

Committee on Criminal Justice

CS/HB 485 — Sexual Offenses Against Students by Authority Figures

by Criminal Justice Subcommittee; and Rep. Raburn and others (CS/SB 698 by Criminal Justice Committee and Senator Stargel)

The bill reclassifies to the next higher felony degree a specified sexual offense committed by an authority figure of a school against a student of the school.

An “authority figure” is a person 18 years of age or older who is employed by, volunteering at, or under contract with a school.

A “student” is a person younger than 18 years of age who is enrolled at a school.

“School” has the same meaning as provided in s. 1003.01, F.S., and includes:

- A private school as defined in s. 1002.01, F.S.;
- A voluntary prekindergarten education program as described in s. 1002.53(3), F.S.;
- Early learning programs;
- A public school as described in s. 402.3025(1), F.S.;
- The Florida School for the Deaf and the Blind;
- The Florida Virtual School established under s. 1002.37, F.S.; and
- A K-8 Virtual School established under s. 1002.415, F.S.

The term “school” does not include facilities dedicated exclusively to the education of adults.

The specified sexual offenses include those offenses listed in s. 943.0435(1)(a)1.a., F.S., (qualifying offenses for the purpose of sexual offender registration). Two offenses are excluded from reclassification: sexual battery on a victim 12 years of age or older by a law enforcement officer or other specified officer or official (s. 794.011(4)(g), F.S.) and video voyeurism committed against a student of a school by an adult employed at the school (s. 810.145(8)(a)2., F.S.).

The reclassified offense is ranked one level above the ranking of the offense in the Criminal Punishment Code.

If approved by the Governor, these provisions take effect October 1, 2014.

Vote: Senate 36-0; House 107-8