



2011 Legislative Priorities

Updated 03/30/11

Florida's Sheriffs are at the Capitol during session, providing expert input on issues related to public safety and law enforcement that affect their ability to protect and serve Florida's citizens. One key issue for FSA is the Florida Retirement System and Retirement issues affecting Sheriffs' Office personnel. Such issues could include vesting, retirement age and years of service, employee contributions to the retirement system, average final compensation, accrual rates and other pertinent issues.

The following is an updated listing of issues that will be of focus for the FSA in the upcoming 2011 Legislative Session. This list will be updated regularly throughout the session.

SUPPORT Issues:

- **Impasse.** Specifies that for purposes of resolving an impasse, the sheriff, tax collector, property appraiser, supervisor of elections, and the clerk of the circuit court are each deemed the "legislative body" for their respective employees. This legislation will ensure locally-elected constitutional officers remain accountable to the citizens and retain the management authority they need to carry out their responsibilities. **(HB1031/SB1098)**
- **Containing Jail Medical Costs.** A financial cap on Inmate Medical Services similar to the legislation passed on behalf of the state prison system. The Sheriffs seek to cap the enormous and growing medical costs of county jail inmates. The proposed cap would only apply in the event a local hospital and the Sheriff or county government has not established a formal agreement on such costs. **(HB257/SB490)**
- **Immigration Reform.** While not endorsing a particular piece of legislation, the FSA will continue to make this a priority. The Sheriffs have approved concepts similar to the proposal by former Attorney General Bill McCollum that includes: Requiring checking a suspected immigrant's status in the course of a stop for a violation of another law; requiring aliens to carry immigration documents; requiring businesses to ensure that new hires are authorized to work; and creating a sentencing enhancement for illegal aliens who commit a crime. **(Monitoring)**
- **Sexual Misconduct in Jails.** Amending F.S. 800.09 that makes it a third degree felony for a prisoner to commit lewd or lascivious acts in the presence of a correctional facility employee

in state correctional facilities, to include county correctional facilities. This is an effort to make the law the same in county jails as in state prisons to assist in inmate control. **(Not Filed)**

- **Text Messaging**. Prohibiting text messaging on communication devices while driving. The prohibition is enforced as a secondary offense that is punishable with a fine and court costs. Depending on the County, the fine and court costs will range from \$78 to \$179 for a first violation. **(HB79/SB80/SB158)**
- **Secondary Metals Recyclers**. Amend F.S. 538 and 539 to require secondary metal recyclers to conform to the same reporting requirements as pawnbrokers and secondhand dealers to assist in the tracking of stolen materials. **(HB343/SB622)**
- **Service of Process**. FSA amendments to Chapter 30 to provide for electronically signed originals from the Clerks of Courts, which are already permitted in F.S. 668. A second provision would also allow deputies to sign the original court return electronically. **(HB59/SB328)**
- **Curbing Misuse of Prescription Drugs**. Support the effort to close “pill mills” and provide funding for the statewide drug database for prescription drugs. **(Monitoring)**
- **Internet Sweepstakes Café (Gaming/Gambling)**. Clarify existing Florida Statutes as they apply to the operation of the Internet Sweepstakes Cafés and sweepstakes operations, to denote that they are illegal gambling operations. **(HB217/SB576)**
- **Kathleen’s Cause**. The Sheriffs support legislation that would amend F.S. Chapter 538 and Chapter 539 to require pawnshops and secondhand dealers to upload all transaction information to an electronic statewide central database via a secure connection for use by law enforcement only, and to procure digital images of pawned or sold goods as well as digital images of the sellers of those goods. **(HB1323 / SB1662)**
- **Florida Crime Stoppers Program**. Florida Sheriffs have long supported the operation of the Florida Crime Stoppers Program. Sheriffs know many witnesses will not come forward with critical information that will lead to arrest of those who have committed serious crimes if these programs which protect their identity and provide rewards are eliminated. This statewide program, which operates via 32 local programs, is funded entirely via court fees and assessments which are paid by adjudicated criminals and is managed by the Florida Attorney General. This is why the Sheriffs advocate strongly for the continued funding of the program at the FY2011 level (\$5 million in trust funds). **(Monitoring)**
- **Healthy Families Florida Program**. Florida Sheriffs realize the importance of crime prevention. Sheriffs know the crime of child abuse affects vulnerable children in horrible ways and that’s why we believe the best and smartest way to address child maltreatment is to prevent it before it ever happens. This critical program served 6700 high-risk families and their 13,200 children with a 98% success rate last year. This is why the Sheriffs strongly advocate for continued funding of the program at FY2011 levels (\$18.1 million). **(Monitoring)**

- **Bath Salts.** Certain hallucinogenic substances being sold in Florida as “bath salts,” have the potential to overburden law enforcement and medical resources with patients that exhibit psychotic and life-threatening conditions. The Florida Sheriffs believe that these substances should be deemed a Schedule I controlled substance and support legislation that would prohibit in the sale of these products.

OPPOSE Issues:

- **Florida Retirement System (FRS).** The Sheriffs oppose any changes to the current Florida Retirement System. **(HB1405/SB1130)**
- **Gambling Expansion.** The Sheriffs reaffirm the FSA Resolution 2009-2, which states their opposition to any expansion of gambling in the State of Florida. **(Monitoring).**
- **Private Process Servers Evicting Tenants from their residence.** The Sheriffs oppose the efforts to amend F.S. Statute to allow private process servers to deliver enforceable writs of possession to evict tenants from residences and oppose these private servers from handling the actual eviction. **(HB291/SB426)**
- **Elderly Inmates.** The Sheriffs believe in the justice system and in proper sentencing. When someone commits a crime, they should serve the time and we should protect the rights of the victim. The Sheriffs oppose any legislation that would release any inmate based on age or health/medical conditions prior to the completion of their sentence. **(SB144/HB1177)**
- **Open Carry (Firearms).** The Sheriffs oppose legislation to permit the open carry of firearms. The Florida Sheriffs unequivocally support Second Amendment rights to bear arms and encourages responsible citizens to obtain concealed weapons permits and to legally possess firearms and carry them in the authorized concealed manner. Openly carrying a firearm would expose the carrying citizen to potential harm at the hands of individuals who have malicious intent. **(SB234/HB517)**
- **Pre-Trial Release.** The Florida’s Sheriffs oppose legislation that will have a negative impact on public safety in our communities. With county budgets tighter than ever, we must oppose any pretrial release legislation that would increase the length pretrial defendants are in custody as it would add to overall costs to house these individuals. **(SB372/HB1379)**
- **Red Light Cameras.** The Sheriffs opposes any repeal or negative modification to the ability to utilize “red light cameras” for the purpose of public safety and traffic enforcement. Florida’s Sheriffs support the ability to utilize red light cameras as we believe they prevent crashes and keep Florida’s intersections safer for our drivers. **(SB672/HB4087)**
- **Preserving Jail Terms.** The Sheriffs will adamantly oppose any legislation that attempts to let prisoners out of jail early or to reduce the 85% requirement for serving jail sentences. **(SB1334/HB917)**
- **Eyewitness Identifications.** The Florida Sheriffs believe that legislation is unnecessary and would create an unfunded mandate if passed into law that would mandate Florida law enforcement agencies conduct eyewitness identification and line-ups. The Sheriffs believe strongly that policy and procedures should not be memorialized in state statute and oppose this legislation.

- **The Sheriffs will oppose any issue that seeks to weaken or usurp authority from the historic Office of Sheriff.**
- Additional issues will be added to the FSA agenda as they surface during the course of the 2011 legislative session.



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