

Tab 1 CS/HB 1 by JDC, Fernandez-Barquin, Byrd (CO-INTRODUCERS) Andrade, Barnaby, Brannan, DiCeglie, Drake, Fine, Giallombardo, Gregory, Harding, Maggard, Maney, McClain, Plakon, Roach, Rommel, Sabatini, Sirois, Snyder; (Similar to S 00484) Combating Public Disorder							
901508	A	S	UNFAV	AP, Rouson	Delete L.102 - 152.	04/12 07:31 AM	
788596	A	S	WD	AP, Gibson	Delete L.111 - 784:	04/12 07:31 AM	
965052	SA	S	UNFAV	AP, Gibson	Delete L.111 - 784:	04/12 07:31 AM	
646196	A	S	UNFAV	AP, Powell	Delete L.153 - 259.	04/12 07:31 AM	
895456	A	S	UNFAV	AP, Rouson	Delete L.260 - 306.	04/12 07:31 AM	
564306	A	S	UNFAV	AP, Gibson	Delete L.296:	04/12 07:31 AM	
343996	A	S	WD	AP, Farmer	Delete L.316 - 1040:	04/12 07:31 AM	
627558	SA	S	UNFAV	AP, Farmer	Delete L.316 - 1040:	04/12 07:31 AM	
622818	A	S	UNFAV	AP, Farmer	Delete L.375 - 389.	04/12 07:31 AM	
209248	A	S	UNFAV	AP, Farmer	Delete L.518 - 718.	04/12 07:31 AM	
802470	A	S	UNFAV	AP, Stewart	Delete L.803 - 812.	04/12 07:31 AM	
136990	A	S	UNFAV	AP, Farmer	Delete L.814 - 831.	04/12 07:31 AM	
530040	A	S	WD	AP, Powell	btw L.1040 - 1041:	04/12 07:31 AM	
882942	A	S	UNFAV	AP, Powell	Delete L.1041 - 1042:	04/12 07:31 AM	

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

APPROPRIATIONS
Senator Stargel, Chair
Senator Bean, Vice Chair

MEETING DATE: Friday, April 9, 2021
TIME: 8:30 a.m.—6:00 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Stargel, Chair; Senator Bean, Vice Chair; Senators Albritton, Book, Bracy, Brandes, Broxson, Diaz, Farmer, Gainer, Gibson, Hooper, Hutson, Mayfield, Passidomo, Perry, Pizzo, Powell, Rouson, and Stewart

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
PUBLIC TESTIMONY WILL BE RECEIVED FROM ROOM A3 AT THE DONALD L. TUCKER CIVIC CENTER, 505 W PENSACOLA STREET, TALLAHASSEE, FL 32301			

1	CS/HB 1, 1st Eng. Judiciary Committee / Fernandez-Barquin / Byrd (Similar S 484)	Combating Public Disorder; Authorizing specified elected officials to file an appeal to the Administration Commission if the governing body of a municipality makes a specified reduction to the operating budget of the municipal law enforcement agency; providing that a municipality has a duty to allow the municipal law enforcement agency to respond to a riot or unlawful assembly in a specified manner based on specified circumstances; reclassifying the penalty for an assault committed in furtherance of a riot or an aggravated riot; prohibiting cyberintimidation by publication; prohibiting a person from willfully participating in a specified violent public disturbance resulting in specified damage or injury; creating an affirmative defense to a civil action where the plaintiff participated in a riot, etc.	Favorable Yeas 11 Nays 9
		AP 04/09/2021 Favorable	

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/HB 1

INTRODUCER: Judiciary Committee and Representatives Fernandez-Barquin, Byrd, and others

SUBJECT: Combating Public Disorder

DATE: April 8, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Erickson	Sadberry	AP	Favorable

I. Summary:

The bill addresses acts of public disorder to define previously undefined offenses of affray, riot, and inciting a riot and create the offenses of aggravated rioting and aggravated inciting a riot. The bill also:

- Requires a person arrested for unlawful assembly, riot, and certain offenses committed in furtherance of a riot or aggravated riot, to be held in jail until he or she appears for a first appearance hearing and a court determines bond;
- Creates a budget appeal process to challenge reductions in municipal law enforcement agencies' budgets similar to that available to a county sheriff;
- Corrects constitutional infirmities in the current prohibition against obstructing a roadway;
- Provides that a municipality is civilly liable for specified damages proximately caused by the municipality's breach of a duty to allow the municipal law enforcement agency to respond appropriately to protect persons and property during a riot or an unlawful assembly (as specified in the bill);
- Increases penalties for assault and battery, and increases offense severity level rankings for aggravated assault and aggravated battery, when committed in furtherance of a riot or an aggravated riot;
- Creates the crime of mob intimidation, which prohibits a mob from using force or the threat of imminent force to compel or induce, or attempt to compel or induce, a person to do or refrain from doing any act or to assume, abandon, or maintain a particular viewpoint against that person's will;
- Provides for a six-month mandatory minimum sentence for battery on a law enforcement officer if the offense was committed in furtherance of a riot or an aggravated riot;
- Increases the offense severity level rankings for assault and battery on a law enforcement officer or other specified official when the offense was committed in furtherance of a riot or an aggravated riot;
- Punishes criminal mischief that involves damaging a memorial or historic property if the damage is greater than \$200, and requires restitution of the full cost of repair or replacement of the memorial or historic property;

- Creates the crime of destroying or demolishing a memorial or historic property and requires restitution of the full cost of repair or replacement of the memorial or historic property;
- Reclassifies the degree, and increases the offense severity level ranking, of specified burglary and theft offenses committed during a riot or an aggravated riot when facilitated by conditions arising from the riot;
- Creates the crime of cyberintimidation by publication, which prohibits a person from electronically publishing another person's personal identification information with the intent to incite violence or commit a crime against the person or threaten or harass the person, placing the other person in reasonable fear of bodily harm;
- Creates an affirmative defense in a civil action for damages for personal injury, wrongful death, or property damage that such action arose from injury or damage sustained by a participant acting in furtherance of a riot;
- Increases the offense severity ranking level of offenses involving injuring or removing a tomb or monument; and
- Ranks battery during a riot or an aggravated riot and other offenses in the offense severity level ranking chart of the Criminal Punishment Code.

The Criminal Justice Impact Conference estimated that the original bill (HB 1) would have a “positive indeterminate” prison bed impact, meaning an unquantifiable increase in prison beds. See Section V. Fiscal Impact.

The bill takes effect upon becoming a law.

II. Present Situation:

Unlawful Acts During Policing Protests and Breach of the U.S. Capitol

In 2020, protests relating to policing practices and other issues occurred around the nation. Attention was especially focused on the death of George Floyd¹ and several other Black Americans during incidents involving use of force by law enforcement officers. Some protestors and counter-protestors at some of these protests engaged in unlawful acts, including rioting and other violent acts.² While protests in Florida appear to have been mostly peaceful according to news accounts,³ unlawful acts were committed at some of these protests, including battery on

¹ George Floyd, a resident of Minneapolis, was arrested and restrained by a Minneapolis police officer named Derek Chauvin. According to news reports, for nearly nine minutes (per the original estimate) and despite Mr. Floyd repeatedly complaining that he could not breathe, Officer Chauvin pinned Mr. Floyd's head to the ground by pressing his knee to the side of Mr. Floyd's neck. It was also reported that three other Minneapolis police officers at the scene who witnessed the neck restraint did not intervene to stop it. Death was ruled to be a homicide and Chauvin and the witnessing officers were charged. See, e.g., *Timeline: Key events in the month since George Floyd's death* (June 25, 2020), Reuters, available at <https://www.reuters.com/article/us-minneapolis-police-usa-onemonth-timeline-key-events-in-the-month-since-george-floyds-death-idUSKBN23W1NR> (last visited March 24, 2021) and Amir Vera, *Independent autopsy and Minnesota officials say George Floyd's death was homicide* (June 2, 2020), CNN, available at <https://www.cnn.com/2020/06/01/us/george-floyd-independent-autopsy/index.html> (last visited March 24, 2021).

² See, e.g., Joanna Walters, *George Floyd protests: The US cities that became hotspots of unrest* (May 31, 2020), The Guardian, available at <https://www.theguardian.com/us-news/2020/may/31/george-floyd-protests-us-cities-hotspots-unrest> (last visited March 24, 2021).

³ See, e.g., Associated Press, *Curfews Issued in Florida as Peaceful Protests Turn Violent* (June 1, 2020), Voice of America, available at <https://www.voanews.com/usa/curfews-issued-florida-peaceful-protests-turn-violent> (last visited March 24, 2021) and *Floyd protests: Mostly peaceful protests Sunday around Florida call for justice and action* (May 31, 2020),

officers, damage to police cars and businesses, rioting, arson, burglary, theft, blocking traffic, and graffiti.⁴ According to news reports, some protestors also verbally accosted a couple dining outside at a St. Petersburg restaurant.⁵

On January 6, 2021, there was a rally in Washington, D.C., to protest Congress certifying the electoral votes for the President and Vice President of the United States. Following the rally, most of the protestors marched to the U.S. Capitol. Of the rally crowd, “[f]ederal officials estimate that roughly 800 people surged into the [Capitol] building, though they caution that such numbers are imprecise, and the real figure could be 100 people or more in either direction.”⁶ A Capitol Police officer died the day after the riot from injuries sustained during the riot, two Capitol Police officers committed suicide in the weeks following the riot, and more than 140 officers were injured, according to the Capitol Police officers’ union.⁷ Further, a protester was fatally shot and three other protestors died from medical emergencies suffered during the riot.⁸ More than 350 suspects have been identified and at least 150 have been charged by the U.S. Department of Justice.⁹ Charges include interstate threats, unlawful entry, possession of a destructive device, firearm-related violations, theft, assault on a federal law enforcement officer,

Florida Today, available at <https://www.floridatoday.com/story/news/2020/05/31/floyd-protests-mostly-peaceful-protests-sunday-around-florida-call-justice-and-action/5301864002> (last visited March 24, 2021).

⁴ See, e.g., Michelle Solomon, *Miami protest Saturday goes from peaceful to pandemonium* (May 31, 2020), WPLG Local10.com, available at <https://www.local10.com/news/local/2020/05/30/watch-protests-in-downtown-miami-in-response-to-minneapolis-death-of-george-floyd/> (last visited March 24, 2021); Julio Ochoa, *Peaceful Protests Turn Violent in Tampa in Response to George Floyd Killing* (May 30, 2020), WUSF Public Media, available at <https://wusfnews.wusf.usf.edu/law-order/2020-05-30/peaceful-protests-turn-violent-in-tampa-in-response-to-george-floyd-killing> (last visited March 24, 2021); Mary Shedden, Daylina Miller, and Stephanie Colombini, *Tampa Issues Curfew After Businesses Damaged in Overnight Protests* (May 31, 2020), WUSF Public Media, available at <https://wusfnews.wusf.usf.edu/law-order/2020-05-31/tampa-issues-curfew-after-businesses-damaged-in-overnight-protests> (last visited March 24, 2021); Marilyn Parker, *Peaceful protest marred by riots in downtown Jacksonville* (May 30, 2020), News4Jax, available at <https://www.news4jax.com/news/local/2020/05/30/demonstrators-in-jacksonville-join-national-i-cant-breathe-protests/> (last visited March 24, 2021); Andrea Torres, *Officer stabbed in neck during protests in Jacksonville* (May 31, 2020), WPLG Local10.com, available at <https://www.local10.com/news/local/2020/05/31/officer-stabbed-in-neck-during-protests-in-jacksonville/> (last visited March 24, 2021); and Jillian Olsen, *Protesters refused to let an ambulance pass, St. Pete police say* (July 9, 2020), WTSP Tampa Bay, available at <https://www.wtsp.com/article/news/local/protests/st-petersburg-protestors-fire-truck/67-1553a001-0683-4363-8b39-ab4a28930146> (last visited March 24, 2021).

⁵ See, e.g., Josh Fiallo, Romy Ellenbogen, and Caitlin Johnston, *Demonstrators vs. diners: St. Petersburg encounter goes viral* (Sept. 24, 2020), *Tampa Bay Times*, available at <https://www.tampabay.com/news/st-petersburg/2020/09/24/tense-exchange-between-st-pete-demonstrators-and-diners-goes-viral/> (last visited March 4, 2021).

⁶ Devlin Barrett and Spencer S. Hsu, *Justice Department, FBI debate not charging some of the Capitol rioters* (Jan. 23, 2021), *Washington Post*, available at https://www.washingtonpost.com/national-security/doj-capitol-rioters-charges-debate/2021/01/23/3b0cf112-5d97-11eb-8bcf-3877871c819d_story.html (last visited March 24, 2021).

⁷ Bill McCarthy, *Newsmax host falsely claims ‘only one person died’ at Capitol Jan. 6* (Feb. 9, 2021), *PolitiFact* (The Poynter Institute), available at <https://www.politifact.com/factchecks/2021/feb/09/greg-kelly/newsmax-host-falsely-claims-only-one-person-died-c/> (last visited March 24, 2021).

⁸ *Id.*

⁹ *The Capitol Siege: The Arrested And Their Stories* (March 26, 2021), NPR, available at <https://www.npr.org/2021/02/09/965472049/the-capitol-siege-the-arrested-and-their-stories> (last visited April 2, 2021); and Paul P. Murphy, Katelyn Polantz, Marshall Cohen, and Evan Perez, *At least 150 people have been charged by Justice Department in Capitol riot* (Jan. 26, 2021), CNN, available at <https://amp.cnn.com/cnn/2021/01/26/politics/capitol-riot-arrests-150/index.html> (last visited March 24, 2021).

disorderly conduct, and curfew violations.¹⁰ Other potential charges being discussed by federal prosecutors include felony murder, seditious conspiracy, and racketeering.¹¹

Criminal Punishment Code

The Criminal Punishment Code¹² (Code) is Florida's primary sentencing policy. Noncapital felonies sentenced under the Code receive an offense severity level ranking (Levels 1-10).¹³ Points are assigned and accrue based upon the offense severity level ranking assigned to the primary offense, additional offenses, and prior offenses. Sentence points escalate as the severity level escalates. Points may also be added or multiplied for other factors such as victim injury or the commission of certain offenses. The lowest permissible sentence is any nonstate prison sanction in which total sentence points equal or are less than 44 points, unless the court determines that a prison sentence is appropriate. If total sentence points exceed 44 points, the lowest permissible sentence in prison months is calculated by subtracting 28 points from the total sentence points and decreasing the remaining total by 25 percent.¹⁴ Absent mitigation,¹⁵ the permissible sentencing range under the Code is generally the lowest permissible sentence scored up to and including the maximum penalty provided under s. 775.082, F.S.¹⁶

Affray, Unlawful Assembly, and Riot

Affray

Section 870.01(1), F.S., provides that it is a first degree misdemeanor¹⁷ to commit an affray. This statute does not provide a definition of affray, so courts have used the common law definition of the term: "The common law defined an affray as the fighting of two or more persons in a public place, to the terror of the people."¹⁸

¹⁰ *Id.* and *Thirteen Charged in Federal Court Following Riot at the United States Capitol* (Jan. 8, 2021), U.S. Department of Justice, available at <https://www.justice.gov/opa/pr/thirteen-charged-federal-court-following-riot-united-states-capitol> (last visited March 24, 2021).

¹¹ Jan Wolfe and Sarah N. Lynch, *Explainer: What crimes can the U.S. Capitol rioters be charged with?* (Jan. 9, 2021), Reuters, available at <https://www.reuters.com/article/us-usa-trump-capitol-crimes/explainer-what-crimes-can-the-u-s-capitol-rioters-be-charged-with-idUSKBN29E0ND> (last visited March 24, 2021); Devlin Barrett and Matt Zapotosky, *Here are the potential criminal charges Capitol rioters could face* (Jan. 27, 2021), Washington Post, available at https://www.washingtonpost.com/national-security/crime-charges-capitol-sedition/2021/01/07/33df542e-5109-11eb-b96e-0e54447b23a1_story.html (last visited March 24, 2021); and Mark Hosenball and Sarah N. Lynch, *Exclusive: U.S. mulls using law designed to prosecute Mafia against Capitol rioters* (Feb. 3, 2021), Reuters, available at <https://www.reuters.com/article/us-usa-trump-capitol-rico-exclusive-idUSKBN2A32W2> (last visited March 24, 2021).

¹² Sections 921.002-921.0027, F.S. See chs. 97-194 and 98-204, L.O.F. The Code is effective for offenses committed on or after October 1, 1998.

¹³ Offenses are either ranked in the offense severity level ranking chart in s. 921.0022, F.S., or are ranked by default based on a ranking assigned to the felony degree of the offense as provided in s. 921.0023, F.S.

¹⁴ Section 921.0024, F.S. Unless otherwise noted, information on the Code is from this source.

¹⁵ The court may "mitigate" or "depart downward" from the scored lowest permissible sentence, if the court finds a mitigating circumstance. Section 921.0026, F.S., provides a list of mitigating circumstances.

¹⁶ If the scored lowest permissible sentence exceeds the maximum penalty in s. 775.082, F.S., the sentence required by the Code must be imposed. If total sentence points are greater than or equal to 363 points, the court may sentence the offender to life imprisonment. Section 921.0024(2), F.S.

¹⁷ A first degree misdemeanor is punishable by up to one year in jail and a fine of up to \$1,000. Sections 775.082 and 775.083, F.S.

¹⁸ *Carnley v. State*, 88 Fla. 281, 102 So. 333, 334 (1924). "As for 'terror,' it has been held that the fight need not create actual terror to constitute an affray, but such may be presumed from fighting in a public place. [*Carwile v. State*, 35 Ala. 392

Unlawful Assembly

Section 870.02, F.S., provides that it is a second degree misdemeanor¹⁹ for three or more persons meeting together to commit a breach of the peace²⁰ or any other unlawful act. The Florida Supreme Court has held that the “basic common law elements apply” to s. 870.02, F.S., and has construed this statute “to prohibit (1) an assembly of three or more persons who, (2) having a common unlawful purpose, (3) assemble in such a manner as to give rational, firm, and courageous persons in the neighborhood of the assembly a well-grounded fear of a breach of the peace.”²¹ The Court has further held that this statute does not infringe on free speech or assembly if the term ‘unlawful assembly’ used in s. 870.02, F.S., meets the Court’s previously-described definition, the elements are “established by the circumstances of the incident,” and the “charging document ... articulate[s] the facts which establish each of those elements.”²²

Section 870.03, F.S., provides that it is a third degree felony²³ if any persons unlawfully assembled demolish, pull down or destroy, or begin to demolish, pull down or destroy, any dwelling house or other building, or any ship or vessel.²⁴ The third degree felony is not ranked in the Code offense severity level ranking chart. Therefore, it is assigned a “default” ranking under s. 921.0023, F.S., based on felony degree. A third degree felony offense is ranked as a Level 1 offense.²⁵

Riot and Inciting or Encouraging a Riot

Section 870.01(2), F.S., provides that it is a third degree felony to commit a riot or incite or encourage a riot. Because the statute does not provide a definition of riot, the Florida Supreme Court has applied the common law definition of the term, which is “a tumultuous disturbance of

(1860)]. This is consistent with the common law notion of an affray as an attack upon the public order and sense of security which could lead to actual violence. *See State v. Huntley*, 25 N.C. 418 (1843).” *D.J. v. State*, 651 So.2d 1255, 1256 (Fla. 1st DCA 1995). The Court noted that “North Carolina and Alabama ... have adopted the identical common law definition of affray.” *Id.*

¹⁹ A second degree misdemeanor is punishable by up to 60 days in jail and a fine of up to \$500. Sections 775.082 and 775.083, F.S.

²⁰ Section 877.03, F.S., provides that it is a second degree misdemeanor to commit such acts as are of a nature to corrupt the public morals, or outrage the sense of public decency, or affect the peace and quiet of persons who may witness them, or engage in brawling or fighting, or engage in such conduct as to constitute a breach of the peace or disorderly conduct. The Florida Supreme Court has narrowed the application of the statute to avoid possible infringement on constitutionally-protected speech, limiting its application so it only applies “to words which ‘by their very utterance . . . inflict injury or tend to incite an immediate breach of the peace,’ *White v. State*, ... [330 So.2d 3, 7 (Fla.1976)]; *See Chaplinsky v. New Hampshire*, ... [315 U.S. 568, 572 (1942)]; or to words, known to be false, reporting some physical hazard in circumstances where such a report creates a clear and present danger of bodily harm to others.” *State v. Saunders*, 339 So.2d 641, 644 (Fla. 1976). The Court in *Saunders* construed s. 877.03, F.S., “so that no words except ‘fighting words’ or words like shouts of ‘fire’ in a crowded theatre fall within its proscription, in order to avoid the constitutional problem of overbreadth, and ‘the danger that a citizen will be punished as a criminal for exercising his right of free speech.’” *Id.*, at 644, quoting *Spears v. State*, 337 So.2d 977, 980 (Fla. 1976).

²¹ *State v. Simpson*, 347 So.2d 414, 415 (Fla. 1977) (footnote omitted).

²² *Id.* at 416.

²³ A third degree felony is punishable by up to five years in state prison and a fine of up to \$5,000. Sections 775.082 and 775.083, F.S.

²⁴ The Florida Supreme Court has construed s. 870.03, F.S., to include the common law elements of unlawful assembly. *Mobley v. State*, 409 So.2d 1031, 1034 (Fla. 1982).

