



Broward County Chiefs of Police Association, Inc.

## ***Legal Update***

### **Legal Advisor Committee**

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### **March 2015 LEGISLATIVE AND LEGAL UPDATE**

#### **LEGISLATIVE UPDATE**

##### **HB 623 – Weapons and Firearms**

Introducer(s): Representative Darryl Rouson

Last action: Referred to Criminal Justice and Local Government Affairs Subcommittees and Local and Federal Affairs and Judiciary Committees

Related Bills: None

Amends F.S. 790.15 to prohibit the discharge of a firearm on any property used primarily as a site for a dwelling or zoned exclusively for residential use.

##### **SB 1176 – Recreational Marijuana**

Introducer(s): Senator Dwight Bullard

Last action: Filed in the Senate on 2/23/15

Related Bills: None

Bill changes the name of the Division of Alcoholic Beverages and Tobacco to Division of Alcoholic Beverages, Marijuana and Tobacco and legalizes the following activities for persons 21 and older:

- Use, possess, or transport marijuana accessories and up to 2.5 ounces of marijuana.
- Transfer of up to 2.5 ounces of marijuana and up to 6 seedlings.
- Possess, grow, cultivate, process, or transport up to 6 marijuana plants, including seedlings.
- Possess the marijuana produced by the marijuana plants on the premises where the plants were grown.
- Purchase up to 2.5 ounces of marijuana, up to 6 seedlings, and marijuana accessories from a retail marijuana store.
- A person may smoke or ingest marijuana in a nonpublic place, including, but not limited to, a private residence.
- The Bill also permits the smoking of marijuana in any public place where tobacco products can be used.

**SB 780 – Special Assessment for Law Enforcement Services**

Introducer(s): Senator Christopher Smith

Last action: Referred to Community Affairs, Finance and Tax and Fiscal Policy Committees on 2/13/15

Related Bills: HB 919

Bill authorizes municipalities to adopt an ordinance levying a law enforcement special assessment, which apportions the cost of law enforcement services among the parcels of real property in the municipality in reasonable proportion to the benefit received by each parcel. However, the municipality must also reduce it ad valorem millage, in the first year that the special assessment is levied by the amount forecasted to be collected by the special assessment.

**SB 1470 – Law Enforcement Lethal Use of Force Commission**

Introducer(s): Senator Dwight Bullard

Last action: Filed in the Senate on 2/26/15

Related Bills: HB 1065 and 1051

Bill creates a 15 member Commission, whose members are appointed by the Executive Director of FDLE. At the conclusion of any internal affairs investigation, and upon notification from the prosecuting authority that no charges will be filed, the Commission will review the circumstances to determine if the use of force appeared unlawful and whether the matter should be turned over to the Attorney General for consideration of prosecution.

**SB 1324 – Public Records Pertaining to Agency Personnel Information**

Introducer(s): Senator Jack Latvala

Last action: Filed in Senate on 2/25/15

Related Bills: HB 1015

Bill amends F.S. 119.071 to extend the public records exemption for former and present sworn and civilian law enforcement personnel to include: residential addresses, including former residences and residences in which the person frequently resides other than the person's home address, e-mail addresses, driver license numbers, license plate numbers, banking and financial information, and information identifying former places of employment

The Bill also extends the exemption for information regarding the parents, siblings and cohabitants of former and present sworn and civilian law enforcement personnel to include the home addresses, telephone numbers, social security numbers, photographs, dates of birth, and places of employment.