a) Two state attorneys, to be appointed by the president
 111 of the Florida Prosecuting Attorneys Association.

112 (b) Two public defenders, to be appointed by the president
 113 of the Florida Public Defender Association.

114 (5) The duties of the commission shall include, but not be
 115 limited to, the following:

116 (a) Providing information to each state attorney, public
 117 defender, criminal conflict and civil regional counsel, and the
 118 Statewide Guardian ad Litem Office to notify them of any
 119 statutory changes that affect any such entities.

120 (b) Overseeing, directing, coordinating, and administering
 121 all statutory requirements affecting the state attorney, public
 122 defender, criminal conflict and civil regional counsel, and
 123 Statewide Guardian ad Litem Office.

124 (c) Maintaining ~~The maintenance of~~ a central state office
 125 for administrative services and assistance when possible to and

126 on behalf of the state attorneys and public defenders of
127 Florida, the capital collateral regional counsel of Florida, the
128 criminal conflict and civil regional counsel, and the Statewide
129 Guardian ad Litem Office.

130 ~~(d)(b)~~ Ensuring that each state attorney, public defender,
131 and criminal conflict and civil regional counsel and the
132 Statewide Guardian ad Litem Office shall continue to prepare
133 necessary budgets, vouchers that represent valid claims for
134 reimbursement by the state for authorized expenses, and other
135 things incidental to the proper administrative operation of the
136 office, such as revenue transmittals to the Chief Financial
137 Officer and automated systems plans, but will forward such items
138 to the commission for recording and submission to the proper
139 state officer. However, when requested by a state attorney, a
140 public defender, a criminal conflict and civil regional counsel,
141 or the Statewide Guardian ad Litem Office, the commission will
142 either assist in the preparation of budget requests, voucher
143 schedules, and other forms and reports or accomplish the entire
144 project involved.

145 (7) This section is supplemental to chapter 16, relating
146 to the Attorney General; to chapter 27, relating to state
147 attorneys, public defenders, criminal conflict and civil
148 regional counsel, and capital collateral regional counsel; to
149 chapter 39, relating to the Statewide Guardian ad Litem Office;
150 or to other laws pertaining hereto.

151 ~~(8) Chapter 120 does not apply to the Justice~~
 152 ~~Administrative Commission.~~

153 **Section 7. Paragraph (b) of subsection (3) of section**
 154 **900.05, Florida Statutes, is amended, and subsection (7) is**
 155 **added to that section, to read:**

156 900.05 Criminal justice data collection.—

157 (3) DATA COLLECTION AND REPORTING.—An entity required to
 158 collect data in accordance with this subsection shall collect
 159 the specified data and report them in accordance with this
 160 subsection to the Department of Law Enforcement on a monthly
 161 basis.

162 (b) *State attorney.*—Each state attorney shall collect the
 163 following data:

164 1. Information related to a human victim of a criminal
 165 offense, including:

166 a. Identifying information of the victim, including race,
 167 ethnicity, gender, and age at the time of the offense.

168 b. Relationship to the offender, if any.

169 2. Number of full-time prosecutors.

170 3. Number of part-time prosecutors.

171 4. Annual felony caseload.

172 5. Annual misdemeanor caseload.

173 6. Disposition of each referred charge, such as filed,
 174 declined, or diverted.

175 7. Number of cases in which a no-information was filed.

176 8. Information related to each defendant, including:

177 a. Each charge referred to the state attorney by a law
178 enforcement agency or sworn complainant related to an episode of
179 criminal activity.

180 b. Case number, name, and date of birth.

181 c. Drug type for each drug charge, if applicable.

182 d. Deferred prosecution or pretrial diversion agreement
183 date, if applicable.

184 e. Annual charges referred by any law enforcement agency
185 for which a case number was not assigned.

186 (7) AUDITING.—

187 (a) By December 31, 2025, the Department of Legal Affairs
188 shall develop a schedule for the auditing of records provided by
189 reporting entities under this section, having established the
190 scope of such audits that must review, at a minimum, the
191 compliance and performance of each entity with respect to the
192 requirements of this section, and the validity of such reports.
193 Each entity required to report under this section must be
194 notified of the scope and the schedule of such audits.

195 (b) Beginning July 1, 2026, the Department of Legal
196 Affairs shall begin auditing each entity pursuant to the scope
197 and schedule established in paragraph (a). Each entity must be
198 audited once every 5 years thereafter.

199 **Section 8. For the purpose of incorporating the amendment**
200 **made by this act to section 27.14, Florida Statutes, in**

201 **references thereto, subsections (1) and (3) of section 27.151,**
 202 **Florida Statutes, are reenacted to read:**

203 27.151 Confidentiality of specified executive orders;
 204 criteria.—

205 (1) If the Governor provides in an executive order issued
 206 pursuant to s. 27.14 or s. 27.15 that the order or a portion
 207 thereof is confidential, the order or portion so designated, the
 208 application of the Governor to the Supreme Court and all
 209 proceedings thereon, and the order of the Supreme Court shall be
 210 confidential and exempt from the provisions of s. 119.07(1).