²⁵ Section 921.0023(1), F.S.

the peace by three or more persons, assembled and acting with a common intent, either in executing a lawful private enterprise in a violent or turbulent manner, to the terror of the people, or in executing an unlawful enterprise in a violent and turbulent manner.”²⁶

For the offense of inciting or encouraging a riot, the Court has held:

[T]he words uttered by such person or the act done by him must be such as to support a finding that they were said or done with intent to provoke a riot. In the light of all the circumstances, the language used must clearly intend to incite a breach of the peace. We recognize that our statute may not be used to interfere with an individual’s right to free speech. For our statute to be constitutional, the words used must be such that they advocate violence and tend to incite an immediate breach of the peace.²⁷

The Court held that, subject to the following limitations, the offenses of riot and inciting or encouraging a riot are constitutional. “The offense of riot is as it is defined at common law, and each of the common law elements of the offense must be established by the circumstances of the incident. Specifically, the charging document must articulate facts which establish that three or more persons acted with a common intent to mutually assist each other in a violent manner to the terror of the people and a breach of the peace.”²⁸

The Court also described what must be included in the charging document regarding inciting or encouraging a riot:

With reference to the offense of inciting or encouraging a riot, the charging document must establish circumstances justifying a clear and present danger of a riot in accordance with its elements as heretofore set out and that the language used by the defendant tended to incite the persons assembled to an immediate breach of the peace. Conduct which involves a clear and present danger of force or violence is not constitutionally protected even though it is intertwined with protected speech and conduct. It is no abridgment of free speech or assembly to make criminal the promoting, encouraging, and aiding of an assembly, the purpose of which is to wreak violence.²⁹

The offenses of riot and inciting or encouraging a riot are ranked in Level 3 of the Code offense severity level ranking chart.³⁰

Law Enforcement Funding

In 2020, following a series of incidents involving the unjustified or questionable use of force by law enforcement, activists began a nationwide movement to “defund the police.” Although in some circumstances the goal of defunding the police is the complete elimination (“disbanding”) of a law enforcement agency, the more common usage advocates for shifting a portion of the law enforcement budget to social services and other community initiatives that may reduce crime

²⁶ *State v. Beasley*, 317 So.2d 750, 752-753 (Fla. 1975) (citations omitted).

²⁷ *Id.* at 753 (citations omitted).

²⁸ *Id.* at 753.

²⁹ *Id.* at 753 (citation omitted).

³⁰ Section 921.0022(3)(c), F.S.

without the need for law enforcement intervention.³¹ For example, in July 2020, St. Petersburg announced it would redirect grant money that was earmarked to hire additional police officers to contract with social service workers to respond to nonviolent emergency calls.³²

Critics of the “defund the police” movement argue that a drastic reduction in law enforcement will lead to an increase in crime and will disproportionately impact minority communities and further marginalize the residents in those areas.³³ Proponents of the “defund the police” movement argue that “investing in communities would act as a better deterrent to crime by directly addressing societal problems like poverty, mental illness, and homelessness — issues that advocates say police are poorly equipped to handle, and yet are often tasked with.”³⁴

Municipal Budgets

A municipality is required to adopt a budget each fiscal year.³⁵ As part of the budget process, a municipality is required to post a tentative budget to the municipality’s official website prior to a formal hearing adopting the final budget.³⁶ Typically, the municipal police chief is appointed or hired by a city official or officials (mayor, city manager, city commission) and law enforcement funding is determined by the municipal governing body.

Sheriffs’ Budgets

The Florida Constitution specifies five elected county officers, including the county sheriff.³⁷ In contrast to a municipal law enforcement agency, a sheriff has much greater input in the budget process. For each fiscal year,³⁸ the sheriff submits a proposed budget to the county commission. After reviewing the sheriff’s budget request, the county commission may amend, modify, increase, or reduce the recommended budget.³⁹

If the sheriff disagrees with the budget modifications or reductions, he or she may file an appeal to the Administration Commission,⁴⁰ which is comprised of the Governor and Cabinet.⁴¹ The Executive Office of the Governor (EOG) conducts a budget hearing to consider the sheriff’s appeal. Following the budget hearing, the EOG forwards its recommendation to the

³¹ Michael Balsamo, *When Protestors Demand ‘Defund the Police’ at George Floyd Demonstrations, What Does It Mean?* (June 7, 2020), Chicago Tribune, available at <https://www.chicagotribune.com/nation-world/ct-nw-cb-george-floyd-protesters-defund-police-20200607-kiupi5allvgehinzidz3jund5e-story.html> (last visited March 24, 2021).

³² Mitch Perry, *St. Pete Police Social Worker Program Set to Begin* (Jan. 13, 2021), Bay News 9, available at <https://www.baynews9.com/fl/tampa/news/2021/01/13/st-pete-police-social-worker-program-set-to-begin-> (last visited March 24, 2021).

³³ Tom Jackman, *Defunding or disbanding the police is a dangerous idea if done hastily* (June 18, 2020), Washington Post, available at <https://www.washingtonpost.com/crime-law/2020/06/18/guest-post-defunding-or-disbanding-police-is-dangerous-idea-if-done-hastily/?outputType=amp> (last visited March 24, 2021).

³⁴ Amanda Arnold, *What Exactly Does It Mean to Defund the Police?* (June 12, 2020), The Cut, available at <https://www.thecut.com/2020/06/what-does-defund-the-police-mean-the-phrase-explained.html> (last visited March 24, 2021).

³⁵ The fiscal year for a municipality is October 1 through September 30. Section 166.241(1) and (2), F.S.

³⁶ Section 166.241(3), F.S.

³⁷ Art. VIII, s. 1(d), Fla. Const.

³⁸ The fiscal year for a sheriff is October 1 through September 30. Section 30.49(1), F.S.

³⁹ Section 30.49, F.S.

⁴⁰ Section 30.49(4), F.S.

⁴¹ Section 14.202, F.S.

Administration Commission, which may amend, modify, increase, or reduce the sheriff's budget. The decision of the Administration Commission is final.⁴²

Further, if in the judgment of the sheriff an emergency should arise by reason of which the sheriff would be unable to perform his or her duties without the expenditure of larger amounts than those provided in the budget, he or she may apply to the board of county commissioners for the appropriation of additional amounts. If the board of county commissioners approves the sheriff's request, no further action is required on either party. If the board of county commissioners disapproves a portion or all of the sheriff's request, the sheriff may apply to the Administration Commission for the appropriation of additional amounts. The Administration Commission may require a budget hearing on the application. If any increase is granted by the Administration Commission, the board of county commissioners, and the budget commission, if there is one, must amend accordingly the budget of the appropriate county fund or funds.⁴³

Obstruction of Roadways

Section 316.2045, F.S.

Section 316.2045(1), F.S., provides that it is a pedestrian violation⁴⁴ for a person willfully to obstruct the free, convenient, and normal use of any public street, highway, or road by impeding, hindering, stifling, retarding, or restraining traffic or passage thereon, by standing or approaching motor vehicles thereon, or by endangering the safe movement of vehicles or pedestrians traveling thereon.

Section 316.2045(2), F.S., provides that it is a second degree misdemeanor for a person, without proper authorization or a lawful permit, willfully to obstruct the free, convenient, and normal use of any public street, highway, or road by any of the means specified in subsection (1) in order to solicit.

Section 316.2045(3), F.S., authorizes the appropriate local government to issue permits for the use of any street, road, or right-of-way not maintained by the state.

Organizations qualified under s. 501(c)(3) of the Internal Revenue Code and registered pursuant to ch. 496, F.S., or persons or organizations acting on their behalf are exempted from:

- The provisions of s. 316.2045(2), F.S., for activities on streets or roads not maintained by the state. Permits for the use of any portion of a state-maintained road or right-of-way are required only for those purposes and in the manner set out in s. 337.406, F.S.⁴⁵
- Local requirements for a permit issued under s. 316.2045(3), F.S., for charitable solicitation activities on or along streets or roads that are not maintained by the state under conditions prescribed in the statute.⁴⁶

⁴² *Id.*

⁴³ Section 30.49(10), F.S.

⁴⁴ The violation is a noncriminal traffic infraction punishable by a \$15 fine. Sections 318.14(1) and 318.18(1), F.S.

⁴⁵ Section 316.2045(2), F.S.

⁴⁶ Section 316.2045(3), F.S.

Section 316.2045(4), F.S., provides that nothing in s. 316.2045, F.S., shall be construed to inhibit political campaigning on the public right-of-way or to require a permit for such activity.

Section 316.2045(5), F.S., exempts commercial vehicles collecting solid waste or recycling when displaying amber flashing hazard lights.

Section 316.2045, F.S., Has Been Held Unconstitutional

Speech regulations are generally analyzed as to whether they are content based or content neutral. “Deciding whether a particular regulation is content based or content neutral is not always a simple task.... [The U.S. Supreme Court has] said that the ‘principal inquiry in determining content neutrality ... is whether the government has adopted a regulation of speech because of [agreement or] disagreement with the message it conveys.’”⁴⁷

“As a general rule, laws that by their terms distinguish favored speech from disfavored speech on the basis of the ideas or views expressed are content based.... By contrast, laws that confer benefits or impose burdens on speech without reference to the ideas or views expressed are in most instances content neutral[.]”⁴⁸ “Content-based regulations are presumptively invalid”⁴⁹ and may be justified only if the government proves that “they are narrowly tailored to serve a compelling state interest.”⁵⁰ Content-neutral regulations will be sustained if they further “an important or substantial governmental interest; if the governmental interest is unrelated to the suppression of free expression; and if the incidental restriction on alleged First Amendment freedoms is no greater than is essential to the furtherance of that interest.”⁵¹

A law may also place an unconstitutional prior restraint on speech. “A prior restraint on expression exists when the government can deny access to a forum for expression before the expression occurs.”⁵² “Although prior restraints are not per se unconstitutional, there is a strong presumption against their constitutionality.”⁵³ A long line of U.S. Supreme Court decisions hold that “a law subjecting the exercise of First Amendment freedoms to the prior restraint of a license, without narrow, objective, and definite standards to guide the licensing authority, is unconstitutional.”⁵⁴

In 2003, in *Bischoff v. Florida*, the U.S. District Court for the Middle District of Florida (Orlando Division) issued a permanent injunction against enforcement of s. 316.2045, F.S. The Court held that the statute violates the Equal Protection Clause of the Fourteenth Amendment and the First Amendment, finding the statute is content-based because it facially prefers speech by registered charities and those who are engaged in political speech.⁵⁵ The court also held that the statute was void for vagueness, finding that several ambiguous terms in the statute did not

⁴⁷ *Turner Broadcasting System, Inc. v. F.C.C.*, 512 U.S. 622, 642 (1994) (citation omitted), quoting *Ward v. Rock Against Racism*, 491 U.S. 781, 791 (1989).

⁴⁸ *Id.* at 643 (citations omitted).

⁴⁹ *R.A.V. v. City of St. Paul*, 505 U.S. 377, 382 (1992) (citations omitted).

⁵⁰ *Arkansas Writers’ Project, Inc. v. Ragland*, 481 U.S. 221, 231 (1987).

⁵¹ *U.S. v. O’Brien*, 391 U.S. 367, 377 (1968).

⁵² *U.S. v. Frandsen*, 212 F.3d 1231, 1236-37 (11th Cir. 2000).

⁵³ *Id.* at 1237.

⁵⁴ *Shuttlesworth v. Birmingham*, 394 U.S. 147, 150-51 (1969) (footnote omitted).

⁵⁵ *Bischoff v. Florida*, 242 F. Supp. 2d 1226, 1236 (M.D. Fla. 2003).

“convey sufficiently definite warning as to the unlawful conduct when measured by common understanding.”⁵⁶

The Court further held that the statute is unconstitutionally overbroad because it is not narrowly tailored to meet the compelling state interest in ensuring public safety on roads. The Court found that the defendants did not address the magistrate judge’s conclusion that the statute’s permit scheme serves as a prior restraint on speech, and did not point to anything in the record to convince the Court “that there are procedural safeguards in place to prevent the undue suppression of speech.”⁵⁷

“Although it declined to sever the provisions of the statute, the Court in *Bischoff* noted that Section 1 of Florida Statute 316.2045, standing alone, appeared to be content neutral and did not ‘have the problems created by the preferences’ elsewhere in the statute.”⁵⁸

In 2006, in *Chase v. City of Gainesville*, the U.S. District Court for the Northern District of Florida (Gainesville Division) issued a permanent injunction against enforcement of s. 316.2045, F.S., after the parties agreed to its permanent enjoinder and facial unconstitutionality.⁵⁹

In 2020, in *Vigue v. Shoar*, the U.S. District Court for the Middle District of Florida (Jacksonville Division) found that the Legislature had not addressed the constitutional infirmities identified in *Bischoff*.⁶⁰ The Court agreed with the reasoning in *Bischoff* regarding the unconstitutionality of s. 316.2045, F.S., and permanently enjoined its enforcement.⁶¹

Sovereign Immunity and Immunity Exceptions

Sovereign immunity is a principle under which a government cannot be sued without its consent.⁶² Section 768.28(1), F.S., allows for suits in tort against Florida and its agencies and subdivisions for damages resulting from the negligence of government employees acting in the scope of employment. This liability exists only where a private person would be liable for the same conduct. Section 768.28, F.S., applies only to “injury or loss of property, personal injury, or death caused by the negligent or wrongful act or omission of any employee of the agency or subdivision while acting within the scope of the employee’s office or employment”⁶³

⁵⁶ *Id.*

⁵⁷ *Id.* at 1237, 1257-58.

⁵⁸ *Halfpap v. City of West Palm Beach*, No. 05-80900-CIV, 2006 WL 5700261, at *23 n. 47 (S.D. Fla. April 12, 2006), quoting *Bischoff*, at 1258, n. 21. The reference to “Section 1 of Florida Statute 316.2045” is actually a reference to subsection (1) of s. 316.2045, F.S. In this quoted footnote from *Bischoff*, the Court also explained that it was a decision for the Legislature whether to sever the unconstitutional parts of the statute and leave s. 316.2045(1), F.S., standing alone.

⁵⁹ *Chase v. City of Gainesville*, No. 1:06-CV-44-SPM/AK, 2006 WL 3826983 (N.D. Fla. Dec. 28, 2006).

⁶⁰ *Vigue v. Shoar*, No. 3:19-CV-186-J-32JBT, 2020 WL 6020484 (M.D. Fla. Oct. 12, 2020). “In 2007, the Florida Legislature amended s. 316.2045(3) to exempt certain 501(c)(3) organizations from the permit requirements for charitable solicitation and to establish conditions with which the organizations must comply to take advantage of that exemption. Fla. Att’y Gen. Op. 2007-50 (2007). On November 7, 2007, Florida Attorney General Bill McCollum issued an opinion that the amendments did not address the constitutional infirmities identified in *Bischoff* and recommended that the Florida Legislature address those issues. *Id.* To date, the Legislature has not done so.” *Id.*, at *7 (footnote omitted).

⁶¹ *Id.*

⁶² *Sovereign Immunity*, The Legal Information Institute, Cornell Law School, available at https://www.law.cornell.edu/wex/sovereign_immunity (last visited March 24, 2021).

⁶³ Section 768.28(1), F.S.

Section 768.28(5), F.S., limits tort recovery from a governmental entity at \$200,000 per person and \$300,000 per accident. This limitation does not prevent a judgement in excess of such amounts from being entered, but a claimant is unable to collect above the statutory limit unless a claim bill is passed by the Legislature.

Article X, s. 13, of the State Constitution allows the Legislature to waive sovereign immunity but this statutory waiver is not absolute. The Florida Supreme Court has recognized that there are certain functions which are inherent in the act of governing and that “[j]udicial intervention through private tort suits into the realm of discretionary decisions relating to basic governmental functions would require the judicial branch to second guess the political and police power decisions of the other branches of government and would violate the separation of powers doctrine.”⁶⁴ Courts have found governmental entities to be entitled to sovereign immunity in cases involving the decision of whether to enforce the law by making an arrest, tactical deployment of police officers, and providing enforcement protection.⁶⁵

There are also statutory exceptions to the waiver of sovereign immunity. Section 768.28(15), F.S., bars any claim against a governmental entity by a person who unlawfully participates in a riot, unlawful assembly, public demonstration, mob violence, or civil disobedience if the claim arises out of that person’s participation in a riot, unlawful assembly, public demonstration, mob violence, or civil disobedience.

Assault and Battery

Assault and Aggravated Assault

Section 784.011, F.S., provides that it is a second degree misdemeanor to commit an assault, which is an intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent.

Section 784.021, F.S., provides that an aggravated assault is an assault:

- With a deadly weapon⁶⁶ without intent to kill; or
- With an intent to commit a felony.

Aggravated assault is a third degree felony and is ranked in Level 6 of the Code offense severity level ranking chart.⁶⁷

⁶⁴ *Trionon Park Condominium Ass’n v. City of Hialeah*, 468 So.2d 912, 918 (Fla. 1985).

⁶⁵ See, e.g., *Everton v. Willard*, 468 So.2d 936 (Fla. 1985), *Wong v. City of Miami*, 237 So.2d 132 (Fla. 1970), *Elmer v. City of St. Petersburg*, 378 So.2d 825 (Fla. 2d DCA 1979) *Hernandez v. City of Miami*, 305 So.2d 277 (Fla. 3d DCA 1974), and *Carter v. City of Stuart*, 468 So.2d 955 (Fla. 1985).

⁶⁶ When undefined in statute, Florida courts have defined a “deadly weapon” as an instrument that will likely cause death or great bodily harm when used in the ordinary and usual manner contemplated by its design or an object that is used or threatened to be used in a way likely to produce death or great bodily harm. See *Brown v. State*, 86 So.3d 569, 571 (Fla. 5th DCA 2012).

⁶⁷ Section 921.0022(3)(g), F.S.

Battery and Aggravated Battery

Section 784.03, F.S., provides that the offense of battery occurs when a person:

- Actually and intentionally touches or strikes another person against the will of the other; or
- Intentionally causes bodily harm to another person.

Generally, a battery under this statute is punishable as a first degree misdemeanor but a person commits a third degree felony if he or she has one prior conviction for battery, aggravated battery, or felony battery and commits any second or subsequent battery.

Section 784.045, F.S., provides that a person commits aggravated battery who, in committing battery:

- Intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement;
- Uses a deadly weapon; or
- The victim of the battery was pregnant at the time of the offense and the offender knew or should have known that the victim was pregnant.

Aggravated battery is a second degree felony and is ranked in Level 7 of the Code offense severity level ranking chart.⁶⁸

Assault or Battery on a Law Enforcement Officer or Other Specified Professional

Section 784.07(2), F.S., reclassifies the misdemeanor or felony degree of assault, aggravated assault, battery, and aggravated battery when a person knowingly commits any of these offenses upon a specified person while such person is engaged in the lawful performance of his or her duties, including:

- A law enforcement officer (LEO);⁶⁹
- A firefighter;
- An emergency medical care provider;
- A railroad special officer;
- A traffic accident investigation officer;
- A nonsworn law enforcement agency employee;
- A law enforcement explorer;
- A traffic infraction enforcement officer;
- A parking enforcement specialist;
- A uniformed licensed security officer;
- A security officer employed by the board of trustees of a community college; or
- A public transit employee or agent.

⁶⁸ Section 921.0022(3)(g), F.S. A second degree felony is punishable by up to 15 years in state prison and a fine of up to \$10,000. Sections 775.082 and 775.083, F.S.

⁶⁹ “Law enforcement officer” includes a LEO, a correctional officer (CO), a correctional probation officer, a part-time LEO, a part-time CO, an auxiliary LEO, and an auxiliary CO, as those terms are respectively defined in s. 943.10, F.S., and any county probation officer; an employee or agent of the Department of Corrections who supervises or provides services to inmates; an officer of the Florida Commission on Offender Review; a federal LEO as defined in s. 901.1505, F.S.; and law enforcement personnel of the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, or the Department of Law Enforcement. Section 784.07(1)(d), F.S.

The offenses are reclassified as follows:

- Assault is reclassified from a second degree misdemeanor to a first degree misdemeanor;
- Battery is reclassified from a first degree misdemeanor to a third degree felony.
- Aggravated assault is reclassified from a third degree felony to a second degree felony.
 - The penalty for aggravated assault upon a LEO includes a three-year mandatory minimum sentence.
- Aggravated battery is reclassified from a second degree felony to a first degree felony.⁷⁰
 - The penalty for aggravated battery upon a LEO includes a five-year mandatory minimum sentence.⁷¹

Criminal Mischief

Section 806.13, F.S., provides that a person commits criminal mischief by willfully and maliciously injuring or damaging the real or personal property of another, including by vandalism or graffiti. The penalty for criminal mischief generally corresponds to the cost of the damage. It is a:

- Second degree misdemeanor if the damage is \$200 or less;
- First degree misdemeanor if the damage is greater than \$200 but less than \$1,000; and
- Third degree felony if the damage is greater than \$1,000, or there is interruption or impairment of a business operation or public communication, transportation, supply of water, gas or power, or other public service which costs \$1,000 or more in labor and supplies to restore.⁷²

Criminal mischief may also be enhanced to a third degree felony based on a prior criminal mischief conviction or the nature of the property damaged, including when a person damages a:

- Church, synagogue, mosque, or other place of worship, or a religious article therein, if the damage is valued greater than \$200;
- Public telephone, regardless of the value of the damage; or
- Sexually violent predator detention or commitment facility, if the damage is valued greater than \$200.⁷³

A minor who commits criminal mischief by placing graffiti on any public or private property is subject to additional penalties, and any criminal mischief offense relating to graffiti requires specified community service and a fine ranging from \$250 to \$1,000.⁷⁴

The third degree felony pertaining to property damage of \$1,000 or more or damage of \$1,000 or more to public communication or any other public service is ranked in Level 2 of the Code offense severity level ranking chart.⁷⁵ The other third degree felonies are not ranked in the chart. They are assigned a Level 1 ranking by “default” under s. 921.0023, F.S.

⁷⁰ A first degree felony is generally punishable up to 30 years in state prison and a fine of up to \$10,000. Sections 775.082 and 775.083, F.S.

⁷¹ Section 784.07(2)(d), F.S.

⁷² Section 806.13(1)(b)1.-3., F.S.

⁷³ Section 806.13(2)-(4), F.S.

⁷⁴ Section 806.13(6)-(8), F.S.

⁷⁵ Section 921.0022(3)(b), F.S.

