



Broward County Chiefs of Police Association, Inc.

Legal Update

Legal Advisor Committee

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FEBRUARY 2015 LEGISLATIVE AND LEGAL UPDATE

LEGISLATIVE UPDATE

SB 248 – Recording of Law Enforcement Activities (Body Cameras)

Introducer(s): Senator Christopher Smith

Last action: Referred to Criminal Justice, Community Affairs and Appropriations Subcommittees on 1/15/15

Related Bills: HB 57

Creates F.S. 943.1718; which requires every uniformed law enforcement officer who is primarily assigned to patrol duties to be equipped with a body camera while performing their duties. The camera shall be used by the officer to record activities that take place during motor vehicle stops or other law enforcement actions taken during the course of his or her official duties. The bill would also exempt "body camera recordings" from F.S. Chapter 934 (illegal interception of communications).

SB 246 – Texting While Driving

Introducer(s): Senator Maria Lorts Sachs

Last action: Referred to Communications, Energy & Public Utilities Subcommittees on 1/15/15

Related Bills: SB 192 & HB 0001

The Bill amends F.S. 322.305 to permit the issuance of a citation as a primary offense.

SB 378 - Juvenile Justice/Civil Citation Program

Introducer(s): Senator Rene Garcia

Last action: Referred to Criminal Justice, Children, Families, and Elder Affairs & Rules Subcommittees on 1/23/15

Related Bills: None

The Bill amends F.S. 985.12 to permit a law enforcement officer to issue a warning to a juvenile who admits having committed a misdemeanor or to inform the child's parent or guardian of the child's infraction, and requiring a law enforcement officer who does not exercise one of the aforementioned options to issue a civil citation, or require participation in, a similar diversion program. The Bill also permits a law enforcement officer to arrest a first-time misdemeanor offender in the interest of protecting public safety. Lastly, the Bill permits the use of a civil citation for second and subsequent misdemeanor offenders.

SB 440 - Contraband Forfeiture

Introducer(s): Senator Aaron Bean

Last action: Filed 1/22/15

Related Bills: None

The Bill requires that a seizure under the Florida Contraband Forfeiture Act be incidental to an arrest of a person involved in criminal activity.

SB 528 – “Medical Marijuana Act”

Introducer(s): Senator Jeff Brandes

Last action: Filed 1/26/15

Related Bills: None

The Act permits registered patients and designated caregivers to purchase and possess medical-grade marijuana. The patients must be listed in a registry and have a “Medical Marijuana Identification Card”. The Act also provides for law enforcement access to the registry.