



Broward County Chiefs of Police Association, Inc.

Legal Update

Legal Advisor Committee

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As the 2011 Spring Legislative Session approaches next month, I will continue to address several Legislative Bills of interest to Law Enforcement over the next three (3) meetings. The following Bills have yet to acquire a House or Senate companion proposal.

SENATE BILL 452 EXTENDED RESPONSIBILITY FOR POLICE CANINE

This Senate Bill, sponsored by Senator Fasano, requires police agencies to extend the financial responsibility of veterinary care for police canine for the balance of the canine's life. This additional financial responsibility becomes effective upon the transfer of ownership of the canine from the agency to the former handler or adopter of the dog.

HOUSE BILL 45 PROHIBITING LOCAL GOVERNMENT FROM ENACTING GUN LEGISLATION

This House Bill is intended to preempt local government from enacting or sustaining any Ordinances or regulations concerning the purchase, sale or storage of firearms, including any zoning Ordinances intended to restrict the location of businesses otherwise licensed to sell, transfer or purchase firearms or ammunition.

HOUSE BILL 93 SECURITY CAMERAS

This House Bill is intended to prohibit local government from adopting or maintaining any Ordinance or rule that establishes standards for security cameras that require businesses to expend funds to enhance the services or functions already provided by local government.

SEXUAL PREDATORS; "TRANSIENT STATUS" (Bill awaiting Reference Number)

During the 2010 Spring Legislative Session, the Legislature adopted amendments to Section 856.022, Florida Statutes, which now prohibits loitering and prowling within 300 feet of places where children regularly congregate by certain sexual offenders convicted of offenses where the victim was under the age of 18. This soon to be numbered House Bill further seeks to amend Section 856.022, Florida Statutes by eliminating a "transient status" address registration for sexual offenders. Currently, there are many sexual offenders registered as "transient" by nothing more than a zip code as their specific residential location.

EMERGENCY RULE PROHIBITING "BATH SALTS"

On January 27, 2011, determining the need to immediately place "Bath Salts" (methylone-based) under Schedule I of the controlled substances, otherwise found in Section 893.03(1), F.S., Attorney General Bondi has filed an emergency rule with the Secretary of State thereby creating criminal offenses for the possession, delivery or trafficking in this controlled substance. "Bath Salts" are known by a variety of slang names. This emergency rule takes effect immediately and remains in effect for a period of ninety (90) days, unless otherwise extended or adopted as new legislation during our upcoming Legislative Session. The person to be contacted with questions regarding enforcement of this emergency rule is Associate Deputy Attorney General, Kent Perez.