Burglary and Burglary Facilitated by State of Emergency

Section 810.02(1), F.S., provides that a person commits burglary by:

- Entering a dwelling, structure, or conveyance with the intent to commit an offense therein, unless the premises are open to the public or the person's entry is licensed or invited; or
- Notwithstanding a licensed or invited entry, remaining in a dwelling, structure, or conveyance:
 - Surreptitiously, with the intent to commit an offense therein;
 - After permission to remain is withdrawn, with the intent to commit an offense therein; or
 - To commit or attempt to commit a forcible felony.⁷⁶

A burglary is a felony offense classified according to the offense's specific circumstances, as follows:

- Unarmed burglary of an unoccupied structure or unoccupied conveyance (no assault or battery) is a Level 4 third degree felony.⁷⁷
- Unarmed burglary of an occupied structure (no assault or battery) is a Level 6 second degree felony.⁷⁸
- Unarmed burglary of a dwelling, an occupied conveyance, or an authorized emergency vehicle (no assault or battery) is a Level 7 second degree felony.⁷⁹
- Burglary is a Level 8 first degree felony punishable by a terms of years not exceeding life imprisonment if, in the course of committing the offense, the offender:
 - Makes an assault or battery upon any person;
 - Is or becomes armed within the dwelling, structure, or conveyance, with explosives or a dangerous weapon; or
 - Enters an occupied or unoccupied dwelling or structure, and:
 - Uses a motor vehicle as an instrumentality, other than merely as a getaway vehicle, to assist in committing the offense, and thereby damages the dwelling or structure; or
 - Causes damage to the dwelling or structure, or to property within the dwelling or structure in excess of \$1,000.⁸⁰

The felony degree of certain burglaries is reclassified if the burglary is committed within a county that is subject to a state of emergency declared by the Governor under ch. 252, F.S., after the declaration of emergency is made and the perpetration of the burglary is facilitated by conditions arising from the emergency.⁸¹ The reclassified offense is ranked one level above the ranking of the offense committed.⁸²

⁷⁶ A "forcible felony" is treason; murder; manslaughter; sexual battery; carjacking; home-invasion robbery; robbery; burglary; arson; kidnapping; aggravated assault; aggravated battery; aggravated stalking; aircraft piracy; unlawful throwing, placing, or discharging of a destructive device or bomb; and any other felony which involves the use or threat of physical force or violence against any individual. Section 776.08, F.S.

⁷⁷ Sections 810.02(4)(a) and (b) and 921.0022(3)(d), F.S.

⁷⁸ Sections 810.02(3)(c) and 921.0022(3)(f), F.S.

⁷⁹ Sections 810.02(3)(a), (b), (d), and (e) and 921.0022(3)(g), F.S.

⁸⁰ Sections 810.02(2)(a)2. and 921.0022(3)(h), F.S.

⁸¹ The term "conditions arising from the emergency" means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or the response time for first responders or homeland security personnel. Section 810.02(3) and (4), F.S. The same definition of the term is used in the theft statute. Section 812.014(2)(b) and (c), F.S.

⁸² Section 810.02(3) and (4), F.S.

Reclassification and re-ranking occur in the following manner:

- Unarmed burglary of an unoccupied structure or unoccupied conveyance (no assault or battery) is reclassified and re-ranked as a Level 5 second degree felony.
- Unarmed burglary of an occupied structure (no assault or battery), which is a Level 6 second degree felony is reclassified and re-ranked as a Level 7 second degree felony.
- Unarmed burglary of a dwelling, an occupied conveyance, or an authorized emergency vehicle (no assault or battery) is reclassified and re-ranked as a Level 8 first degree felony.

A person arrested for a reclassified burglary must remain in custody until he or she appears for a first appearance hearing and a court determines bond.⁸³

Grand Theft and Grand Theft Facilitated by State of Emergency

Section 812.014(1), F.S., provides that a person commits theft if he or she knowingly obtains or uses, or endeavors to obtain or use, the property of another with intent to, either temporarily or permanently:

- Deprive the other person of a right to the property or a benefit from the property; or
- Appropriate the property to his or her own use or to the use of any person not entitled to the use of the property.

The statute, in part, provides for escalating punishment for grand theft based on the property value range applicable to the value of the property stolen in the theft. Grand theft is theft of property valued at \$750 or more. If the property stolen is valued at:

- \$750 or more, but less than \$5,000, it is grand theft of the third degree and a Level 2 third degree felony;⁸⁴
- \$5,000 or more, but less than \$10,000, it is grand theft of the third degree and a Level 3 third degree felony;⁸⁵
- \$10,000 or more, but less than \$20,000, it is grand theft of the third degree and a Level 4 third degree felony;⁸⁶
- \$20,000 or more, but less than \$100,000, it is grand theft of the second degree and a Level 6 second degree felony;⁸⁷ and
- \$100,000 or more, it is grand theft of the first degree and a Level 7 first degree felony.⁸⁸

The felony degree of certain thefts are reclassified if the property is stolen within a county that is subject to a state of emergency declared by the Governor under ch. 252, F.S., the theft is committed after the declaration of emergency is made, and the perpetration of the theft is facilitated by conditions arising from the emergency. The reclassified offense is ranked one level above the ranking of the offense committed.

⁸³ Section 810.02(3) and (4), F.S.

⁸⁴ Sections 812.014(2)(c)1. and 921.0022(3)(b), F.S.

⁸⁵ Sections 812.014(2)(c)2. and 921.0022(3)(c), F.S.

⁸⁶ Sections 812.014(2)(c)3. and 921.0022(3)(d), F.S.

⁸⁷ Sections 812.014(2)(b)1. and 921.0022(3)(f), F.S.

⁸⁸ Sections 812.014(2)(a)1. and 921.0022(3)(g), F.S.

Reclassification and re-ranking occur in the following manner:

- Grand theft of the third degree (\$5,000 or more, but less than \$10,000) is reclassified and re-ranked as a Level 4 second degree felony;
- Grand theft of the third degree (\$10,000 or more, but less than \$20,000) is reclassified and re-ranked as a Level 5 second degree felony; and
- Grand theft of the second degree (\$20,000 or more, but less than \$100,000) is reclassified and re-ranked as a Level 7 first degree felony.⁸⁹

Current law does not require a person arrested for theft during a state of emergency to remain in custody until he or she appears for a first appearance hearing and a court determines bond, unlike burglary during a state of emergency which contains such a requirement.⁹⁰

Doxing

Description

“Doxing” refers to “gathering an individual’s ... [personal identification information], such as a name, telephone number, email address, or physical address, and disclosing or posting it publicly, usually for malicious purposes such as public humiliation, stalking, identity theft, or targeting an individual for harassment.”⁹¹

Doxing victims can include both private citizens and government employees. “Doxers may use hacking, social engineering, or other malicious cyber activities to access personal information.” However, they may also collect information, most of which is probably public information, from “internet sources, such as property records, social media postings, obituaries, wedding announcements, newsletters, public conferences, and web forums.” This information, which is “seemingly innocuous,” can be compiled by the doxxer to create a personal dossier that reveals such sensitive information as a person’s “home address, family members, photos, workplace, and information about the individual’s habits, hobbies, or interests.” “Doxers may also use ‘data brokers’ or people-search sites that compile information from public and commercial sources and then sell this information to companies or the public. These brokers may obtain commercial data from retailers, catalog companies, magazines, and websites (e.g., news, travel).”⁹²

Criminal Use of Personal Identification Information

Florida law punishes criminal use of personal identification information.⁹³ For example, s. 817.568(2)(a), F.S., provides that it is a third degree felony to willfully and without

⁸⁹ This reclassification also applies to stolen cargo, emergency medical equipment, and law enforcement equipment in a specified value. *See* s. 812.014(2)(b), F.S.

⁹⁰ Section 810.02(3) and (4), F.S.

⁹¹ *How to Prevent Online Harassment from Doxing*, U.S. Department of Homeland Security, available at <https://www.dhs.gov/sites/default/files/publications/How%20to%20Prevent%20Online%20Harassment%20From%20Doxing.pdf> (last visited March 24, 2021). All information in this bill analysis, including quoted information, regarding doxing is from this source.

⁹² *Id.*

⁹³ Section 817.568(1)(f), F.S., defines “personal identification information” as any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including any:

- Name, postal or electronic mail address, telephone number, social security number, date of birth, mother’s maiden name, official state-issued or United States-issued driver license or identification number, alien registration number,

authorization fraudulently use, or possess with intent to fraudulently use, personal identification information concerning another person without first obtaining that person's consent. Further, s. 817.568(4), F.S., provides that it is a first degree misdemeanor to willfully and without authorization possess, use, or attempt to use personal identification information concerning a person without first obtaining that person's consent, and do so for the purpose of harassing that person.

Affirmative Defense

An affirmative defense is "a legal defense in which the defendant introduces evidence, which, if found to be credible, will negate criminal liability or civil liability, even if it is proven that the defendant committed the alleged acts."⁹⁴

Section 776.085(1), F.S., provides that a defendant in a civil action for personal injury, wrongful death, or property damage has a defense if the plaintiff's injuries or damages were sustained while the plaintiff was committing or attempting to commit a forcible felony. The plaintiff's conviction for committing or attempting to commit a forcible felony can be proven by introducing a prior criminal conviction or by a preponderance of the evidence. Any civil action in which a defendant has raised this affirmative defense is required to be stayed until the conclusion of the plaintiff's criminal proceedings, unless the court finds a conviction would not be a valid defense.⁹⁵

Injuring or Removing a Tomb or Monument

Section 872.02(1), F.S., provides that a person commits a third degree felony if he or she:

- Willfully and knowingly destroys, mutilates, defaces, injures, or removes any:
 - Tomb, monument, gravestone, burial mound, earthen or shell monument containing human skeletal remains or associated burial artifacts, or other structure or thing placed or designed for a memorial of the dead; or
 - Fence, railing, curb, or other thing intended for the protection or ornamentation of any tomb, monument, gravestone, burial mound, earthen or shell monument containing human skeletal remains or associated burial artifacts, or structure or thing placed or designed for a memorial of the dead, or for any enclosure for the burial of the dead.
- Willfully destroys, mutilates, removes, cuts, breaks, or injures any tree, shrub, or plant located within any enclosure for the burial of the dead.

government passport number, employer or taxpayer identification number, Medicaid or food assistance account number, bank account number, credit or debit card number, or personal identification number or code assigned to the holder of a debit card by the issuer to permit authorized electronic use of such card;

- Unique biometric data, such as fingerprint, voice print, retina or iris image, or other unique physical representation;
- Unique electronic identification number, address, or routing code;
- Medical records;
- Telecommunication identifying information or access device; or
- Other number or information that can be used to access a person's financial resources.

⁹⁴ *Affirmative Defense*, Legal Information Institute, Cornell Law School, available at https://www.law.cornell.edu/wex/affirmative_defense (last visited March 24, 2021).

⁹⁵ Section 776.085(3), F.S.

Additionally, it is a second degree felony to willfully and knowingly disturb the contents of a tomb or grave.⁹⁶

Neither crime is ranked in the Code offense severity level ranking chart. Therefore, both are assigned a “default” ranking under s. 921.0023, F.S., based on felony degree. A third degree felony offense is ranked as a Level 1 offense and a second degree felony offense is ranked as a Level 4 offense.⁹⁷

The statute exempts certain persons and entities from criminal liability including:

- Any person acting under the direction or authority of the Division of Historical Resources of the Department of State;
- Cemeteries operating under ch. 497, F.S.; or
- Any person otherwise authorized by law to remove or disturb a tomb, monument, gravestone, burial mound, or similar structure, or its contents.⁹⁸

III. Effect of Proposed Changes:

The bill, which takes effect upon becoming a law, addresses public disorder. The following is a detailed explanation of the provisions of the bill.

Defining Affrays and Riots, Creating Aggravated Riot and Aggravated Inciting or Encouraging a Riot Offenses, and Holding Violators in Jail Pending a Bail Hearing

The bill amends s. 870.01, F.S., which punishes affrays and riots, to do all of the following:

- Define the offense of affray. An affray is committed when a person engages, by mutual consent, in fighting with another person in a public place to the terror of the people. The bill codifies the common law elements of “affray” as they are virtually the same as the elements of the offense at common law. *The bill does not change the current penalty for affray, which is a first degree misdemeanor.*
- Define the offense of riot. A riot, which is a third degree felony, is committed when a person willfully participates in a violent public disturbance involving an assembly of three or more persons, acting with a common intent to assist each other in violent and disorderly conduct, resulting in:
 - Injury to another person;
 - Damage to property; or
 - Imminent danger of injury to another person or damage to property.*The bill does not change the current penalty for riot, which is a third degree felony.*
- Create the offense of aggravated rioting. The bill provides that a person commits aggravated rioting, a second degree felony, if, in the course of committing a riot, he or she:
 - Participates with 25 or more persons;
 - Causes great bodily harm to a person not participating in the riot;
 - Causes property damage in excess of \$5,000;
 - Displays, uses, threatens to use, or attempts to use a deadly weapon; or

⁹⁶ Section 872.02(2), F.S.

⁹⁷ Section 921.0023(1) and (2), F.S.

⁹⁸ Section 872.02(3), F.S.

- By force, or threat of force, endangers the safe movement of a vehicle traveling on a public street, highway, or road.
- Define the offense of inciting a riot. Inciting a riot, which is a third degree felony, is committed when a person willfully incites another person to participate in a riot, resulting in a riot or imminent danger of a riot. *The bill does not change the current penalty for inciting a riot, which is a third degree felony.*
- Create the offense of aggravated inciting a riot. The bill provides that a person commits aggravated inciting a riot, a second degree felony, if he or she:
 - Incites a riot resulting in great bodily harm to another person not participating in the riot;
 - Incites a riot resulting in property damage in excess of \$5,000; or
 - Supplies a deadly weapon to another person or teaches another person to prepare a deadly weapon with intent that the deadly weapon be used in a riot for an unlawful purpose.

Except for an affray violation, a person arrested for a violation of s. 870.01, F.S., must be held in custody until brought before the court for admittance to bail in accordance with ch. 903, F.S.

The bill also amends s. 921.0022(3)(d), F.S., to rank the offenses of aggravated rioting and aggravated inciting a riot in Level 4 of the Code offense severity level ranking chart.

Holding Unlawful Assembly Violators in Jail Pending a Bail Hearing

The bill amends s. 870.02, F.S., which punishes unlawful assembly, to provide that a person arrested for a violation of this statute must be held in custody until brought before the court for admittance to bail in accordance with ch. 903, F.S. *The bill does not change the current penalty for unlawful assembly, which is a first degree misdemeanor.*

Repealing s. 870.03, F.S. (Punishing Unlawful Assembly Resulting in Specific Damage)

The bill repeals s. 870.03, F.S., which punishes committing specific types of damage (to dwellings, buildings, ships, or vessels) during an unlawful assembly.

Creating a Budget Appeal Process to Challenge Reductions in Municipal Law Enforcement Agencies' Budgets

The bill amends s. 166.241, F.S., relating to municipal budgets, to create a budget appeal process to challenge reductions in municipal law enforcement agencies' budgets similar to that available to a county sheriff. If a municipality's tentative budget contains a funding reduction to the operating budget of the municipal law enforcement agency, the state attorney for the judicial circuit in which the municipality is located or a member of the governing body of the municipality who objects to the funding reduction may file an appeal within 30 days of the date the tentative budget is posted on the municipality's website. The bill requires a municipality to reply to the appeal within five working days of receipt. The bill requires the EOG to conduct a hearing on the appeal and make a recommendation to the Administration Commission which may approve, amend, or modify the municipal law enforcement budget. Under the bill, the decision of the Administration Commission is final.

Redefining the Offense of Obstruction of Roadways

The bill amends s. 316.2045, F.S., which prohibits obstruction of public streets, highways, and roads, to redefine the offense and to remove portions held unconstitutional by federal courts while preserving the state interest of keeping roadways safe. (See “Present Situation” section of this analysis for further details.)

The bill provides that a person commits a pedestrian violation if he or she willfully obstructs the free, convenient, and normal use of a public street, highway, or road by:

- Impeding, hindering, stifling, retarding, or restraining traffic or passage thereon;
- Standing on or remaining on the street, highway, or road; or
- Endangering the safe movement of vehicles or pedestrians traveling thereon.

Currently, the statute provides that a person commits a pedestrian violation if he or she willfully obstructs the free, convenient, and normal use of any public street, highway, or road by impeding, hindering, stifling, retarding, or restraining traffic or passage thereon, by standing or approaching motor vehicles thereon, or by endangering the safe movement of vehicles or pedestrians traveling thereon.⁹⁹

The bill also provides that the previously described offense does not prohibit a local government entity from issuing a special event permit as authorized by law.

The bill also retains the current exception for commercial vehicles collecting solid waste.

Waiving Sovereign Immunity for a Municipality’s Failure to Provide Reasonable Law Enforcement Protection During a Riot or Unlawful Assembly

The bill amends s. 768.28, F.S., relating to waiver of sovereign immunity in tort actions, to provide that a municipality has a duty to allow the municipal law enforcement agency to respond appropriately to protect persons and property during a riot or an unlawful assembly based on the availability of adequate equipment to its municipal law enforcement officers and relevant state and federal laws. If the governing body of a municipality or a person authorized by the governing body of the municipality breaches that duty, the municipality is civilly liable for any damages including damages arising from personal injury, wrongful death, or property damages proximately caused by the municipality’s breach of duty. The sovereign immunity recovery limits in the statute do not apply to such action, meaning the \$200,000 per person or \$300,000 per incident recovery limits do not apply.

Reclassifying the Degree of Assault and Battery Committed in Furtherance of a Riot or an Aggravated Riot

The bill amends s. 784.011, F.S., relating to assault, to provide that it a first degree misdemeanor to assault another person in furtherance of a riot or an aggravated riot. Currently, a simple assault is a second degree misdemeanor.¹⁰⁰

⁹⁹ Section 316.2045(1), F.S.

¹⁰⁰ Section 784.011(2), F.S.

The bill also amends s. 784.03, F.S., relating to battery and felony battery, to provide that it is a third degree felony to commit battery in furtherance of a riot or an aggravated riot. Currently, simple battery is a first degree misdemeanor.¹⁰¹

The bill also amends s. 921.0022(3)(b), F.S., to rank the reclassified battery offense in Level 2 of the Code offense severity level ranking chart.

Providing an Increased Ranking for an Aggravated Assault or Aggravated Battery Committed in Furtherance of a Riot or an Aggravated Riot

The bill amends s. 784.021, F.S. (aggravated assault), and s. 784.045, F.S. (aggravated battery), to provide that aggravated assault or aggravated battery committed in furtherance of a riot or an aggravated riot is ranked one level above the ranking of aggravated assault or aggravated battery in the Code offense severity level ranking chart. If applicable, such aggravated assault would be re-ranked in Level 7¹⁰² and aggravated battery would be re-ranked in Level 8.¹⁰³ The increase in ranking will increase sentence points used to determine the lowest permissible sentence under the Code.

Punishing Mob Intimidation and Holding Violators in Jail Pending a Bail Hearing

The bill creates s. 784.0495, F.S., which punishes mob intimidation. The bill provides that it is a first degree misdemeanor for a person, assembled with two or more other persons and acting with a common intent, to use force or threaten to use imminent force, to compel or induce, or attempt to compel or induce, another person to do or refrain from doing any act or to assume, abandon, or maintain a particular viewpoint against his or her will.

The bill further provides that a person arrested for mob intimidation must be held in custody until brought before the court for admittance to bail in accordance with ch. 903, F.S.

Punishing Assault and Battery Offense Committed on a Law Enforcement Officer or Other Specified Official in Furtherance of a Riot or an Aggravated Riot

The bill amends s. 784.07, F.S., which reclassifies the misdemeanor or felony degree of assault and battery offenses committed upon a law enforcement officer or any other professional listed in the statute. The bill provides for a six-month mandatory minimum sentence for battery on a law enforcement officer if the offense was committed in furtherance of a riot or an aggravated riot.

The bill also provides that a felony violation of s. 784.07, F.S., committed by a person acting in furtherance of a riot or an aggravated riot is ranked one level above the ranking of the offense committed. If applicable, an aggravated assault would be re-ranked as a Level 7 offense, and aggravated battery would be re-ranked as a Level 8 offense if committed in furtherance of a riot

¹⁰¹ Section 784.03(1), F.S.

¹⁰² Aggravated assault is currently ranked in Level 6 of the chart. Section 921.002(3)(f), F.S.

¹⁰³ Aggravated battery is currently ranked in Level 7 of the chart. Section 921.0022(3)(g), F.S.

or an aggravated riot. The increase in ranking will increase sentence points used to determine the lowest permissible sentence under the Code.

Punishing Criminal Mischief Involving Damage to a Memorial or Historic Property and Holding Violators in Jail Pending a Bail Hearing

The bill amends s. 806.13, F.S., which punishes criminal mischief, to provide that it is a third degree felony for any person, without the consent of the owner, to willfully and maliciously deface, injure, or otherwise damage by any means a memorial or historic property, as those terms are defined in s. 806.135, F.S. (see definitions, *infra*), and the value of the damage to the memorial is greater than \$200. The bill also requires restitution, which includes the full cost of repair or replacement of such memorial or historic property.

The bill also amends s. 921.0022(3)(b), F.S., to rank the offense in Level 2 of the Code offense severity level ranking chart.

Punishing Destruction of a Memorial

The bill creates s. 806.135, F.S., which provides that it is a second degree felony for any person to willfully and maliciously destroy or demolish any memorial or historic property, or willfully and maliciously pull down a memorial or historic property, unless authorized by the owner of the memorial or the historic property.

The term “memorial” is defined as a plaque, statue, marker, flag, banner, cenotaph, religious symbol, painting, seal, tombstone, structure name, or display that is constructed and located with the intent of being permanently displayed or perpetually maintained; is dedicated to a historical person, an entity, an event, or a series of events; and honors or recounts the military service of any past or present United States Armed Forces military personnel, or the past or present public service of a resident of the geographical area comprising the state or the United States. The term includes, but is not limited to, the following memorials established under ch. 265, F.S.:

- Florida Women’s Hall of Fame;
- Florida Medal of Honor Wall;
- Florida Veterans’ Hall of Fame;
- POW-MIA Chair of Honor Memorial;
- Florida Veterans’ Walk of Honor and Florida Veterans’ Memorial Garden;
- Florida Law Enforcement Officers’ Hall of Fame;
- Florida Holocaust Memorial;
- Florida Slavery Memorial; and
- Any other memorial located within the Capitol Complex, including, but not limited to, Waller Park.

The term “historic property” is defined as any building, structure, site, or object that has been officially designated as a historic building, historic structure, historic site, or historic object through a federal, state, or local designation program.

The bill also requires restitution, which includes the full cost of repair or replacement of such memorial or historic property.

The bill also amends s. 921.0022(3)(d), F.S., to rank the offense in Level 4 of the Code offense severity level ranking chart.

Punishing Burglary and Theft Committed During a Riot or an Aggravated Riot and Facilitated by Conditions Arising from the Riot

The bill amends s. 810.02, F.S. (theft), and s. 812.014, F.S. (burglary), to reclassify specified theft and burglary offenses committed during a riot or an aggravated riot, when the commission of the offense is facilitated by conditions arising from the riot. Additionally, ss. 810.02 and 812.014, F.S., *currently* require an offense reclassified under either statute to be ranked one level above the ranking of the offense committed.