211 (3) To maintain the confidentiality of the executive
 212 order, the state attorney, upon entering the circuit of
 213 assignment, shall immediately have the executive order sealed by
 214 the court prior to filing it with the clerk of the circuit
 215 court. The Governor may make public any executive order issued
 216 pursuant to s. 27.14 or s. 27.15 by a subsequent executive
 217 order, and at the expiration of a confidential executive order
 218 or any extensions thereof, the executive order and all
 219 associated orders and reports shall be open to the public
 220 pursuant to chapter 119 unless the information contained in the
 221 executive order is confidential pursuant to the provisions of
 222 chapter 39, chapter 415, chapter 984, or chapter 985.

223 **Section 9. For the purpose of incorporating the amendment**
 224 **made by this act to section 900.05, Florida Statutes, in**
 225 **references thereto, section 943.6871, Florida Statutes, is**

226 **reenacted to read:**

227 943.6871 Criminal justice data transparency.—In order to
228 facilitate the availability of comparable and uniform criminal
229 justice data, the department shall:

230 (1) Collect, compile, maintain, and manage the data
231 submitted by local and state entities pursuant to s. 900.05 and
232 coordinate related activities to collect and submit data. The
233 department shall create a unique identifier for each criminal
234 case received from the clerks of court which identifies the
235 person who is the subject of the criminal case. The unique
236 identifier must be the same for that person in any court case
237 and used across local and state entities for all information
238 related to that person at any time. The unique identifier shall
239 be randomly created and may not include any portion of the
240 person's social security number or date of birth.

241 (2) Promote criminal justice data sharing by making such
242 data received under s. 900.05 comparable, transferable, and
243 readily usable.

244 (3) Create and maintain an Internet-based database of
245 criminal justice data received under s. 900.05 in a modern,
246 open, electronic format that is machine-readable and readily
247 accessible through an application program interface. The
248 database shall allow the public to search, at a minimum, by each
249 data element, county, judicial circuit, or unique identifier.
250 The department may not require a license or charge a fee to

251 access or receive information from the database.

252 (4) Develop written agreements with local, state, and
253 federal agencies to facilitate criminal justice data sharing.

254 (5) Establish by rule:

255 (a) Requirements for the entities subject to the
256 requirements of s. 900.05 to submit data through an application
257 program interface.

258 (b) A data catalog defining data objects, describing data
259 fields, and detailing the meaning of and options for each data
260 element reported pursuant to s. 900.05.

261 (c) How data collected pursuant to s. 900.05 is compiled,
262 processed, structured, used, or shared. The rule shall provide
263 for tagging all information associated with each case number and
264 unique identifier.

265 (d) Requirements for implementing and monitoring the
266 Internet-based database under subsection (3).

267 (e) How information contained in the Internet-based
268 database under subsection (3) is accessed by the public.

269 (6) Consult with local, state, and federal criminal
270 justice agencies and other public and private users of the
271 database under subsection (3) on the data elements collected
272 under s. 900.05, the use of such data, and adding data elements
273 to be collected.

274 (7) Monitor data collection procedures and test data
275 quality to facilitate the dissemination of accurate, valid,

276 | reliable, and complete criminal justice data.

277 | (8) Develop methods for archiving data, retrieving
278 | archived data, and data editing and verification.

279 | (9) Keep all information received by the department under
280 | s. 900.05 which is confidential and exempt when collected by the
281 | reporting agency confidential and exempt for purposes of this
282 | section and s. 900.05.

283 | (10) (a) By October 1, 2019, assist the Criminal and
284 | Juvenile Justice Information Systems Council in developing
285 | specifications for a uniform arrest affidavit to be used by each
286 | state, county, and municipal law enforcement agency to
287 | facilitate complete, accurate, and timely collection and
288 | reporting of data from each criminal offense arrest. The uniform
289 | arrest affidavit must at a minimum include all of the following:

- 290 | 1. Identification of the arrestee.
- 291 | 2. Details of the arrest, including each charge.
- 292 | 3. Details of each vehicle and item seized at the time of
293 | arrest.
- 294 | 4. Juvenile arrestee information.
- 295 | 5. Release information.

296 |

297 | The uniform arrest affidavit specifications must also include
298 | guidelines for developing a uniform criminal charge and
299 | disposition statute crosswalk table to be used by each law
300 | enforcement agency, state attorney, and jail administrator; and

301 guidelines for developing a uniform criminal disposition and
302 sentencing statute crosswalk table to be used by each clerk of
303 the court.

304 (b) By January 1, 2020, subject to appropriation, the
305 department shall procure a uniform arrest affidavit, a uniform
306 criminal charge and disposition statute crosswalk table, and a
307 uniform criminal disposition and sentencing statute crosswalk
308 table following the specifications developed under paragraph
309 (a). The department shall provide training on use of the
310 affidavit and crosswalk tables to each state, county, and
311 municipal law enforcement agency, clerk of the court, state
312 attorney, and jail administrator, as appropriate.

313 (c) By July 1, 2020, each state, county, and municipal law
314 enforcement agency must use the uniform arrest affidavit, each
315 state attorney and jail administrator must use the uniform
316 criminal charge and statute crosswalk table, and each clerk of
317 the court must use the uniform criminal disposition and
318 sentencing statute crosswalk table.

319 **Section 10.** This act shall take effect July 1, 2025.