Reclassification and re-ranking occur in the same manner as would occur if the offense was committed during a state of emergency:

- Unarmed burglary of an unoccupied structure or unoccupied conveyance (no assault or battery), which is a Level 4 third degree felony,¹⁰⁴ is reclassified and re-ranked as a Level 5 second degree felony;
- Unarmed burglary of an occupied structure (no assault or battery), which is a Level 6 second degree felony,¹⁰⁵ is reclassified and re-ranked as a Level 7 first degree felony;
- Unarmed burglary of a dwelling, an occupied conveyance, or an authorized emergency vehicle (no assault or battery), which is a Level 7 second degree felony,¹⁰⁶ is reclassified and re-ranked as a Level 8 first degree felony;
- Unarmed burglary of a structure or conveyance when the offense intended to be committed in the structure is theft of a controlled substance, which is a Level 4 second degree felony,¹⁰⁷ is reclassified and re-ranked as a Level 5 first degree felony;
- Grand theft of the third degree (\$5,000 or more, but less than \$10,000), which is a Level 3 third degree felony,¹⁰⁸ is reclassified and re-ranked as a Level 4 second degree felony;
- Grand theft of the third degree (\$10,000 or more, but less than \$20,000), which is a Level 4 third degree felony,¹⁰⁹ is reclassified and re-ranked as a Level 5 second degree felony; and
- Grand theft of the second degree (\$20,000 or more, but less than \$100,000), which is a Level 6 second degree felony¹¹⁰ is reclassified and re-ranked as a Level 7 first degree felony.

“Conditions arising from the riot” include civil unrest, power outages, curfews, or a reduction in the presence of or response time for first responders or homeland security personnel.

The bill also amends s. 810.02, F.S., to provide that a person arrested for committing a burglary during a riot may not be released until the person appears before a committee magistrate at a first appearance hearing. The statute already provides that a person arrested for committing a burglary

¹⁰⁴ Sections 810.02(4)(a) and (b) and 921.0022(3)(d), F.S.

¹⁰⁵ Sections 810.02(3)(c) and 921.0022(3)(f), F.S.

¹⁰⁶ Sections 810.02(3)(a), (b), (d), and (e) and 921.0022(3)(g), F.S.

¹⁰⁷ Sections 810.02(3)(f) and 921.0023(2), F.S.

¹⁰⁸ Sections 812.014(2)(c)2. and 921.0022(3)(c), F.S.

¹⁰⁹ Sections 812.014(2)(c)3. and 921.0022(3)(d), F.S.

¹¹⁰ Sections 812.014(2)(b)1. and 921.0022(3)(f), F.S. This reclassification also applies to stolen cargo, emergency medical equipment, and law enforcement equipment in a specified value. *See* s. 812.014(2)(b), F.S.

within a county that is subject to a state of emergency may not be released until the person appears before a committee magistrate at a first appearance hearing.¹¹¹

The bill also amends s. 812.014, F.S., to provide that a person arrested for committing a theft during a riot or within a county that is subject to a state of emergency may not be released until the person appears before a committee magistrate at a first appearance hearing.

Punishing Cyberintimidation by Publication

The bill creates s. 836.115, F.S., which punishes cyberintimidation by publication (i.e., “doxing”). It is a first degree misdemeanor to electronically publish another person’s personal identification information with the intent to, or with the intent that a third party will use the information to:

- Incite violence or commit a crime against the person; or
- Threaten or harass the person placing such person in reasonable fear of bodily harm.

The bill provides the following definitions of relevant terms:

- “Electronically publish” means to disseminate, post, or otherwise disclose information to an Internet site or forum.
- “Harass” has the same meaning as provided in s. 817.568(1)(c), F.S., which defines the term as engaging in conduct directed at a specific person that is intended to cause substantial emotional distress to such person and serves no legitimate purpose. “Harass” does not mean to use personal identification information for accepted commercial purposes. The term does not include constitutionally protected conduct such as organized protests or the use of personal identification information for accepted commercial purposes.
- “Personal identification information” has the same meaning as provided in s. 817.568(1)(f), F.S.¹¹²

Providing an Affirmative Defense to an Action for Damages if the Action Arose from Injury or Damage Sustained by a Participant Acting in Furtherance of a Riot

The bill creates s. 870.07, F.S., to provide that in a civil action for damages for personal injury, wrongful death, or property damage, it is an affirmative defense that such action arose from an injury or damage sustained by a participant acting in furtherance of a riot. The affirmative defense authorized by this statute must be established by evidence that the participant has been convicted of a riot or an aggravated riot, or by proof of the commission of such crime by a preponderance of the evidence.

In a civil action in which a defendant raises this affirmative defense, the court must, on motion by the defendant, stay the action during the pendency of a criminal action that forms the basis for the defense, unless the court finds that a conviction in the criminal action would not form a valid defense under this statute.

The new s. 870.07, F.S., contains some of the same features of s. 776.085, F.S.:

¹¹¹ Section 810.02(3) and (4), F.S.

¹¹² See footnote 93.

- Creates an affirmative defense in a civil action for personal injury, wrongful death, or property damage;
- A conviction relevant to the defense can be proven by a preponderance of the evidence; and
- If the defense is raised, the civil action is stayed pending conclusion of the criminal proceedings relevant to the defense, unless the court finds a conviction would not be a valid defense.

Increasing the Ranking of Injuring or Removing a Tomb or Monument if the Offense Was Committed in Furtherance of a Riot or Aggravated Riot

Section 872.02, F.S., currently punishes injuring or removing a tomb or monument as a third degree felony (ranked by “default” under s. 921.0023, F.S., as a Level 1 offense). This statute also punishes disturbing the contents of a grave or tomb as a second degree felony (ranked by “default” under s. 921.0023, F.S., as a Level 4 offense).

The bill amends this statute to increase by one level the ranking of the offense if committed in furtherance of a riot or an aggravated riot. Therefore, if applicable, the Level 1 offense would be re-ranked as a Level 2 offense and the Level 4 offense would be re-ranked as a Level 5 offense. *The bill does not change the felony degree of these offenses.* The increase in ranking will increase sentence points used to determine the lowest permissible sentence under the Code.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

Inciting a Riot and the First Amendment

The First Amendment of the U.S. Constitution guarantees that “Congress shall make no law ... abridging the freedom of speech, or of the press; or the right of the people

peaceably to assemble, and to petition the Government for a redress of grievances.”¹¹³ The rights guaranteed by the First Amendment apply with equal force to state governments through the due process clause of the Fourteenth Amendment.¹¹⁴

“... [R]egardless of any risk of bodily injury or property damage, acts of violence against others in and of themselves constitute well-recognized forms of unlawful conduct, finding no protection under the first or any other amendment.”¹¹⁵ This is also true for threats of violence.¹¹⁶ However, the government cannot “forbid or proscribe advocacy of the use of force or of law violation except where such advocacy is directed to inciting or producing *imminent* lawless action and is likely to incite or produce such action.”¹¹⁷

“Imminent” means not only impending or ready to take place, but also expected, likely to occur, or hanging threateningly over one’s head. American Heritage Dictionary of the English Language 658 (1973). That is, the speech or expressive conduct must be directed to producing expected lawlessness and must be likely to incite such action. See *Brandenburg*, 395 U.S. at 447, 89 S.Ct. 1827. “The mere tendency of speech to encourage unlawful acts is not a sufficient reason for banning it.” *Ashcroft v. Free Speech Coal.*, 535 U.S. 234, 253, 122 S.Ct. 1389, 152 L.Ed.2d 403 (2002). A statute that fails to recognize this distinction between merely abstract advocacy of force and violence at some indefinite, future time, on the one hand, and actual preparation of a group for an expected, imminent criminal act “and steeling it to such action,” on the other hand, treads upon First and Fourteenth Amendment freedoms. *Brandenburg*, 395 U.S. at 448, 89 S.Ct. 1827....¹¹⁸

The inciting a riot offense created by the bill does not contain the type of language in the federal Anti-Riot Act, 18 U.S.C. ss. 2101-02 (“speech tending to ‘encourage’ or ‘promote’ a riot under 18 U.S.C. [s.] 2101(a)(2), as well as speech ‘urging’ others to riot or ‘involving’ mere advocacy of violence under 18 U.S.C. [s.] 2102(b)”) ¹¹⁹ that some federal courts have found violates the Free Speech Clause of the First Amendment.¹²⁰

The First Amendment, “True Threats,” and Doxing

The First Amendment does not protect “true threats” as free speech and the government is permitted to restrict such speech.¹²¹ “True threats” are “those statements where the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals.”¹²²

¹¹³ Amend. I, U.S. Const.

¹¹⁴ Amend. XIV, U.S. Const. See also Art. I, Fla. Const.

¹¹⁵ *U.S. v. Miselis*, 972 F.3d 518, 540 (4th Cir. 2020).

¹¹⁶ *Id.*

¹¹⁷ *Brandenburg v. Ohio*, 395 U.S. 444, 448 (1969) (emphasis provided by legislative staff).

¹¹⁸ *Enoch v. State*, 95 So.3d 344, 354 (Fla. 1st DCA 2012) (other citations omitted), *review denied*, 108 So.3d 654 (Fla. 2013).

¹¹⁹ *U.S. v. Miselis*, 972 F.3d 518, 530 (4th Cir. 2020).

¹²⁰ *Id.* and *U.S. v. Rundo*, 2021 WL 821938 (9th Cir. 2021).

¹²¹ *Virginia v. Black*, 538 U.S. 343, 344 (2003).

¹²² *Id.*, at 359.

To qualify as a true threat, a communication must be a serious expression of an intention to commit unlawful physical violence, not merely “political hyperbole”; “vehement, caustic, and sometimes unpleasantly sharp attacks”; or “vituperative, abusive, and inexact” statements. *Watts v. United States*, 394 U.S. 705, 708, 89 S.Ct. 1399, 22 L.Ed.2d 664 (1969) (per curiam) (internal quotation marks omitted). It also cannot be determined solely by the reaction of the recipient, but must instead be “determined by the interpretation of a reasonable recipient familiar with the context of the communication,” *United States v. Darby*, 37 F.3d 1059, 1066 (C.A.4 1994) (emphasis added).¹²³

In 2000, a federal district court in Mississippi dismissed an indictment charging a violation of the federal cyberstalking statute,¹²⁴ holding that the statute was unconstitutional as applied to the defendant.¹²⁵ The defendant was indicted for several Facebook posts, which included allegedly threatening comments and doxing (revealing a narcotics agent’s address and names of family members).

The Court examined implications of the First Amendment protection of speech as applied to this case. The Court examined Fifth Circuit cases, but did not find any case which discussed what the court called a “bulletin board threat” or which discussed doxing. However, the Court found the defendant’s comments were “not ‘true threats’ precluding him from First Amendment protection,” and that “sharing public information, while potentially offensive and disagreeable, does not rise to the level of a true threat.”¹²⁶

The Court found that the defendant was “being prosecuted for the content of his public posts” and that the portion of the federal cyberstalking statute “relied on in the [i]ndictment amounts to a content-based restriction.”¹²⁷ The Court held that the government “did not meet burden of showing that the content-based restriction ‘is necessary to service a compelling state interest,’”¹²⁸ concluding that “the benefit of the content based restriction to shield sensibilities of the listener or reader is just not enough to supplant a citizen’s right to uncomfortable public discourse.”¹²⁹

The cyberintimidation by publication statute created by the bill does not appear to have been patterned on the federal cyberstalking statute or borrow language from that statute.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

¹²³ *Elonis v. U.S.*, 575 U.S. 723, 135 S.Ct. 2001, 2019, 192 L.Ed.2d 1 (2015).

¹²⁴ 18 U.S.C. s. 2261A.

¹²⁵ *U.S. v. Cook*, 472 F.Supp.3d 326 (N.D. Miss. 2020).

¹²⁶ *Id.*, at 334-335.

¹²⁷ *Id.*, at 339.

¹²⁸ *Id.*, quoting *U.S. v. Cassidy*, 814 F.Supp.2d 574, 585 (D. Md. 2011) (other citations omitted).

¹²⁹ *Id.*, at 440.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may have an indeterminate impact on county jails by creating new misdemeanor offenses relating to public disorder and requiring offenders arrested for certain offenses to be held in custody until appearing for a first appearance hearing.

The bill may have an indeterminate impact on municipalities by providing that a municipality is civilly liable for specified damages proximately caused by the municipality's breach of a duty to allow the municipal law enforcement agency to respond appropriately to protect persons and property during a riot or an unlawful assembly (as specified in the bill).

The appeal process for a municipal law enforcement funding reduction created by the bill may have an indeterminate impact on municipal government budgets.

The Criminal Justice Impact Conference (CJIC), which provides, the final, official estimate of the prison bed impact, if any, of legislation, estimated that the original bill (HB 1) would have a "positive indeterminate" prison bed impact, meaning an unquantifiable increase in prison beds.¹³⁰ Amendments made to the bill since the CJIC estimate do not appear to have significantly changed the prison impact of the bill.

While the CJIC's "positive indeterminate" impact estimate was for the *entire* bill, some provisions of the bill had a "positive insignificant" prison bed impact (an increase of 10 or fewer beds). Provided is more detailed information from the Legislature's Office of Economic and Demographic Research (EDR) regarding the estimated impact of provisions of the bill.¹³¹

The EDR's comments on amendments to statutes relating to aggravated assault (s. 784.021, F.S.), aggravated battery (s. 784.045, F.S.), assault or battery of law enforcement officers and other specified professionals (s. 784.07, F.S.), and battery (s. 784.03, F.S.):

A large number of arrests occur for assault/battery on an annual basis, with 77,698 arrests in 2019 and 78,736 arrests in 2020 for violation of the statutes impacted in this section of the bill. The current statutory language for riots (s. 870.01(2), F.S.) also shows 14 arrests in CY 2019 and 72 arrests in CY 2020. However, it is not known how much these arrests overlap given the language of

¹³⁰ *Criminal Justice Impact Conference* (Complete 2021 Conference Results), Office of Economic and Demographic Research, available at <http://edr.state.fl.us/content/conferences/criminaljusticeimpact/CJIC21.xls> (last visited March 24, 2021).

¹³¹ *HB 1- Combating Public Disorder (Identical SB 484)*, Office of Economic and Demographic Research, available at <http://edr.state.fl.us/content/conferences/criminaljusticeimpact/HB1.pdf> (last visited March 24, 2021). All of the additional the EDR information in this bill analysis is from this source.

the bill. In Florida, May 30th, 2020 was a significant day for protests across the state, particularly in Miami, Tampa, and Jacksonville. This resulted in the arrests of many people related to these incidents. [Florida Department of Law Enforcement or] FDLE provided data for May 29th through May 31st of 2020, as well as May 30th of 2019 in order to better understand changes in arrests for these felonies that might indicate a potential pool of arrests connected to the unrest in Miami-Dade, Hillsborough, and Duval counties. For the statutes listed above, no real changes in arrests were found over these days. While a potential pool cannot be determined from these trends, it is possible that some proportion of the 75 arrests made in these counties during the May 30th, 2020 and May 31st, 2020 time period were connected to the unrest. However, under current language for s. 870.01(2), F.S., only Hillsborough County had arrests for rioting, with 7 on May 30th and May 31st of 2020, and only 3 arrests for statutes impacted by this section of the bill.

ESTIMATED IMPACT: Positive Indeterminate

The EDR's comments on amendments to the statute relating to criminal mischief (s. 806.13, F.S.) and the new statute created by the bill to punish destroying or demolish a memorial (s. 806.135, F.S.):

Per FDLE, for the two misdemeanor offenses under s. 806.13, F.S., in FY 18-19 there were 8,629 arrests, with 3,684 convictions and 1,311 adjudications withheld. In FY 19-20 there were 7,400 arrests, with 2,812 convictions and 975 adjudications withheld. Per [Department of Corrections or] DOC, in FY 18-19 and FY 19-20, there were 5 offenders sentenced for willfully damaging a place of worship, under s. 806.13(2), F.S., or equipment related to public telephones, under s. 806.13(3), F.S., with none of these offenders receiving a prison sentence. Both are unranked, 3rd degree felonies (Level 1 by default). There were 67 admissions to prison in FY 18-19 (mean sentence length=31.8 m, incarceration rate: 9.6%) and 46 admissions to prison in FY 19-20 (mean sentence length=22.8 m, incarceration rate: 9.9%) for violations of s. 806.13(1)(b)3., F.S., related to criminal mischief, with damage of \$1,000 or more to public communication or any other public service. This is a Level 2, 3rd degree felony. It is unknown how many of these incidents capture criminal mischief described in this bill.

In FY 18-19, the incarceration rate for a Level 2, 3rd degree felony was 9.8%, and in FY 19-20 the incarceration rate was 9.5%. The incarceration rate for a Level 4, 2nd degree felony was 28.2% in FY 18-19, and in FY 19-20 the incarceration rate was 28.3%.

ESTIMATED IMPACT: Positive Insignificant

The EDR's comments on amendments to statutes relating to burglary (s. 810.02, F.S.) and theft (s. 812.014, F.S.):

A large number of arrests occur for burglary and theft on an annual basis, with 70,365 arrests in 2019 and 56,612 arrests in 2020 for violation of the statutes impacted in this section of the bill. The current statutory language for riots (s. 870.01(2), F.S.) also shows 14 arrests in CY 2019 and 72 arrests in CY 2020. However, it is not known how much these arrests overlap given the language of this bill. In Florida, May 30th, 2020 was a significant day for protests across the state, particularly in Miami, Tampa, and Jacksonville. This resulted in the arrests of many people related to these incidents. FDLE provided data for May 29th through May 31st of 2020, as well as May 30th of 2019 in order to better understand changes in arrests for these felonies that might indicate a potential pool of arrests connected to the unrest in Miami-Dade, Hillsborough, and Duval counties. For the statutes listed above, no real changes in arrests were found over these days for Miami-Dade and Duval Counties, though it is possible that some proportion of the 24 arrests made in these counties during the May 30th, 2020 and May 31st, 2020 time period were connected to the unrest. However, under current language for s. 870.01(2), F.S., only Hillsborough County had arrests for rioting, with 7 on May 30th and May 31st of 2020, while also having 37 arrests for statutes impacted by this section of the bill. Given that news reports for Tampa indicated more than 40 people arrested for burglary and rioting, it is likely that most of these arrests were in connection to the rioting.¹³²

ESTIMATED IMPACT: Positive Indeterminate

The EDR's comments on amendments to statutes relating to affrays and riots (ss. 870.01, 870.02, and 870.03, F.S.) and injuring or removing a tomb or monument (s. 872.02, F.S.):

Per FDLE, in CY 2019, there were 14 arrests for a riot under s. 870.01(2), F.S., with 3 convictions, and in CY 2020, there were 72 arrests with 1 conviction and 2 adjudications withheld. There were 2 arrests for a violation of s. 872.02, F.S. in CY 2019 and 6 arrests in CY 2020, though it is not known if any of these incidents were in furtherance of a riot under its current definition. There was 1 arrest for a violation of s. 870.03, F.S. in CY 2019 and no arrests in CY 2020. Per DOC, in FY 18-19 and FY 19-20, there was one admission for rioting under s. 870.01(2), F.S. and no admissions to prison for felonies listed under s. 872.02, F.S. and s. 870.03, F.S. While the current numbers impacted by these statutes are low, it is not known how both the expanded definition of rioting and additional higher level/degree felonies might increase the numbers coming to prison. Furthermore, given yearly fluctuations in rioting under current statutory language, as shown in the differences in arrest numbers between CY 2019 and CY 2020, it is not known how consistent the impact will be on prison beds.

ESTIMATED IMPACT: Positive Indeterminate

¹³² The EDR cites Mary Shedden, Daylina Miller, Stephanie Colombini, *Tampa Issues Curfew After Businesses Damaged in Overnight Protests* (May 31, 2021), WUSF Public Media, available at <https://www.wusfnews.wusf.usf.edu/law-order/2020-05-31/tampa-issues-curfew-after-businessesdamaged-in-overnight-protests> (last visited March 24, 2021).

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 166.241, 316.2045, 768.28, 784.011, 784.021, 784.03, 784.045, 784.07, 806.13, 810.02, 812.014, 870.01, 870.02, 872.02, 921.0022.

This bill creates the following sections of the Florida Statutes: 784.0495, 806.135, 836.115, and 870.07.

This bill repeals section 870.03 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 102 - 152.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 3 - 13.



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Gibson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 111 - 784
and insert:
enforcement agency which does not go toward neighborhood crime
intervention or other crime prevention programs, the state
attorney for the judicial circuit in which the municipality is
located, or a member of the governing body who objects to the
funding reduction, may file an appeal by petition to the
Administration Commission within 30 days after the day the



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tentative budget is posted to the official website of the municipality under subsection (3). The petition must set forth the tentative budget proposed by the municipality, in the form and manner prescribed by the Executive Office of the Governor and approved by the Administration Commission, the operating budget of the municipal law enforcement agency as approved by the municipality for the previous year, and state the reasons or grounds for the appeal. The petition shall be filed with the Executive Office of the Governor, and a copy served upon the governing body of the municipality or to the clerk of the circuit court of the county in which the municipality is located.

(b) The governing body of the municipality has 5 working days after service of a copy of the petition to file a reply with the Executive Office of the Governor, and shall serve a copy of such reply to the petitioner.

(5) Upon receipt of the petition, the Executive Office of the Governor shall provide for a budget hearing at which the matters presented in the petition and the reply shall be considered. A report of the findings and recommendations of the Executive Office of the Governor thereon shall be promptly submitted to the Administration Commission, which, within 30 days, shall approve the action of the governing body of the municipality or amend or modify the budget as to each separate item within the operating budget of the municipal law enforcement agency. The budget as approved, amended, or modified by the Administration Commission shall be final.

(8)~~(6)~~ If the governing body of a municipality amends the budget pursuant to paragraph (7)(c) ~~paragraph (5)(e)~~, the



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adopted amendment must be posted on the official website of the municipality within 5 days after adoption and must remain on the website for at least 2 years. If the municipality does not operate an official website, the municipality must, within a reasonable period of time as established by the county or counties in which the municipality is located, transmit the adopted amendment to the manager or administrator of such county or counties who shall post the adopted amendment on the county's website.

Section 2. Section 316.2045, Florida Statutes, is amended to read:

316.2045 Obstruction of public streets, highways, and roads.—

(1) (a) A ~~It is unlawful for any person may not or persons~~ willfully ~~to~~ obstruct the free, convenient, and normal use of a ~~any~~ public street, highway, or road by:

1. Impeding, hindering, stifling, retarding, or restraining traffic or passage thereon; ~~by~~

2. Standing on or remaining in the street, highway, or road; ~~or approaching motor vehicles thereon, or by~~

3. Endangering the safe movement of vehicles or pedestrians traveling thereon.

(b) A ~~; and any person or persons~~ who violates paragraph (a) ~~violate the provisions of this subsection, upon conviction,~~ shall be cited for a pedestrian violation, punishable as provided in chapter 318.

(c) This subsection does not prohibit a local governmental entity from issuing a special event permit as authorized by law.

~~(2) It is unlawful, without proper authorization or a~~



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~~lawful permit, for any person or persons willfully to obstruct the free, convenient, and normal use of any public street, highway, or road by any of the means specified in subsection (1) in order to solicit. Any person who violates the provisions of this subsection is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.~~

~~Organizations qualified under s. 501(c)(3) of the Internal Revenue Code and registered pursuant to chapter 496, or persons or organizations acting on their behalf are exempted from the provisions of this subsection for activities on streets or roads not maintained by the state. Permits for the use of any portion of a state-maintained road or right-of-way shall be required only for those purposes and in the manner set out in s. 337.406.~~

~~(3) Permits for the use of any street, road, or right-of-way not maintained by the state may be issued by the appropriate local government. An organization that is qualified under s. 501(c)(3) of the Internal Revenue Code and registered under chapter 496, or a person or organization acting on behalf of that organization, is exempt from local requirements for a permit issued under this subsection for charitable solicitation activities on or along streets or roads that are not maintained by the state under the following conditions:~~

~~(a) The organization, or the person or organization acting on behalf of the organization, must provide all of the following to the local government:~~

~~1. No fewer than 14 calendar days prior to the proposed solicitation, the name and address of the person or organization that will perform the solicitation and the name and address of the organization that will receive funds from the solicitation.~~



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~~2. For review and comment, a plan for the safety of all persons participating in the solicitation, as well as the motoring public, at the locations where the solicitation will take place.~~

~~3. Specific details of the location or locations of the proposed solicitation and the hours during which the solicitation activities will occur.~~

~~4. Proof of commercial general liability insurance against claims for bodily injury and property damage occurring on streets, roads, or rights-of-way or arising from the solicitor's activities or use of the streets, roads, or rights-of-way by the solicitor or the solicitor's agents, contractors, or employees. The insurance shall have a limit of not less than \$1 million per occurrence for the general aggregate. The certificate of insurance shall name the local government as an additional insured and shall be filed with the local government no later than 72 hours before the date of the solicitation.~~

~~5. Proof of registration with the Department of Agriculture and Consumer Services pursuant to s. 496.405 or proof that the soliciting organization is exempt from the registration requirement.~~

~~(b) Organizations or persons meeting the requirements of subparagraphs (a)1.-5. may solicit for a period not to exceed 10 cumulative days within 1 calendar year.~~

~~(c) All solicitation shall occur during daylight hours only.~~

~~(d) Solicitation activities shall not interfere with the safe and efficient movement of traffic and shall not cause danger to the participants or the public.~~



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~~(e) No person engaging in solicitation activities shall persist after solicitation has been denied, act in a demanding or harassing manner, or use any sound or voice amplifying apparatus or device.~~

~~(f) All persons participating in the solicitation shall be at least 18 years of age and shall possess picture identification.~~

~~(g) Signage providing notice of the solicitation shall be posted at least 500 feet before the site of the solicitation.~~

~~(h) The local government may stop solicitation activities if any conditions or requirements of this subsection are not met.~~

~~(4) Nothing in this section shall be construed to inhibit political campaigning on the public right-of-way or to require a permit for such activity.~~

~~(2)(5)~~ Notwithstanding the provisions of subsection (1), any commercial vehicle used solely for the purpose of collecting solid waste or recyclable or recovered materials may stop or stand on any public street, highway, or road for the sole purpose of collecting solid waste or recyclable or recovered materials. However, such solid waste or recyclable or recovered materials collection vehicle shall show or display amber flashing hazard lights at all times that it is engaged in stopping or standing for the purpose of collecting solid waste or recyclable or recovered materials. Local governments may establish reasonable regulations governing the standing and stopping of such commercial vehicles, provided that such regulations are applied uniformly and without regard to the ownership of the vehicles.



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Section 3. Subsection (5) of section 768.28, Florida Statutes, is amended to read:

768.28 Waiver of sovereign immunity in tort actions; recovery limits; civil liability for damages caused during a riot; limitation on attorney fees; statute of limitations; exclusions; indemnification; risk management programs.—

(5) (a) The state and its agencies and subdivisions shall be liable for tort claims in the same manner and to the same extent as a private individual under like circumstances, but liability shall not include punitive damages or interest for the period before judgment. Neither the state nor its agencies or subdivisions shall be liable to pay a claim or a judgment by any one person which exceeds the sum of \$200,000 or any claim or judgment, or portions thereof, which, when totaled with all other claims or judgments paid by the state or its agencies or subdivisions arising out of the same incident or occurrence, exceeds the sum of \$300,000. However, a judgment or judgments may be claimed and rendered in excess of these amounts and may be settled and paid pursuant to this act up to \$200,000 or \$300,000, as the case may be; and that portion of the judgment that exceeds these amounts may be reported to the Legislature, but may be paid in part or in whole only by further act of the Legislature. Notwithstanding the limited waiver of sovereign immunity provided herein, the state or an agency or subdivision thereof may agree, within the limits of insurance coverage provided, to settle a claim made or a judgment rendered against it without further action by the Legislature, but the state or agency or subdivision thereof shall not be deemed to have waived any defense of sovereign immunity or to have increased the



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limits of its liability as a result of its obtaining insurance coverage for tortious acts in excess of the \$200,000 or \$300,000 waiver provided above. The limitations of liability set forth in this subsection shall apply to the state and its agencies and subdivisions whether or not the state or its agencies or subdivisions possessed sovereign immunity before July 1, 1974.

(b) A municipality has a duty to allow the municipal law enforcement agency, as long as it appropriately trains its law enforcement officers on standards regarding use of force, physical restraints, and deploying tear gas, to respond appropriately to protect persons and property during a riot or an unlawful assembly based on the availability of adequate equipment to its municipal law enforcement officers and relevant state and federal laws. If the governing body of a municipality or a person authorized by the governing body of the municipality breaches that duty, the municipality is civilly liable for any damages including damages arising from personal injury, wrongful death, or property damages proximately caused by the municipality's breach of duty. The sovereign immunity recovery limits in paragraph (a) do not apply to an action under this paragraph.

Section 4. Subsection (2) of section 784.011, Florida Statutes, is amended and subsection (3) is added to that section, to read:

784.011 Assault.—

(2) Except as provided in subsection (3), a person who assaults another person ~~Whoever commits an assault shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.~~



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(3) A person, regardless of race or ethnicity and who is clearly identified, who assaults another person in furtherance of a riot or an aggravated riot prohibited under s. 870.01 commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 5. Subsection (2) of section 784.021, Florida Statutes, is amended and subsection (3) is added to that section, to read:

784.021 Aggravated assault.—

(2) A person who ~~Whoever~~ commits an aggravated assault ~~commits~~ ~~shall be guilty of~~ a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) For the purposes of sentencing under chapter 921, a violation of this section committed by a person, regardless of race or ethnicity and who is clearly identified, acting in furtherance of a riot or an aggravated riot prohibited under s. 870.01 is ranked one level above the ranking under s. 921.0022 for the offense committed.

Section 6. Section 784.03, Florida Statutes, is amended to read:

784.03 Battery; felony battery.—

(1)(a) The offense of battery occurs when a person:

1. Actually and intentionally touches or strikes another person against the will of the other; or

2. Intentionally causes bodily harm to another person.

(b) Except as provided in subsection (2) or subsection (3), a person who commits battery commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) A person who has one prior conviction for battery,



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aggravated battery, or felony battery and who commits any second or subsequent battery commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For purposes of this subsection, "conviction" means a determination of guilt that is the result of a plea or a trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

(3) A person, regardless of race or ethnicity and who is clearly identified, who commits a battery in furtherance of a riot or an aggravated riot prohibited under s. 870.01 commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or 775.084.

Section 7. Section 784.045, Florida Statutes, is amended to read:

784.045 Aggravated battery.—

(1)(a) A person commits aggravated battery who, in committing battery:

1. Intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement; or

2. Uses a deadly weapon.

(b) A person commits aggravated battery if the person who was the victim of the battery was pregnant at the time of the offense and the offender knew or should have known that the victim was pregnant.

~~(2) A person who violates subsection (1) commits ~~Whoever~~ commits aggravated battery shall be guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

(3) For the purposes of sentencing under chapter 921, a



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violation of this section committed by a person, regardless of race or ethnicity and who is clearly identified, acting in furtherance of a riot or an aggravated riot prohibited under s. 870.01 is ranked one level above the ranking under s. 921.0022 for the offense committed.

Section 8. Section 784.0495, Florida Statutes, is created to read:

784.0495 Mob intimidation.—

(1) It is unlawful for a person, regardless of race or ethnicity and who is clearly identified, assembled with two or more other persons and acting with a common intent, to use force or threaten to use imminent force, to compel or induce, or attempt to compel or induce, another person to do or refrain from doing any act or to assume, abandon, or maintain a particular viewpoint against his or her will.

(2) A person who violates subsection (1) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3) A person arrested for a violation of this section shall be held in custody until brought before the court for admittance to bail in accordance with chapter 903.

Section 9. Subsection (2) of section 784.07, Florida Statutes, is amended and subsection (4) is added to that section, to read:

784.07 Assault or battery of law enforcement officers, firefighters, emergency medical care providers, public transit employees or agents, or other specified officers; reclassification of offenses; minimum sentences.—

(2) Whenever any person is charged with knowingly



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committing an assault or battery upon a law enforcement officer, a firefighter, an emergency medical care provider, a railroad special officer, a traffic accident investigation officer as described in s. 316.640, a nonsworn law enforcement agency employee who is certified as an agency inspector, a blood alcohol analyst, or a breath test operator while such employee is in uniform and engaged in processing, testing, evaluating, analyzing, or transporting a person who is detained or under arrest for DUI, a law enforcement explorer, a traffic infraction enforcement officer as described in s. 316.640, a parking enforcement specialist as defined in s. 316.640, a person licensed as a security officer as defined in s. 493.6101 and wearing a uniform that bears at least one patch or emblem that is visible at all times that clearly identifies the employing agency and that clearly identifies the person as a licensed security officer, or a security officer employed by the board of trustees of a community college, while the officer, firefighter, emergency medical care provider, railroad special officer, traffic accident investigation officer, traffic infraction enforcement officer, inspector, analyst, operator, law enforcement explorer, parking enforcement specialist, public transit employee or agent, or security officer is engaged in the lawful performance of his or her duties, the offense for which the person is charged shall be reclassified as follows:

(a) In the case of assault, from a misdemeanor of the second degree to a misdemeanor of the first degree.

(b) In the case of battery, from a misdemeanor of the first degree to a felony of the third degree. Notwithstanding any other provision of law, a person, regardless of race or



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ethnicity and who is clearly identified, convicted of battery upon a law enforcement officer committed in furtherance of a riot or an aggravated riot prohibited under s. 870.01 shall be sentenced to a minimum term of imprisonment of 6 months.

(c) In the case of aggravated assault, from a felony of the third degree to a felony of the second degree. Notwithstanding any other provision of law, any person convicted of aggravated assault upon a law enforcement officer shall be sentenced to a minimum term of imprisonment of 3 years.

(d) In the case of aggravated battery, from a felony of the second degree to a felony of the first degree. Notwithstanding any other provision of law, any person convicted of aggravated battery of a law enforcement officer shall be sentenced to a minimum term of imprisonment of 5 years.

(4) For purposes of sentencing under chapter 921, a felony violation of this section committed by a person, regardless of race or ethnicity and who is clearly identified, acting in furtherance of a riot or an aggravated riot prohibited under s. 870.01 is ranked one level above the ranking under s. 921.0022 for the offense committed.

Section 10. Subsections (3) through (9) of section 806.13, Florida Statutes, are renumbered as subsections (4) through (10), respectively, a new subsection (3) is added to that section, and present subsection (8) of that section is amended, to read:

806.13 Criminal mischief; penalties; penalty for minor.—

(3) Any person who, without the consent of the owner thereof, willfully and maliciously defaces, injures, or otherwise damages by any means a memorial or historic property,



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as defined in s. 806.135(1), and the value of the damage to the memorial or historic property is greater than \$200, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A court shall order any person convicted of violating this subsection to pay restitution, which shall include the full cost of repair or replacement of such memorial or historic property.

~~(9)-(8)~~ A minor whose driver license or driving privilege is revoked, suspended, or withheld under subsection ~~(8)-(7)~~ may elect to reduce the period of revocation, suspension, or withholding by performing community service at the rate of 1 day for each hour of community service performed. In addition, if the court determines that due to a family hardship, the minor's driver license or driving privilege is necessary for employment or medical purposes of the minor or a member of the minor's family, the court shall order the minor to perform community service and reduce the period of revocation, suspension, or withholding at the rate of 1 day for each hour of community service performed. As used in this subsection, the term "community service" means cleaning graffiti from public property.

Section 11. Section 806.135, Florida Statutes, is created to read:

806.135 Destroying or demolishing a memorial or historic property.—

(1) As used in this section, the term:

(a) "Historic property" means any building, structure, site, or object that has been officially designated as a historic building, historic structure, historic site, or



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historic object through a federal, state, or local designation program.

(b) "Memorial" means a plaque, statue, marker, flag, banner, cenotaph, religious symbol, painting, seal, tombstone, structure name, or display that is constructed and located with the intent of being permanently displayed or perpetually maintained; is dedicated to a historical person, an entity, an event, or a series of events; and honors or recounts the military service of any past or present United States Armed Forces military personnel, or the past or present public service of a resident of the geographical area comprising the state or the United States. The term includes, but is not limited to, the following memorials established under chapter 265:

1. Florida Women's Hall of Fame.
2. Florida Medal of Honor Wall.
3. Florida Veterans' Hall of Fame.
4. POW-MIA Chair of Honor Memorial.
5. Florida Veterans' Walk of Honor and Florida Veterans' Memorial Garden.
6. Florida Law Enforcement Officers' Hall of Fame.
7. Florida Holocaust Memorial.
8. Florida Slavery Memorial.
9. Any other memorial located within the Capitol Complex, including, but not limited to, Waller Park.

(2) It is unlawful for any person to willfully and maliciously destroy or demolish any memorial or historic property, or willfully and maliciously pull down a memorial or historic property, unless authorized by the owner of the memorial or historic property. A person who violates this



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section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) A court shall order any person convicted of violating this section to pay restitution, which shall include the full cost of repair or replacement of such memorial or historic property.

Section 12. Subsections (3) and (4) of section 810.02, Florida Statutes, are amended to read:

810.02 Burglary.—

(3) Burglary is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the course of committing the offense, the offender does not make an assault or battery and is not and does not become armed with a dangerous weapon or explosive, and the offender enters or remains in a:

(a) Dwelling, and there is another person in the dwelling at the time the offender enters or remains;

(b) Dwelling, and there is not another person in the dwelling at the time the offender enters or remains;

(c) Structure, and there is another person in the structure at the time the offender enters or remains;

(d) Conveyance, and there is another person in the conveyance at the time the offender enters or remains;

(e) Authorized emergency vehicle, as defined in s. 316.003; or

(f) Structure or conveyance when the offense intended to be committed therein is theft of a controlled substance as defined in s. 893.02. Notwithstanding any other law, separate judgments and sentences for burglary with the intent to commit theft of a



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controlled substance under this paragraph and for any applicable possession of controlled substance offense under s. 893.13 or trafficking in controlled substance offense under s. 893.135 may be imposed when all such offenses involve the same amount or amounts of a controlled substance.

However, if the burglary is committed during a riot or an aggravated riot prohibited under s. 870.01 and the perpetration of the burglary is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252 after the declaration of emergency is made and the perpetration of the burglary is facilitated by conditions arising from the emergency, the burglary is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this subsection, the term "conditions arising from the riot" means civil unrest, power outages, curfews, or a reduction in the presence of or response time for first responders or homeland security personnel and the term "conditions arising from the emergency" means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel. A person arrested for committing a burglary during a riot or an aggravated riot or within a county that is subject to such a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this subsection is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the



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offense committed.

(4) Burglary is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the course of committing the offense, the offender does not make an assault or battery and is not and does not become armed with a dangerous weapon or explosive, and the offender enters or remains in a:

(a) Structure, and there is not another person in the structure at the time the offender enters or remains; or

(b) Conveyance, and there is not another person in the conveyance at the time the offender enters or remains.

However, if the burglary is committed during a riot or an aggravated riot prohibited under s. 870.01 and the perpetration of the burglary is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252 after the declaration of emergency is made and the perpetration of the burglary is facilitated by conditions arising from the emergency, the burglary is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this subsection, the terms "conditions arising from the riot" and ~~term~~ "conditions arising from the emergency" have the same meanings as provided in subsection (3) ~~means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel.~~ A person arrested for committing a burglary during a riot or an aggravated riot or within a county that is subject to such a state of emergency may



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not be released until the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this subsection is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

Section 13. Paragraphs (b) and (c) of subsection (2) of section 812.014, Florida Statutes, are amended to read:

812.014 Theft.—

(2)

(b)1. If the property stolen is valued at \$20,000 or more, but less than \$100,000;

2. The property stolen is cargo valued at less than \$50,000 that has entered the stream of interstate or intrastate commerce from the shipper's loading platform to the consignee's receiving dock;

3. The property stolen is emergency medical equipment, valued at \$300 or more, that is taken from a facility licensed under chapter 395 or from an aircraft or vehicle permitted under chapter 401; or

4. The property stolen is law enforcement equipment, valued at \$300 or more, that is taken from an authorized emergency vehicle, as defined in s. 316.003,

the offender commits grand theft in the second degree, punishable as a felony of the second degree, as provided in s. 775.082, s. 775.083, or s. 775.084. Emergency medical equipment means mechanical or electronic apparatus used to provide emergency services and care as defined in s. 395.002(9) or to



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treat medical emergencies. Law enforcement equipment means any property, device, or apparatus used by any law enforcement officer as defined in s. 943.10 in the officer's official business. However, if the property is stolen during a riot or an aggravated riot prohibited under s. 870.01 and the perpetration of the theft is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252, the theft is committed after the declaration of emergency is made, and the perpetration of the theft is facilitated by conditions arising from the emergency, the theft is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this paragraph, the term "conditions arising from the riot" means civil unrest, power outages, curfews, or a reduction in the presence of or response time for first responders or homeland security personnel and the term "conditions arising from the emergency" means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel. A person, regardless of race or ethnicity and who is clearly identified, arrested for committing a theft during a riot or an aggravated riot or within a county that is subject to a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this paragraph is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

(c) It is grand theft of the third degree and a felony of



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the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property stolen is:

1. Valued at \$750 or more, but less than \$5,000.
2. Valued at \$5,000 or more, but less than \$10,000.
3. Valued at \$10,000 or more, but less than \$20,000.
4. A will, codicil, or other testamentary instrument.
5. A firearm.
6. A motor vehicle, except as provided in paragraph (a).
7. Any commercially farmed animal, including any animal of the equine, avian, bovine, or swine class or other grazing animal; a bee colony of a registered beekeeper; and aquaculture species raised at a certified aquaculture facility. If the property stolen is a commercially farmed animal, including an animal of the equine, avian, bovine, or swine class or other grazing animal; a bee colony of a registered beekeeper; or an aquaculture species raised at a certified aquaculture facility, a \$10,000 fine shall be imposed.
8. Any fire extinguisher that, at the time of the taking, was installed in any building for the purpose of fire prevention and control. This subparagraph does not apply to a fire extinguisher taken from the inventory at a point-of-sale business.
9. Any amount of citrus fruit consisting of 2,000 or more individual pieces of fruit.
10. Taken from a designated construction site identified by the posting of a sign as provided for in s. 810.09(2)(d).
11. Any stop sign.
12. Anhydrous ammonia.
13. Any amount of a controlled substance as defined in s.



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893.02. Notwithstanding any other law, separate judgments and sentences for theft of a controlled substance under this subparagraph and for any applicable possession of controlled substance offense under s. 893.13 or trafficking in controlled substance offense under s. 893.135 may be imposed when all such offenses involve the same amount or amounts of a controlled substance.

However, if the property is stolen during a riot or an aggravated riot prohibited under s. 870.01 and the perpetration of the theft is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252, the property is stolen after the declaration of emergency is made, and the perpetration of the theft is facilitated by conditions arising from the emergency, the offender commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property is valued at \$5,000 or more, but less than \$10,000, as provided under subparagraph 2., or if the property is valued at \$10,000 or more, but less than \$20,000, as provided under subparagraph 3. As used in this paragraph, the terms "conditions arising from a riot" and ~~term~~ "conditions arising from the emergency" have the same meanings as provided in paragraph (b). A person, regardless of race or ethnicity and who is clearly identified, arrested for committing a theft during a riot or an aggravated riot or within a county that is subject to a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing ~~means civil unrest, power outages, curfews,~~



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~~voluntary or mandatory evacuations, or a reduction in the~~
~~presence of or the response time for first responders or~~
~~homeland security personnel.~~ For purposes of sentencing under
chapter 921, a felony offense that is reclassified under this
paragraph is ranked one level above the ranking under s.
921.0022 or s. 921.0023 of the offense committed.

Section 14. Section 836.115, Florida Statutes, is created
to read:

836.115 Cyberintimidation by publication.—

(1) As used in this section, the term:

(a) "Electronically publish" means to disseminate, post, or
otherwise disclose information to an Internet site or forum.

(b) "Harass" has the same meaning as provided in s.
817.568(1)(c).

(c) "Personal identification information" has the same
meaning as provided in s. 817.568(1)(f).

(2) It is unlawful for a person, regardless of race or
ethnicity and who is clearly identified, to electronically
publish another person's personal identification information
with the intent to, or with the intent that a third party will
use the information to:

(a) Incite violence or commit a crime against the person;
or

(b) Threaten or harass the person, placing such person in
reasonable fear of bodily harm.

A person who violates this subsection commits a misdemeanor of a
first degree, punishable as provided in s. 775.082 or s.
775.083.



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Section 15. Section 870.01, Florida Statutes, is amended to read:

870.01 Affrays and riots.—

(1) A person commits an affray if he or she engages, by mutual consent, in fighting with another person in a public place to the terror of the people. A person who commits ~~All persons guilty of an affray commits shall be guilty of a~~ misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) A person, regardless of race or ethnicity and who is clearly identified, commits a riot if he or she willfully participates in a violent public disturbance involving an assembly of three or more persons, acting with a common intent to assist each other in violent and disorderly conduct, resulting in:

(a) Injury to another person;

(b) Damage to property; or

(c) Imminent danger of injury to another person or damage to property.

~~A person who commits~~ All persons guilty of a riot commits, or of inciting or encouraging a riot, shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) A person, regardless of race or ethnicity and who is clearly identified, commits aggravated rioting if, in the course of committing a riot, he or she:

(a) Participates with 25 or more other persons;

(b) Causes great bodily harm to a person not participating



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in the riot;

(c) Causes property damage in excess of \$5,000;

(d) Displays, uses, threatens to use, or attempts to use a
deadly weapon; or

(e) By force, or threat of force, endangers the safe
movement of a vehicle traveling on a public street, highway, or
road.

A person who commits aggravating rioting commits a felony of the
second degree, punishable as provided in s. 775.082, s. 775.083,
or s. 775.084.

(4) A person, regardless of race or ethnicity and who is
clearly identified, commits inciting a riot if he or she
willfully incites another person to participate in a riot,
resulting in a riot or imminent danger of a riot. A person who
commits inciting a riot commits a felony of the third degree,
punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5) A person, regardless of race or ethnicity and who is
clearly identified, commits aggravated inciting a riot if he or

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 45 - 79

and insert:

imprisonment for a certain person convicted of battery
on a law enforcement officer committed in furtherance
of a riot or an aggravated riot; increasing the
offense severity ranking of an assault or battery
against specified persons for the purposes of the



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Criminal Punishment Code if committed in furtherance of a riot or an aggravated riot; amending s. 806.13, F.S.; prohibiting defacing, injuring, or damaging a memorial or historic property; providing a penalty; requiring a court to order restitution for such a violation; creating s. 806.135, F.S.; defining the terms "historic property" and "memorial"; prohibiting a person from destroying or demolishing a memorial or historic property; providing a penalty; requiring a court to order restitution for such a violation; amending s. 810.02, F.S.; reclassifying specified burglary offenses committed during a riot or an aggravated riot and facilitated by conditions arising from the riot; providing a definition; requiring a person arrested for such a violation to be held in custody until first appearance; amending s. 812.014, F.S.; reclassifying specified theft offenses committed during a riot or an aggravated riot and facilitated by conditions arising from the riot; providing a definition; requiring a certain person arrested for such a violation to be held in custody until first appearance; creating s. 836.115, F.S.; providing definitions; prohibiting cyberintimidation by publication; providing criminal penalties; amending s. 870.01, F.S.; prohibiting a person from fighting in a public place; prohibiting a certain person from willfully participating in a specified violent public disturbance resulting in specified damage or injury; providing an increased penalty for rioting under



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736 specified circumstances; prohibiting a certain person
737 from



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LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/12/2021	.	
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	.	

The Committee on Appropriations (Gibson) recommended the following:

Senate Substitute for Amendment (788596) (with title amendment)

Delete lines 111 - 784

and insert:

enforcement agency which does not go toward neighborhood crime intervention or other crime prevention programs, the state attorney for the judicial circuit in which the municipality is located, or a member of the governing body who objects to the funding reduction, may file an appeal by petition to the



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Administration Commission within 30 days after the day the tentative budget is posted to the official website of the municipality under subsection (3). The petition must set forth the tentative budget proposed by the municipality, in the form and manner prescribed by the Executive Office of the Governor and approved by the Administration Commission, the operating budget of the municipal law enforcement agency as approved by the municipality for the previous year, and state the reasons or grounds for the appeal. The petition shall be filed with the Executive Office of the Governor, and a copy served upon the governing body of the municipality or to the clerk of the circuit court of the county in which the municipality is located.

(b) The governing body of the municipality has 5 working days after service of a copy of the petition to file a reply with the Executive Office of the Governor, and shall serve a copy of such reply to the petitioner.

(5) Upon receipt of the petition, the Executive Office of the Governor shall provide for a budget hearing at which the matters presented in the petition and the reply shall be considered. A report of the findings and recommendations of the Executive Office of the Governor thereon shall be promptly submitted to the Administration Commission, which, within 30 days, shall approve the action of the governing body of the municipality or amend or modify the budget as to each separate item within the operating budget of the municipal law enforcement agency. The budget as approved, amended, or modified by the Administration Commission shall be final.

(8)~~(6)~~ If the governing body of a municipality amends the



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budget pursuant to paragraph (7)(c) ~~paragraph (5)(e)~~, the adopted amendment must be posted on the official website of the municipality within 5 days after adoption and must remain on the website for at least 2 years. If the municipality does not operate an official website, the municipality must, within a reasonable period of time as established by the county or counties in which the municipality is located, transmit the adopted amendment to the manager or administrator of such county or counties who shall post the adopted amendment on the county's website.

Section 2. Section 316.2045, Florida Statutes, is amended to read:

316.2045 Obstruction of public streets, highways, and roads.—

(1) (a) A ~~It is unlawful for any person may not or persons~~ willfully ~~to~~ obstruct the free, convenient, and normal use of a ~~any~~ public street, highway, or road by:

1. Impeding, hindering, stifling, retarding, or restraining traffic or passage thereon; ~~by~~

2. Standing on or remaining in the street, highway, or road; ~~or approaching motor vehicles thereon, or by~~

3. Endangering the safe movement of vehicles or pedestrians traveling thereon.

(b) A ~~and any person or persons~~ who violates paragraph (a) ~~violate the provisions of this subsection, upon conviction,~~ shall be cited for a pedestrian violation, punishable as provided in chapter 318.

(c) This subsection does not prohibit a local governmental entity from issuing a special event permit as authorized by law.



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~~(2) It is unlawful, without proper authorization or a lawful permit, for any person or persons willfully to obstruct the free, convenient, and normal use of any public street, highway, or road by any of the means specified in subsection (1) in order to solicit. Any person who violates the provisions of this subsection is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.~~

~~Organizations qualified under s. 501(c)(3) of the Internal Revenue Code and registered pursuant to chapter 496, or persons or organizations acting on their behalf are exempted from the provisions of this subsection for activities on streets or roads not maintained by the state. Permits for the use of any portion of a state-maintained road or right-of-way shall be required only for those purposes and in the manner set out in s. 337.406.~~

~~(3) Permits for the use of any street, road, or right-of-way not maintained by the state may be issued by the appropriate local government. An organization that is qualified under s. 501(c)(3) of the Internal Revenue Code and registered under chapter 496, or a person or organization acting on behalf of that organization, is exempt from local requirements for a permit issued under this subsection for charitable solicitation activities on or along streets or roads that are not maintained by the state under the following conditions:~~

~~(a) The organization, or the person or organization acting on behalf of the organization, must provide all of the following to the local government:~~

~~1. No fewer than 14 calendar days prior to the proposed solicitation, the name and address of the person or organization that will perform the solicitation and the name and address of~~



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~~the organization that will receive funds from the solicitation.~~

~~2. For review and comment, a plan for the safety of all persons participating in the solicitation, as well as the motoring public, at the locations where the solicitation will take place.~~

~~3. Specific details of the location or locations of the proposed solicitation and the hours during which the solicitation activities will occur.~~

~~4. Proof of commercial general liability insurance against claims for bodily injury and property damage occurring on streets, roads, or rights-of-way or arising from the solicitor's activities or use of the streets, roads, or rights-of-way by the solicitor or the solicitor's agents, contractors, or employees. The insurance shall have a limit of not less than \$1 million per occurrence for the general aggregate. The certificate of insurance shall name the local government as an additional insured and shall be filed with the local government no later than 72 hours before the date of the solicitation.~~

~~5. Proof of registration with the Department of Agriculture and Consumer Services pursuant to s. 496.405 or proof that the soliciting organization is exempt from the registration requirement.~~

~~(b) Organizations or persons meeting the requirements of subparagraphs (a)1.-5. may solicit for a period not to exceed 10 cumulative days within 1 calendar year.~~

~~(c) All solicitation shall occur during daylight hours only.~~

~~(d) Solicitation activities shall not interfere with the safe and efficient movement of traffic and shall not cause~~



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~~danger to the participants or the public.~~

~~(e) No person engaging in solicitation activities shall persist after solicitation has been denied, act in a demanding or harassing manner, or use any sound or voice amplifying apparatus or device.~~

~~(f) All persons participating in the solicitation shall be at least 18 years of age and shall possess picture identification.~~

~~(g) Signage providing notice of the solicitation shall be posted at least 500 feet before the site of the solicitation.~~

~~(h) The local government may stop solicitation activities if any conditions or requirements of this subsection are not met.~~

~~(4) Nothing in this section shall be construed to inhibit political campaigning on the public right-of-way or to require a permit for such activity.~~

~~(2)(5)~~ Notwithstanding the provisions of subsection (1), any commercial vehicle used solely for the purpose of collecting solid waste or recyclable or recovered materials may stop or stand on any public street, highway, or road for the sole purpose of collecting solid waste or recyclable or recovered materials. However, such solid waste or recyclable or recovered materials collection vehicle shall show or display amber flashing hazard lights at all times that it is engaged in stopping or standing for the purpose of collecting solid waste or recyclable or recovered materials. Local governments may establish reasonable regulations governing the standing and stopping of such commercial vehicles, provided that such regulations are applied uniformly and without regard to the



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ownership of the vehicles.

Section 3. Subsection (5) of section 768.28, Florida Statutes, is amended to read:

768.28 Waiver of sovereign immunity in tort actions; recovery limits; civil liability for damages caused during a riot; limitation on attorney fees; statute of limitations; exclusions; indemnification; risk management programs.—

(5)(a) The state and its agencies and subdivisions shall be liable for tort claims in the same manner and to the same extent as a private individual under like circumstances, but liability shall not include punitive damages or interest for the period before judgment. Neither the state nor its agencies or subdivisions shall be liable to pay a claim or a judgment by any one person which exceeds the sum of \$200,000 or any claim or judgment, or portions thereof, which, when totaled with all other claims or judgments paid by the state or its agencies or subdivisions arising out of the same incident or occurrence, exceeds the sum of \$300,000. However, a judgment or judgments may be claimed and rendered in excess of these amounts and may be settled and paid pursuant to this act up to \$200,000 or \$300,000, as the case may be; and that portion of the judgment that exceeds these amounts may be reported to the Legislature, but may be paid in part or in whole only by further act of the Legislature. Notwithstanding the limited waiver of sovereign immunity provided herein, the state or an agency or subdivision thereof may agree, within the limits of insurance coverage provided, to settle a claim made or a judgment rendered against it without further action by the Legislature, but the state or agency or subdivision thereof shall not be deemed to have waived



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any defense of sovereign immunity or to have increased the limits of its liability as a result of its obtaining insurance coverage for tortious acts in excess of the \$200,000 or \$300,000 waiver provided above. The limitations of liability set forth in this subsection shall apply to the state and its agencies and subdivisions whether or not the state or its agencies or subdivisions possessed sovereign immunity before July 1, 1974.

(b) A municipality has a duty to allow the municipal law enforcement agency, as long as it appropriately trains its law enforcement officers on standards regarding use of force, physical restraints, and deploying tear gas, to respond appropriately to protect persons and property during a riot or an unlawful assembly based on the availability of adequate equipment to its municipal law enforcement officers and relevant state and federal laws. If the governing body of a municipality or a person authorized by the governing body of the municipality breaches that duty, the municipality is civilly liable for any damages including damages arising from personal injury, wrongful death, or property damages proximately caused by the municipality's breach of duty. The sovereign immunity recovery limits in paragraph (a) do not apply to an action under this paragraph.

Section 4. Subsection (2) of section 784.011, Florida Statutes, is amended and subsection (3) is added to that section, to read:

784.011 Assault.—

(2) Except as provided in subsection (3), a person who assaults another person ~~whoever commits an assault shall be guilty of~~ a misdemeanor of the second degree, punishable as



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provided in s. 775.082 or s. 775.083.

(3) A person, regardless of race or ethnicity and who is clearly identified, who assaults another person in furtherance of a riot or an aggravated riot prohibited under s. 870.01 commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 5. Subsection (2) of section 784.021, Florida Statutes, is amended and subsection (3) is added to that section, to read:

784.021 Aggravated assault.—

(2) A person who ~~Whoever~~ commits an aggravated assault commits ~~shall be guilty of~~ a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) For the purposes of sentencing under chapter 921, a violation of this section committed by a person, regardless of race or ethnicity and who is clearly identified, acting in furtherance of a riot or an aggravated riot prohibited under s. 870.01 is ranked one level above the ranking under s. 921.0022 for the offense committed.

Section 6. Section 784.03, Florida Statutes, is amended to read:

784.03 Battery; felony battery.—

(1) (a) The offense of battery occurs when a person:

1. Actually and intentionally touches or strikes another person against the will of the other; or

2. Intentionally causes bodily harm to another person.

(b) Except as provided in subsection (2) or subsection (3), a person who commits battery commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.



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(2) A person who has one prior conviction for battery, aggravated battery, or felony battery and who commits any second or subsequent battery commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For purposes of this subsection, "conviction" means a determination of guilt that is the result of a plea or a trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

(3) A person, regardless of race or ethnicity and who is clearly identified, who commits a battery in furtherance of a riot or an aggravated riot prohibited under s. 870.01 commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or 775.084.

Section 7. Section 784.045, Florida Statutes, is amended to read:

784.045 Aggravated battery.—

(1)(a) A person commits aggravated battery who, in committing battery:

1. Intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement; or

2. Uses a deadly weapon.

(b) A person commits aggravated battery if the person who was the victim of the battery was pregnant at the time of the offense and the offender knew or should have known that the victim was pregnant.

(2) A person who violates subsection (1) commits ~~Whoever commits aggravated battery shall be guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~



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(3) For the purposes of sentencing under chapter 921, a violation of this section committed by a person, regardless of race or ethnicity and who is clearly identified, acting in furtherance of a riot or an aggravated riot prohibited under s. 870.01 is ranked one level above the ranking under s. 921.0022 for the offense committed.

Section 8. Section 784.0495, Florida Statutes, is created to read:

784.0495 Mob intimidation.—

(1) It is unlawful for a person, regardless of race or ethnicity and who is clearly identified, assembled with two or more other persons and acting with a common intent, to use force or threaten to use imminent force, to compel or induce, or attempt to compel or induce, another person to do or refrain from doing any act or to assume, abandon, or maintain a particular viewpoint against his or her will.

(2) A person who violates subsection (1) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3) A person arrested for a violation of this section shall be held in custody until brought before the court for admittance to bail in accordance with chapter 903.

Section 9. Subsection (2) of section 784.07, Florida Statutes, is amended and subsection (4) is added to that section, to read:

784.07 Assault or battery of law enforcement officers, firefighters, emergency medical care providers, public transit employees or agents, or other specified officers; reclassification of offenses; minimum sentences.—



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(2) Whenever any person is charged with knowingly committing an assault or battery upon a law enforcement officer, a firefighter, an emergency medical care provider, a railroad special officer, a traffic accident investigation officer as described in s. 316.640, a nonsworn law enforcement agency employee who is certified as an agency inspector, a blood alcohol analyst, or a breath test operator while such employee is in uniform and engaged in processing, testing, evaluating, analyzing, or transporting a person who is detained or under arrest for DUI, a law enforcement explorer, a traffic infraction enforcement officer as described in s. 316.640, a parking enforcement specialist as defined in s. 316.640, a person licensed as a security officer as defined in s. 493.6101 and wearing a uniform that bears at least one patch or emblem that is visible at all times that clearly identifies the employing agency and that clearly identifies the person as a licensed security officer, or a security officer employed by the board of trustees of a community college, while the officer, firefighter, emergency medical care provider, railroad special officer, traffic accident investigation officer, traffic infraction enforcement officer, inspector, analyst, operator, law enforcement explorer, parking enforcement specialist, public transit employee or agent, or security officer is engaged in the lawful performance of his or her duties, the offense for which the person is charged shall be reclassified as follows:

(a) In the case of assault, from a misdemeanor of the second degree to a misdemeanor of the first degree.

(b) In the case of battery, from a misdemeanor of the first degree to a felony of the third degree. Notwithstanding any



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other provision of law, a person, regardless of race or ethnicity and who is clearly identified, convicted of battery upon a law enforcement officer committed in furtherance of a riot or an aggravated riot prohibited under s. 870.01 shall be sentenced to a minimum term of imprisonment of 6 months.

(c) In the case of aggravated assault, from a felony of the third degree to a felony of the second degree. Notwithstanding any other provision of law, any person convicted of aggravated assault upon a law enforcement officer shall be sentenced to a minimum term of imprisonment of 3 years.

(d) In the case of aggravated battery, from a felony of the second degree to a felony of the first degree. Notwithstanding any other provision of law, any person convicted of aggravated battery of a law enforcement officer shall be sentenced to a minimum term of imprisonment of 5 years.

(4) For purposes of sentencing under chapter 921, a felony violation of this section committed by a person, regardless of race or ethnicity and who is clearly identified, acting in furtherance of a riot or an aggravated riot prohibited under s. 870.01 is ranked one level above the ranking under s. 921.0022 for the offense committed.

Section 10. Subsections (3) through (9) of section 806.13, Florida Statutes, are renumbered as subsections (4) through (10), respectively, a new subsection (3) is added to that section, and present subsection (8) of that section is amended, to read:

806.13 Criminal mischief; penalties; penalty for minor.—

(3) Any person who, without the consent of the owner thereof, willfully and maliciously defaces, injures, or



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otherwise damages by any means a memorial or historic property,
as defined in s. 806.135(1), and the value of the damage to the
memorial or historic property is greater than \$200, commits a
felony of the third degree, punishable as provided in s.
775.082, s. 775.083, or s. 775.084. A court shall order any
person convicted of violating this subsection to pay
restitution, which shall include the full cost of repair or
replacement of such memorial or historic property.

~~(9)~~~~(8)~~ A minor whose driver license or driving privilege is
revoked, suspended, or withheld under subsection ~~(8)~~~~(7)~~ may
elect to reduce the period of revocation, suspension, or
withholding by performing community service at the rate of 1 day
for each hour of community service performed. In addition, if
the court determines that due to a family hardship, the minor's
driver license or driving privilege is necessary for employment
or medical purposes of the minor or a member of the minor's
family, the court shall order the minor to perform community
service and reduce the period of revocation, suspension, or
withholding at the rate of 1 day for each hour of community
service performed. As used in this subsection, the term
"community service" means cleaning graffiti from public
property.

Section 11. Section 806.135, Florida Statutes, is created
to read:

806.135 Destroying or demolishing a memorial or historic
property.—

(1) As used in this section, the term:

(a) "Historic property" means any building, structure,
site, or object that has been officially designated as a



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historic building, historic structure, historic site, or
historic object through a federal, state, or local designation
program.

(b) "Memorial" means a plaque, statue, marker, flag,
banner, cenotaph, religious symbol, painting, seal, tombstone,
structure name, or display that is constructed and located with
the intent of being permanently displayed or perpetually
maintained; is dedicated to a historical person, an entity, an
event, or a series of events; and honors or recounts the
military service of any past or present United States Armed
Forces military personnel, or the past or present public service
of a resident of the geographical area comprising the state or
the United States. The term includes, but is not limited to, the
following memorials established under chapter 265:

1. Florida Women's Hall of Fame.
2. Florida Medal of Honor Wall.
3. Florida Veterans' Hall of Fame.
4. POW-MIA Chair of Honor Memorial.
5. Florida Veterans' Walk of Honor and Florida Veterans'
Memorial Garden.
6. Florida Law Enforcement Officers' Hall of Fame.
7. Florida Holocaust Memorial.
8. Florida Slavery Memorial.
9. Any other memorial located within the Capitol Complex,
including, but not limited to, Waller Park.

(2) It is unlawful for any person to willfully and
maliciously destroy or demolish any memorial or historic
property, or willfully and maliciously pull down a memorial or
historic property, unless authorized by the owner of the



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memorial or historic property. A person who violates this section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) A court shall order any person convicted of violating this section to pay restitution, which shall include the full cost of repair or replacement of such memorial or historic property.

Section 12. Subsections (3) and (4) of section 810.02, Florida Statutes, are amended to read:

810.02 Burglary.—

(3) Burglary is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the course of committing the offense, the offender does not make an assault or battery and is not and does not become armed with a dangerous weapon or explosive, and the offender enters or remains in a:

(a) Dwelling, and there is another person in the dwelling at the time the offender enters or remains;

(b) Dwelling, and there is not another person in the dwelling at the time the offender enters or remains;

(c) Structure, and there is another person in the structure at the time the offender enters or remains;

(d) Conveyance, and there is another person in the conveyance at the time the offender enters or remains;

(e) Authorized emergency vehicle, as defined in s. 316.003; or

(f) Structure or conveyance when the offense intended to be committed therein is theft of a controlled substance as defined in s. 893.02. Notwithstanding any other law, separate judgments



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and sentences for burglary with the intent to commit theft of a controlled substance under this paragraph and for any applicable possession of controlled substance offense under s. 893.13 or trafficking in controlled substance offense under s. 893.135 may be imposed when all such offenses involve the same amount or amounts of a controlled substance.

However, if the burglary is committed during a riot or an aggravated riot prohibited under s. 870.01 and the perpetration of the burglary is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252 after the declaration of emergency is made and the perpetration of the burglary is facilitated by conditions arising from the emergency, the burglary is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this subsection, the term "conditions arising from the riot" means civil unrest, power outages, curfews, or a reduction in the presence of or response time for first responders or homeland security personnel and the term "conditions arising from the emergency" means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel. A person, regardless of race or ethnicity and who is clearly identified, arrested for committing a burglary during a riot or an aggravated riot or within a county that is subject to such a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 921, a felony



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offense that is reclassified under this subsection is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

(4) Burglary is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the course of committing the offense, the offender does not make an assault or battery and is not and does not become armed with a dangerous weapon or explosive, and the offender enters or remains in a:

(a) Structure, and there is not another person in the structure at the time the offender enters or remains; or

(b) Conveyance, and there is not another person in the conveyance at the time the offender enters or remains.

However, if the burglary is committed during a riot or an aggravated riot prohibited under s. 870.01 and the perpetration of the burglary is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252 after the declaration of emergency is made and the perpetration of the burglary is facilitated by conditions arising from the emergency, the burglary is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this subsection, the terms "conditions arising from the riot" and ~~term~~ "conditions arising from the emergency" have the same meanings as provided in subsection (3) ~~means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel.~~ A person, regardless



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of race or ethnicity and who is clearly identified, arrested for committing a burglary during a riot or an aggravated riot or within a county that is subject to such a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this subsection is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

Section 13. Paragraphs (b) and (c) of subsection (2) of section 812.014, Florida Statutes, are amended to read:

812.014 Theft.—

(2)

(b)1. If the property stolen is valued at \$20,000 or more, but less than \$100,000;

2. The property stolen is cargo valued at less than \$50,000 that has entered the stream of interstate or intrastate commerce from the shipper's loading platform to the consignee's receiving dock;

3. The property stolen is emergency medical equipment, valued at \$300 or more, that is taken from a facility licensed under chapter 395 or from an aircraft or vehicle permitted under chapter 401; or

4. The property stolen is law enforcement equipment, valued at \$300 or more, that is taken from an authorized emergency vehicle, as defined in s. 316.003,

the offender commits grand theft in the second degree, punishable as a felony of the second degree, as provided in s.



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775.082, s. 775.083, or s. 775.084. Emergency medical equipment means mechanical or electronic apparatus used to provide emergency services and care as defined in s. 395.002(9) or to treat medical emergencies. Law enforcement equipment means any property, device, or apparatus used by any law enforcement officer as defined in s. 943.10 in the officer's official business. However, if the property is stolen during a riot or an aggravated riot prohibited under s. 870.01 and the perpetration of the theft is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252, the theft is committed after the declaration of emergency is made, and the perpetration of the theft is facilitated by conditions arising from the emergency, the theft is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this paragraph, the term "conditions arising from the riot" means civil unrest, power outages, curfews, or a reduction in the presence of or response time for first responders or homeland security personnel and the term "conditions arising from the emergency" means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel. A person, regardless of race or ethnicity and who is clearly identified, arrested for committing a theft during a riot or an aggravated riot or within a county that is subject to a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this paragraph



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is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

(c) It is grand theft of the third degree and a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property stolen is:

1. Valued at \$750 or more, but less than \$5,000.
2. Valued at \$5,000 or more, but less than \$10,000.
3. Valued at \$10,000 or more, but less than \$20,000.
4. A will, codicil, or other testamentary instrument.
5. A firearm.
6. A motor vehicle, except as provided in paragraph (a).
7. Any commercially farmed animal, including any animal of the equine, avian, bovine, or swine class or other grazing animal; a bee colony of a registered beekeeper; and aquaculture species raised at a certified aquaculture facility. If the property stolen is a commercially farmed animal, including an animal of the equine, avian, bovine, or swine class or other grazing animal; a bee colony of a registered beekeeper; or an aquaculture species raised at a certified aquaculture facility, a \$10,000 fine shall be imposed.

8. Any fire extinguisher that, at the time of the taking, was installed in any building for the purpose of fire prevention and control. This subparagraph does not apply to a fire extinguisher taken from the inventory at a point-of-sale business.

9. Any amount of citrus fruit consisting of 2,000 or more individual pieces of fruit.

10. Taken from a designated construction site identified by the posting of a sign as provided for in s. 810.09(2)(d).



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11. Any stop sign.

12. Anhydrous ammonia.

13. Any amount of a controlled substance as defined in s. 893.02. Notwithstanding any other law, separate judgments and sentences for theft of a controlled substance under this subparagraph and for any applicable possession of controlled substance offense under s. 893.13 or trafficking in controlled substance offense under s. 893.135 may be imposed when all such offenses involve the same amount or amounts of a controlled substance.

However, if the property is stolen during a riot or an aggravated riot prohibited under s. 870.01 and the perpetration of the theft is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252, the property is stolen after the declaration of emergency is made, and the perpetration of the theft is facilitated by conditions arising from the emergency, the offender commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property is valued at \$5,000 or more, but less than \$10,000, as provided under subparagraph 2., or if the property is valued at \$10,000 or more, but less than \$20,000, as provided under subparagraph 3. As used in this paragraph, the terms "conditions arising from a riot" and ~~term~~ "conditions arising from the emergency" have the same meanings as provided in paragraph (b). A person, regardless of race or ethnicity and who is clearly identified, arrested for committing a theft during a riot or an aggravated riot or within a county that is



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subject to a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing ~~means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or the response time for first responders or homeland security personnel.~~ For purposes of sentencing under chapter 921, a felony offense that is reclassified under this paragraph is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

Section 14. Section 836.115, Florida Statutes, is created to read:

836.115 Cyberintimidation by publication.—

(1) As used in this section, the term:

(a) "Electronically publish" means to disseminate, post, or otherwise disclose information to an Internet site or forum.

(b) "Harass" has the same meaning as provided in s. 817.568(1)(c).

(c) "Personal identification information" has the same meaning as provided in s. 817.568(1)(f).

(2) It is unlawful for a person, regardless of race or ethnicity and who is clearly identified, to electronically publish another person's personal identification information with the intent to, or with the intent that a third party will use the information to:

(a) Incite violence or commit a crime against the person;
or

(b) Threaten or harass the person, placing such person in reasonable fear of bodily harm.



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A person who violates this subsection commits a misdemeanor of a first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 15. Section 870.01, Florida Statutes, is amended to read:

870.01 Affrays and riots.—

(1) A person commits an affray if he or she engages, by mutual consent, in fighting with another person in a public place to the terror of the people. A person who commits ~~All persons guilty of an affray commits shall be guilty of a~~ misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) A person, regardless of race or ethnicity and who is clearly identified, commits a riot if he or she willfully participates in a violent public disturbance involving an assembly of three or more persons, acting with a common intent to assist each other in violent and disorderly conduct, resulting in:

(a) Injury to another person;

(b) Damage to property; or

(c) Imminent danger of injury to another person or damage to property.

A person who commits ~~All persons guilty of a riot commits, or of inciting or encouraging a riot, shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

(3) A person, regardless of race or ethnicity and who is clearly identified, commits aggravated rioting if, in the course



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of committing a riot, he or she:

(a) Participates with 25 or more other persons;

(b) Causes great bodily harm to a person not participating in the riot;

(c) Causes property damage in excess of \$5,000;

(d) Displays, uses, threatens to use, or attempts to use a deadly weapon; or

(e) By force, or threat of force, endangers the safe movement of a vehicle traveling on a public street, highway, or road.

A person who commits aggravating rioting commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) A person, regardless of race or ethnicity and who is clearly identified, commits inciting a riot if he or she willfully incites another person to participate in a riot, resulting in a riot or imminent danger of a riot. A person who commits inciting a riot commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5) A person, regardless of race or ethnicity and who is clearly identified, commits aggravated inciting a riot if he or

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 45 - 79

and insert:

imprisonment for a certain person convicted of battery
on a law enforcement officer committed in furtherance



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of a riot or an aggravated riot; increasing the offense severity ranking of an assault or battery against specified persons for the purposes of the Criminal Punishment Code if committed in furtherance of a riot or an aggravated riot; amending s. 806.13, F.S.; prohibiting defacing, injuring, or damaging a memorial or historic property; providing a penalty; requiring a court to order restitution for such a violation; creating s. 806.135, F.S.; defining the terms "historic property" and "memorial"; prohibiting a person from destroying or demolishing a memorial or historic property; providing a penalty; requiring a court to order restitution for such a violation; amending s. 810.02, F.S.; reclassifying specified burglary offenses committed during a riot or an aggravated riot and facilitated by conditions arising from the riot; providing a definition; requiring a person arrested for such a violation to be held in custody until first appearance; amending s. 812.014, F.S.; reclassifying specified theft offenses committed during a riot or an aggravated riot and facilitated by conditions arising from the riot; providing a definition; requiring a certain person arrested for such a violation to be held in custody until first appearance; creating s. 836.115, F.S.; providing definitions; prohibiting cyberintimidation by publication; providing criminal penalties; amending s. 870.01, F.S.; prohibiting a person from fighting in a public place; prohibiting a certain person from



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736 willfully participating in a specified violent public
737 disturbance resulting in specified damage or injury;
738 providing an increased penalty for rioting under
739 specified circumstances; prohibiting a certain person
740 from



646196

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Powell) recommended the following:

Senate Amendment (with title amendment)

Delete lines 153 - 259.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 14 - 17

and insert:

s. 768.28, F.S.;



895456

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 260 - 306.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 17 - 24

and insert:

charitable solicitations; amending s. 784.011, F.S.;

reclassifying the



564306

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Gibson) recommended the following:

Senate Amendment

Delete line 296
and insert:
enforcement agency, as long as it appropriately trains its law
enforcement officers on standards regarding use of force,
physical restraints, and deploying tear gas, to respond
appropriately to protect persons



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Farmer) recommended the following:

Senate Amendment (with title amendment)

Delete lines 316 - 1040
and insert:
a riot or an aggravated riot commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 5. Subsection (2) of section 784.021, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

784.021 Aggravated assault.—



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(2) A person who ~~Whoever~~ commits an aggravated assault commits ~~shall be guilty of~~ a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) For the purposes of sentencing under chapter 921, a violation of this section committed by a person acting in furtherance of a riot or an aggravated riot is ranked one level above the ranking under s. 921.0022 for the offense committed.

Section 6. Section 784.03, Florida Statutes, is amended to read:

784.03 Battery; felony battery.—

(1)(a) The offense of battery occurs when a person:

1. Actually and intentionally touches or strikes another person against the will of the other; or

2. Intentionally causes bodily harm to another person.

(b) Except as provided in subsection (2) or subsection (3), a person who commits battery commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) A person who has one prior conviction for battery, aggravated battery, or felony battery and who commits any second or subsequent battery commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For purposes of this subsection, "conviction" means a determination of guilt that is the result of a plea or a trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

(3) A person who commits a battery in furtherance of a riot or an aggravated riot commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or 775.084.

Section 7. Section 784.045, Florida Statutes, is amended to



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read:

784.045 Aggravated battery.—

(1)(a) A person commits aggravated battery who, in committing battery:

1. Intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement; or

2. Uses a deadly weapon.

(b) A person commits aggravated battery if the person who was the victim of the battery was pregnant at the time of the offense and the offender knew or should have known that the victim was pregnant.

(2) A person who violates subsection (1) commits ~~Whoever commits aggravated battery shall be guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

(3) For the purposes of sentencing under chapter 921, a violation of this section committed by a person acting in furtherance of a riot or an aggravated riot is ranked one level above the ranking under s. 921.0022 for the offense committed.

Section 8. Section 784.0495, Florida Statutes, is created to read:

784.0495 Mob intimidation.—

(1) It is unlawful for a person, assembled with two or more other persons and acting with a common intent, to use force or threaten to use imminent force, to compel or induce, or attempt to compel or induce, another person to do or refrain from doing any act or to assume, abandon, or maintain a particular viewpoint against his or her will.

(2) A person who violates subsection (1) commits a



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misdemeanor of the first degree, punishable as provided in s.
775.082 or s. 775.083.

(3) A person arrested for a violation of this section shall
be held in custody until brought before the court for admittance
to bail in accordance with chapter 903.

Section 9. Subsection (2) of section 784.07, Florida
Statutes, is amended and subsection (4) is added to that
section, to read:

784.07 Assault or battery of law enforcement officers,
firefighters, emergency medical care providers, public transit
employees or agents, or other specified officers;
reclassification of offenses; minimum sentences.—

(2) Whenever any person is charged with knowingly
committing an assault or battery upon a law enforcement officer,
a firefighter, an emergency medical care provider, a railroad
special officer, a traffic accident investigation officer as
described in s. 316.640, a nonsworn law enforcement agency
employee who is certified as an agency inspector, a blood
alcohol analyst, or a breath test operator while such employee
is in uniform and engaged in processing, testing, evaluating,
analyzing, or transporting a person who is detained or under
arrest for DUI, a law enforcement explorer, a traffic infraction
enforcement officer as described in s. 316.640, a parking
enforcement specialist as defined in s. 316.640, a person
licensed as a security officer as defined in s. 493.6101 and
wearing a uniform that bears at least one patch or emblem that
is visible at all times that clearly identifies the employing
agency and that clearly identifies the person as a licensed
security officer, or a security officer employed by the board of



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trustees of a community college, while the officer, firefighter, emergency medical care provider, railroad special officer, traffic accident investigation officer, traffic infraction enforcement officer, inspector, analyst, operator, law enforcement explorer, parking enforcement specialist, public transit employee or agent, or security officer is engaged in the lawful performance of his or her duties, the offense for which the person is charged shall be reclassified as follows:

(a) In the case of assault, from a misdemeanor of the second degree to a misdemeanor of the first degree.

(b) In the case of battery, from a misdemeanor of the first degree to a felony of the third degree. Notwithstanding any other provision of law, a person convicted of battery upon a law enforcement officer committed in furtherance of a riot or an aggravated riot shall be sentenced to a minimum term of imprisonment of 6 months.

(c) In the case of aggravated assault, from a felony of the third degree to a felony of the second degree. Notwithstanding any other provision of law, any person convicted of aggravated assault upon a law enforcement officer shall be sentenced to a minimum term of imprisonment of 3 years.

(d) In the case of aggravated battery, from a felony of the second degree to a felony of the first degree. Notwithstanding any other provision of law, any person convicted of aggravated battery of a law enforcement officer shall be sentenced to a minimum term of imprisonment of 5 years.

(4) For purposes of sentencing under chapter 921, a felony violation of this section committed by a person acting in furtherance of a riot or an aggravated riot is ranked one level



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above the ranking under s. 921.0022 for the offense committed.

Section 10. Subsections (3) through (9) of section 806.13, Florida Statutes, are renumbered as subsections (4) through (10), respectively, a new subsection (3) is added to that section, and present subsection (8) of that section is amended, to read:

806.13 Criminal mischief; penalties; penalty for minor.—

(3) Any person who, without the consent of the owner thereof, willfully and maliciously defaces, injures, or otherwise damages by any means a memorial or historic property, as defined in s. 806.135(1), and the value of the damage to the memorial or historic property is greater than \$200, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A court shall order any person convicted of violating this subsection to pay restitution, which shall include the full cost of repair or replacement of such memorial or historic property.

(9)~~(8)~~ A minor whose driver license or driving privilege is revoked, suspended, or withheld under subsection (8)~~(7)~~ may elect to reduce the period of revocation, suspension, or withholding by performing community service at the rate of 1 day for each hour of community service performed. In addition, if the court determines that due to a family hardship, the minor's driver license or driving privilege is necessary for employment or medical purposes of the minor or a member of the minor's family, the court shall order the minor to perform community service and reduce the period of revocation, suspension, or withholding at the rate of 1 day for each hour of community service performed. As used in this subsection, the term



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"community service" means cleaning graffiti from public property.

Section 11. Section 806.135, Florida Statutes, is created to read:

806.135 Destroying or demolishing a memorial or historic property.—

(1) As used in this section, the term:

(a) "Historic property" means any building, structure, site, or object that has been officially designated as a historic building, historic structure, historic site, or historic object through a federal, state, or local designation program.

(b) "Memorial" means a plaque, statue, marker, flag, banner, cenotaph, religious symbol, painting, seal, tombstone, structure name, or display that is constructed and located with the intent of being permanently displayed or perpetually maintained; is dedicated to a historical person, an entity, an event, or a series of events; and honors or recounts the military service of any past or present United States Armed Forces military personnel, or the past or present public service of a resident of the geographical area comprising the state or the United States. The term includes, but is not limited to, the following memorials established under chapter 265:

1. Florida Women's Hall of Fame.

2. Florida Medal of Honor Wall.

3. Florida Veterans' Hall of Fame.

4. POW-MIA Chair of Honor Memorial.

5. Florida Veterans' Walk of Honor and Florida Veterans' Memorial Garden.



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185 6. Florida Law Enforcement Officers' Hall of Fame.

186 7. Florida Holocaust Memorial.

187 8. Florida Slavery Memorial.

188 9. Any other memorial located within the Capitol Complex,
189 including, but not limited to, Waller Park.

190 (2) It is unlawful for any person to willfully and
191 maliciously destroy or demolish any memorial or historic
192 property, or willfully and maliciously pull down a memorial or
193 historic property, unless authorized by the owner of the
194 memorial or historic property. A person who violates this
195 section commits a felony of the second degree, punishable as
196 provided in s. 775.082, s. 775.083, or s. 775.084.

197 (3) A court shall order any person convicted of violating
198 this section to pay restitution, which shall include the full
199 cost of repair or replacement of such memorial or historic
200 property.

201 Section 12. Subsections (3) and (4) of section 810.02,
202 Florida Statutes, are amended to read:

203 810.02 Burglary.—

204 (3) Burglary is a felony of the second degree, punishable
205 as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the
206 course of committing the offense, the offender does not make an
207 assault or battery and is not and does not become armed with a
208 dangerous weapon or explosive, and the offender enters or
209 remains in a:

210 (a) Dwelling, and there is another person in the dwelling
211 at the time the offender enters or remains;

212 (b) Dwelling, and there is not another person in the
213 dwelling at the time the offender enters or remains;



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(c) Structure, and there is another person in the structure at the time the offender enters or remains;

(d) Conveyance, and there is another person in the conveyance at the time the offender enters or remains;

(e) Authorized emergency vehicle, as defined in s. 316.003; or

(f) Structure or conveyance when the offense intended to be committed therein is theft of a controlled substance as defined in s. 893.02. Notwithstanding any other law, separate judgments and sentences for burglary with the intent to commit theft of a controlled substance under this paragraph and for any applicable possession of controlled substance offense under s. 893.13 or trafficking in controlled substance offense under s. 893.135 may be imposed when all such offenses involve the same amount or amounts of a controlled substance.

However, if the burglary is committed during a riot or an aggravated riot and the perpetration of the burglary is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252 after the declaration of emergency is made and the perpetration of the burglary is facilitated by conditions arising from the emergency, the burglary is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this subsection, the term "conditions arising from the riot" means civil unrest, power outages, curfews, or a reduction in the presence of or response time for first responders or homeland security personnel and the term "conditions arising from the emergency" means civil unrest,



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power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel. A person arrested for committing a burglary during a riot or an aggravated riot or within a county that is subject to such a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this subsection is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

(4) Burglary is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the course of committing the offense, the offender does not make an assault or battery and is not and does not become armed with a dangerous weapon or explosive, and the offender enters or remains in a:

(a) Structure, and there is not another person in the structure at the time the offender enters or remains; or

(b) Conveyance, and there is not another person in the conveyance at the time the offender enters or remains.

However, if the burglary is committed during a riot or an aggravated riot and the perpetration of the burglary is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252 after the declaration of emergency is made and the perpetration of the burglary is facilitated by conditions arising from the emergency, the burglary is a felony



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of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this subsection, the terms "conditions arising from the riot" and term "conditions arising from the emergency" have the same meanings as provided in subsection (3) ~~means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel.~~ A person arrested for committing a burglary during a riot or an aggravated riot or within a county that is subject to such a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this subsection is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

Section 13. Paragraphs (b) and (c) of subsection (2) of section 812.014, Florida Statutes, are amended to read:

812.014 Theft.—

(2)

(b)1. If the property stolen is valued at \$20,000 or more, but less than \$100,000;

2. The property stolen is cargo valued at less than \$50,000 that has entered the stream of interstate or intrastate commerce from the shipper's loading platform to the consignee's receiving dock;

3. The property stolen is emergency medical equipment, valued at \$300 or more, that is taken from a facility licensed under chapter 395 or from an aircraft or vehicle permitted under chapter 401; or



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4. The property stolen is law enforcement equipment, valued at \$300 or more, that is taken from an authorized emergency vehicle, as defined in s. 316.003,

the offender commits grand theft in the second degree, punishable as a felony of the second degree, as provided in s. 775.082, s. 775.083, or s. 775.084. Emergency medical equipment means mechanical or electronic apparatus used to provide emergency services and care as defined in s. 395.002(9) or to treat medical emergencies. Law enforcement equipment means any property, device, or apparatus used by any law enforcement officer as defined in s. 943.10 in the officer's official business. However, if the property is stolen during a riot or an aggravated riot and the perpetration of the theft is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252, the theft is committed after the declaration of emergency is made, and the perpetration of the theft is facilitated by conditions arising from the emergency, the theft is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this paragraph, the term "conditions arising from the riot" means civil unrest, power outages, curfews, or a reduction in the presence of or response time for first responders or homeland security personnel and the term "conditions arising from the emergency" means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel. A person arrested for committing a theft during a



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riot or an aggravated riot or within a county that is subject to
a state of emergency may not be released until the person
appears before a committing magistrate at a first appearance
hearing. For purposes of sentencing under chapter 921, a felony
offense that is reclassified under this paragraph is ranked one
level above the ranking under s. 921.0022 or s. 921.0023 of the
offense committed.

(c) It is grand theft of the third degree and a felony of
the third degree, punishable as provided in s. 775.082, s.
775.083, or s. 775.084, if the property stolen is:

1. Valued at \$750 or more, but less than \$5,000.
2. Valued at \$5,000 or more, but less than \$10,000.
3. Valued at \$10,000 or more, but less than \$20,000.
4. A will, codicil, or other testamentary instrument.
5. A firearm.
6. A motor vehicle, except as provided in paragraph (a).
7. Any commercially farmed animal, including any animal of
the equine, avian, bovine, or swine class or other grazing
animal; a bee colony of a registered beekeeper; and aquaculture
species raised at a certified aquaculture facility. If the
property stolen is a commercially farmed animal, including an
animal of the equine, avian, bovine, or swine class or other
grazing animal; a bee colony of a registered beekeeper; or an
aquaculture species raised at a certified aquaculture facility,
a \$10,000 fine shall be imposed.

8. Any fire extinguisher that, at the time of the taking,
was installed in any building for the purpose of fire prevention
and control. This subparagraph does not apply to a fire
extinguisher taken from the inventory at a point-of-sale



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business.

9. Any amount of citrus fruit consisting of 2,000 or more individual pieces of fruit.

10. Taken from a designated construction site identified by the posting of a sign as provided for in s. 810.09(2)(d).

11. Any stop sign.

12. Anhydrous ammonia.

13. Any amount of a controlled substance as defined in s. 893.02. Notwithstanding any other law, separate judgments and sentences for theft of a controlled substance under this subparagraph and for any applicable possession of controlled substance offense under s. 893.13 or trafficking in controlled substance offense under s. 893.135 may be imposed when all such offenses involve the same amount or amounts of a controlled substance.

However, if the property is stolen during a riot or an aggravated riot and the perpetration of the theft is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252, the property is stolen after the declaration of emergency is made, and the perpetration of the theft is facilitated by conditions arising from the emergency, the offender commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property is valued at \$5,000 or more, but less than \$10,000, as provided under subparagraph 2., or if the property is valued at \$10,000 or more, but less than \$20,000, as provided under subparagraph 3. As used in this paragraph, the terms "conditions



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arising from a riot" and ~~term~~ "conditions arising from the
emergency" have the same meanings as provided in paragraph (b).
A person arrested for committing a theft during a riot or an
aggravated riot or within a county that is subject to a state of
emergency may not be released until the person appears before a
committing magistrate at a first appearance hearing ~~means civil~~
~~unrest, power outages, curfews, voluntary or mandatory~~
~~evacuations, or a reduction in the presence of or the response~~
~~time for first responders or homeland security personnel.~~ For
purposes of sentencing under chapter 921, a felony offense that
is reclassified under this paragraph is ranked one level above
the ranking under s. 921.0022 or s. 921.0023 of the offense
committed.

Section 14. Section 836.115, Florida Statutes, is created
to read:

836.115 Cyberintimidation by publication.—

(1) As used in this section, the term:

(a) "Electronically publish" means to disseminate, post, or
otherwise disclose information to an Internet site or forum.

(b) "Harass" has the same meaning as provided in s.
817.568(1)(c).

(c) "Personal identification information" has the same
meaning as provided in s. 817.568(1)(f).

(2) It is unlawful for a person to electronically publish
another person's personal identification information with the
intent to, or with the intent that a third party will use the
information to:

(a) Incite violence or commit a crime against the person;
or



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(b) Threaten or harass the person, placing such person in reasonable fear of bodily harm.

A person who violates this subsection commits a misdemeanor of a first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 15. Section 870.02, Florida Statutes, is amended to read:

870.02 Unlawful assemblies.—

(1) If three or more persons meet together to commit a breach of the peace, or to do any other unlawful act, each of them commits ~~shall be guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(2) A person arrested for a violation of this section shall be held in custody until brought before the court for admittance to bail in accordance with chapter 903.

Section 16. Section 870.03, Florida Statutes, is repealed.

Section 17. Section 870.07, Florida Statutes, is created to read:

870.07 Affirmative defense in civil action; party convicted of riot.—

(1) In a civil action for damages for personal injury, wrongful death, or property damage, it is an affirmative defense that such action arose from an injury or damage sustained by a participant acting in furtherance of a riot. The affirmative defense authorized by this section shall be established by evidence that the participant has been convicted of a riot or an aggravated riot, or by proof of the commission of such crime by a preponderance of the evidence.



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(2) In a civil action in which a defendant raises an affirmative defense under this section, the court must, on motion by the defendant, stay the action during the pendency of a criminal action that forms the basis for the defense, unless the court finds that a conviction in the criminal action would not form a valid defense under this section.

Section 18. Subsections (3) through (6) of section 872.02, Florida Statutes, are renumbered as subsections (4) through (7), respectively, a new subsection (3) is added to that section, subsections (1) and (2) of that section are republished, and present subsection (6) of that section is amended, to read:

872.02 Injuring or removing tomb or monument; disturbing contents of grave or tomb; penalties.—

(1) A person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she:

(a) Willfully and knowingly destroys, mutilates, defaces, injures, or removes any tomb, monument, gravestone, burial mound, earthen or shell monument containing human skeletal remains or associated burial artifacts, or other structure or thing placed or designed for a memorial of the dead, or any fence, railing, curb, or other thing intended for the protection or ornamentation of any tomb, monument, gravestone, burial mound, earthen or shell monument containing human skeletal remains or associated burial artifacts, or other structure before mentioned, or for any enclosure for the burial of the dead; or

(b) Willfully destroys, mutilates, removes, cuts, breaks, or injures any tree, shrub, or plant placed or being within any



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such enclosure, except for a person performing routine maintenance and upkeep.

(2) A person who willfully and knowingly excavates, exposes, moves, removes, or otherwise disturbs the contents of a grave or tomb commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) For purposes of sentencing under chapter 921, a violation of this section, committed by a person in furtherance of a riot or an aggravated riot is ranked one level above the ranking under s. 921.0022 or s. 921.0023 for the offense committed.

(7)~~(6)~~ If a legally authorized person refuses to sign a written authorization, as provided in paragraph (6) (a)~~(5) (a)~~, or if a legally authorized person objects, as provided in paragraph (6) (b) ~~(5) (b)~~, a public hearing shall be held before the county commission of the county where the cemetery is located, or the city council, if the cemetery is located in a municipality, and the county commission or the city council shall have the authority to grant a request for relocation of the contents of such graves or tombs.

Section 19. Paragraphs (b), (c), and (d) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(b) LEVEL 2

Florida	Felony	Description
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Statute	Degree	
379.2431 (1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
403.413(6)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
517.07(2)	3rd	Failure to furnish a prospectus meeting requirements.
590.28(1)	3rd	Intentional burning of lands.
<u>784.03(3)</u>	<u>3rd</u>	<u>Battery during a riot or an aggravated riot.</u>
784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury



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or death.

787.04(1) 3rd In violation of court order,
take, entice, etc., minor
beyond state limits.

806.13(1)(b)3. 3rd Criminal mischief; damage
\$1,000 or more to public
communication or any other
public service.

806.13(3) 3rd Criminal mischief; damage of
\$200 or more to a memorial or
historic property.

810.061(2) 3rd Impairing or impeding telephone
or power to a dwelling;
facilitating or furthering
burglary.

810.09(2)(e) 3rd Trespassing on posted
commercial horticulture
property.

812.014(2)(c)1. 3rd Grand theft, 3rd degree; \$750
or more but less than \$5,000.



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519	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$750, taken from unenclosed curtilage of dwelling.
520	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
521	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
522	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
523	817.52 (3)	3rd	Failure to redeliver hired vehicle.
524	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
525	817.60 (5)	3rd	Dealing in credit cards of another.
526			



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527	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
528	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
529	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
530	831.01	3rd	Forgery.
531	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
532	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
533	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
534	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
	831.11	3rd	Bringing into the state forged



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bank bills, checks, drafts, or
notes.

832.05(3)(a) 3rd Cashing or depositing item with
intent to defraud.

843.08 3rd False personation.

893.13(2)(a)2. 3rd Purchase of any s.
893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs
other than cannabis.

893.147(2) 3rd Manufacture or delivery of drug
paraphernalia.

(c) LEVEL 3

Florida Statute	Felony Degree	Description
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119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
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546	316.066	3rd	Unlawfully obtaining or using
	(3) (b) - (d)		confidential crash reports.
547			
	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
548			
	316.1935 (2)	3rd	Fleeing or attempting to elude
			law enforcement officer in
			patrol vehicle with siren and
			lights activated.
549			
	319.30 (4)	3rd	Possession by junkyard of motor
			vehicle with identification
			number plate removed.
550			
	319.33 (1) (a)	3rd	Alter or forge any certificate
			of title to a motor vehicle or
			mobile home.
551			
	319.33 (1) (c)	3rd	Procure or pass title on stolen
			vehicle.
552			
	319.33 (4)	3rd	With intent to defraud,
			possess, sell, etc., a blank,
			forged, or unlawfully obtained
			title or registration.
553			
	327.35 (2) (b)	3rd	Felony BUI.
554			



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555	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
556	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
557	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
558	379.2431 (1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
	379.2431 (1)(e)6.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.



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559	379.2431	3rd	Soliciting to commit or
	(1) (e) 7.		conspiring to commit a
			violation of the Marine Turtle
			Protection Act.
560	400.9935 (4) (a)	3rd	Operating a clinic, or offering
	or (b)		services requiring licensure,
			without a license.
561	400.9935 (4) (e)	3rd	Filing a false license
			application or other required
			information or failing to
			report information.
562	440.1051 (3)	3rd	False report of workers'
			compensation fraud or
			retaliation for making such a
			report.
563	501.001 (2) (b)	2nd	Tampers with a consumer product
			or the container using
			materially false/misleading
			information.
564	624.401 (4) (a)	3rd	Transacting insurance without a
			certificate of authority.
565	624.401 (4) (b) 1.	3rd	Transacting insurance without a



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certificate of authority;
premium collected less than
\$20,000.

566

626.902(1)(a) &
(b)

3rd

Representing an unauthorized
insurer.

567

697.08

3rd

Equity skimming.

568

790.15(3)

3rd

Person directs another to
discharge firearm from a
vehicle.

569

806.10(1)

3rd

Maliciously injure, destroy, or
interfere with vehicles or
equipment used in firefighting.

570

806.10(2)

3rd

Interferes with or assaults
firefighter in performance of
duty.

571

810.09(2)(c)

3rd

Trespass on property other than
structure or conveyance armed
with firearm or dangerous
weapon.

572

812.014(2)(c)2.

3rd

Grand theft; \$5,000 or more but
less than \$10,000.

573



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574	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
575	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
576	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
577	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
578	817.233	3rd	Burning to defraud insurer.
579	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
580	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
581	817.236	3rd	Filing a false motor vehicle insurance application.
	817.2361	3rd	Creating, marketing, or presenting a false or



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fraudulent motor vehicle
insurance card.

582

817.413(2) 3rd Sale of used goods of \$1,000 or
more as new.

583

831.28(2)(a) 3rd Counterfeiting a payment
instrument with intent to
defraud or possessing a
counterfeit payment instrument
with intent to defraud.

584

831.29 2nd Possession of instruments for
counterfeiting driver licenses
or identification cards.

585

838.021(3)(b) 3rd Threatens unlawful harm to
public servant.

586

843.19 2nd Injure, disable, or kill
police, fire, or SAR canine or
police horse.

587

860.15(3) 3rd Overcharging for repairs and
parts.

588

870.01(2) 3rd Riot; inciting or encouraging.

589

893.13(1)(a)2. 3rd Sell, manufacture, or deliver



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cannabis (or other s.
893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs).

590

893.13(1)(d)2. 2nd Sell, manufacture, or deliver
s. 893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs
within 1,000 feet of
university.

591

893.13(1)(f)2. 2nd Sell, manufacture, or deliver
s. 893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs
within 1,000 feet of public
housing facility.

592

893.13(4)(c) 3rd Use or hire of minor; deliver
to minor other controlled
substances.

593

893.13(6)(a) 3rd Possession of any controlled
substance other than felony
possession of cannabis.



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594

893.13(7)(a)8. 3rd Withhold information from
practitioner regarding previous
receipt of or prescription for
a controlled substance.

595

893.13(7)(a)9. 3rd Obtain or attempt to obtain
controlled substance by fraud,
forgery, misrepresentation,
etc.

596

893.13(7)(a)10. 3rd Affix false or forged label to
package of controlled
substance.

597

893.13(7)(a)11. 3rd Furnish false or fraudulent
material information on any
document or record required by
chapter 893.

598

893.13(8)(a)1. 3rd Knowingly assist a patient,
other person, or owner of an
animal in obtaining a
controlled substance through
deceptive, untrue, or
fraudulent representations in
or related to the
practitioner's practice.

599



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893.13(8)(a)2. 3rd Employ a trick or scheme in the
practitioner's practice to
assist a patient, other person,
or owner of an animal in
obtaining a controlled
substance.

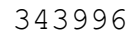
893.13(8)(a)3. 3rd Knowingly write a prescription
for a controlled substance for
a fictitious person.

893.13(8)(a)4. 3rd Write a prescription for a
controlled substance for a
patient, other person, or an
animal if the sole purpose of
writing the prescription is a
monetary benefit for the
practitioner.

918.13(1)(a) 3rd Alter, destroy, or conceal
investigation evidence.

944.47 3rd Introduce contraband to
(1)(a)1. & 2. correctional facility.

944.47(1)(c) 2nd Possess contraband while upon
the grounds of a correctional
institution.



(d) LEVEL 4

316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
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499.0051(1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.
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499.0051(5) 2nd Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.

517.07(1)	3rd	Failure to register securities.
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615	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
616	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
617	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
618	784.075	3rd	Battery on detention or commitment facility staff.
619	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
620	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
621	784.081 (3)	3rd	Battery on specified official or employee.
622	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
623	784.083 (3)	3rd	Battery on code inspector.
624			



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784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
787.07	3rd	Human smuggling.
790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.



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631

790.115 (2) (c) 3rd Possessing firearm on school
property.

632

800.04 (7) (c) 3rd Lewd or lascivious exhibition;
offender less than 18 years.

633

806.135 2nd Destroying or demolishing a
memorial or historic property.

634

635

636

637

810.02 (4) (a) 3rd Burglary, or attempted
burglary, of an unoccupied
structure; unarmed; no assault
or battery.

638

810.02 (4) (b) 3rd Burglary, or attempted
burglary, of an unoccupied
conveyance; unarmed; no assault
or battery.

639

810.06 3rd Burglary; possession of tools.

640

810.08 (2) (c) 3rd Trespass on property, armed
with firearm or dangerous
weapon.

641



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642	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
643	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree; specified items.
644	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
645	817.505 (4) (a)	3rd	Patient brokering.
646	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
647	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
648	817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
649	817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.
	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent



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breeding disability to any
registered horse or cattle.

650

837.02 (1) 3rd Perjury in official
proceedings.

651

837.021 (1) 3rd Make contradictory statements
in official proceedings.

652

838.022 3rd Official misconduct.

653

839.13 (2) (a) 3rd Falsifying records of an
individual in the care and
custody of a state agency.

654

839.13 (2) (c) 3rd Falsifying records of the
Department of Children and
Families.

655

843.021 3rd Possession of a concealed
handcuff key by a person in
custody.

656

843.025 3rd Deprive law enforcement,
correctional, or correctional
probation officer of means of
protection or communication.

657

843.15 (1) (a) 3rd Failure to appear while on bail



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for felony (bond estreature or
bond jumping).

847.0135 (5) (c) 3rd Lewd or lascivious exhibition
using computer; offender less
than 18 years.

874.05 (1) (a) 3rd Encouraging or recruiting
another to join a criminal
gang.

893.13 (2) (a) 1. 2nd Purchase of cocaine (or other
s. 893.03 (1) (a), (b), or (d),
(2) (a), (2) (b), or (2) (c) 5.
drugs).

914.14 (2) 3rd Witnesses accepting bribes.

914.22 (1) 3rd Force, threaten, etc., witness,
victim, or informant.

914.23 (2) 3rd Retaliation against a witness,
victim, or informant, no bodily
injury.

916.1085 3rd Introduction of specified
(2) (c) 1. contraband into certain DCF
facilities.



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918.12 3rd Tampering with jurors.

934.215 3rd Use of two-way communications
device to facilitate commission
of a crime.

944.47(1)(a)6. 3rd Introduction of contraband
(cellular telephone or other
portable communication device)
into correctional institution.

951.22(1)(h), 3rd Intoxicating drug,
(j) & (k) instrumentality or other device
to aid escape, or cellular
telephone or other portable
communication device introduced
into county detention facility.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 74 - 84.



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LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Farmer) recommended the following:

Senate Substitute for Amendment (343996) (with title amendment)

Delete lines 316 - 1040

and insert:

a riot commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 5. Subsection (2) of section 784.021, Florida Statutes, is amended, and subsection (3) is added to that section, to read:



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784.021 Aggravated assault.—

(2) A person who ~~Whoever~~ commits an aggravated assault ~~commits~~ ~~shall be guilty of~~ a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) For the purposes of sentencing under chapter 921, a violation of this section committed by a person acting in furtherance of a riot is ranked one level above the ranking under s. 921.0022 for the offense committed.

Section 6. Section 784.03, Florida Statutes, is amended to read:

784.03 Battery; felony battery.—

(1)(a) The offense of battery occurs when a person:

1. Actually and intentionally touches or strikes another person against the will of the other; or

2. Intentionally causes bodily harm to another person.

(b) Except as provided in subsection (2) or subsection (3), a person who commits battery commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) A person who has one prior conviction for battery, aggravated battery, or felony battery and who commits any second or subsequent battery commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For purposes of this subsection, “conviction” means a determination of guilt that is the result of a plea or a trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

(3) A person who commits a battery in furtherance of a riot commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or 775.084.



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Section 7. Section 784.045, Florida Statutes, is amended to read:

784.045 Aggravated battery.—

(1)(a) A person commits aggravated battery who, in committing battery:

1. Intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement; or

2. Uses a deadly weapon.

(b) A person commits aggravated battery if the person who was the victim of the battery was pregnant at the time of the offense and the offender knew or should have known that the victim was pregnant.

(2) A person who violates subsection (1) commits ~~Whoever commits aggravated battery shall be guilty of~~ a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) For the purposes of sentencing under chapter 921, a violation of this section committed by a person acting in furtherance of a riot is ranked one level above the ranking under s. 921.0022 for the offense committed.

Section 8. Section 784.0495, Florida Statutes, is created to read:

784.0495 Mob intimidation.—

(1) It is unlawful for a person, assembled with two or more other persons and acting with a common intent, to use force or threaten to use imminent force, to compel or induce, or attempt to compel or induce, another person to do or refrain from doing any act or to assume, abandon, or maintain a particular viewpoint against his or her will.



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(2) A person who violates subsection (1) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3) A person arrested for a violation of this section shall be held in custody until brought before the court for admittance to bail in accordance with chapter 903.

Section 9. Subsection (2) of section 784.07, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

784.07 Assault or battery of law enforcement officers, firefighters, emergency medical care providers, public transit employees or agents, or other specified officers; reclassification of offenses; minimum sentences.—

(2) Whenever any person is charged with knowingly committing an assault or battery upon a law enforcement officer, a firefighter, an emergency medical care provider, a railroad special officer, a traffic accident investigation officer as described in s. 316.640, a nonsworn law enforcement agency employee who is certified as an agency inspector, a blood alcohol analyst, or a breath test operator while such employee is in uniform and engaged in processing, testing, evaluating, analyzing, or transporting a person who is detained or under arrest for DUI, a law enforcement explorer, a traffic infraction enforcement officer as described in s. 316.640, a parking enforcement specialist as defined in s. 316.640, a person licensed as a security officer as defined in s. 493.6101 and wearing a uniform that bears at least one patch or emblem that is visible at all times that clearly identifies the employing agency and that clearly identifies the person as a licensed



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98 security officer, or a security officer employed by the board of
99 trustees of a community college, while the officer, firefighter,
100 emergency medical care provider, railroad special officer,
101 traffic accident investigation officer, traffic infraction
102 enforcement officer, inspector, analyst, operator, law
103 enforcement explorer, parking enforcement specialist, public
104 transit employee or agent, or security officer is engaged in the
105 lawful performance of his or her duties, the offense for which
106 the person is charged shall be reclassified as follows:

107 (a) In the case of assault, from a misdemeanor of the
108 second degree to a misdemeanor of the first degree.

109 (b) In the case of battery, from a misdemeanor of the first
110 degree to a felony of the third degree. Notwithstanding any
111 other provision of law, a person convicted of battery upon a law
112 enforcement officer committed in furtherance of a riot shall be
113 sentenced to a minimum term of imprisonment of 6 months.

114 (c) In the case of aggravated assault, from a felony of the
115 third degree to a felony of the second degree. Notwithstanding
116 any other provision of law, any person convicted of aggravated
117 assault upon a law enforcement officer shall be sentenced to a
118 minimum term of imprisonment of 3 years.

119 (d) In the case of aggravated battery, from a felony of the
120 second degree to a felony of the first degree. Notwithstanding
121 any other provision of law, any person convicted of aggravated
122 battery of a law enforcement officer shall be sentenced to a
123 minimum term of imprisonment of 5 years.

124 (4) For purposes of sentencing under chapter 921, a felony
125 violation of this section committed by a person acting in
126 furtherance of a riot is ranked one level above the ranking



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under s. 921.0022 for the offense committed.

Section 10. Subsections (3) through (9) of section 806.13, Florida Statutes, are renumbered as subsections (4) through (10), respectively, a new subsection (3) is added to that section, and present subsection (8) of that section is amended, to read:

806.13 Criminal mischief; penalties; penalty for minor.—

(3) Any person who, without the consent of the owner thereof, willfully and maliciously defaces, injures, or otherwise damages by any means a memorial or historic property, as defined in s. 806.135(1), and the value of the damage to the memorial or historic property is greater than \$200, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A court shall order any person convicted of violating this subsection to pay restitution, which shall include the full cost of repair or replacement of such memorial or historic property.

(9)~~(8)~~ A minor whose driver license or driving privilege is revoked, suspended, or withheld under subsection (8)~~(7)~~ may elect to reduce the period of revocation, suspension, or withholding by performing community service at the rate of 1 day for each hour of community service performed. In addition, if the court determines that due to a family hardship, the minor's driver license or driving privilege is necessary for employment or medical purposes of the minor or a member of the minor's family, the court shall order the minor to perform community service and reduce the period of revocation, suspension, or withholding at the rate of 1 day for each hour of community service performed. As used in this subsection, the term



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“community service” means cleaning graffiti from public property.

Section 11. Section 806.135, Florida Statutes, is created to read:

806.135 Destroying or demolishing a memorial or historic property.—

(1) As used in this section, the term:

(a) “Historic property” means any building, structure, site, or object that has been officially designated as a historic building, historic structure, historic site, or historic object through a federal, state, or local designation program.

(b) “Memorial” means a plaque, statue, marker, flag, banner, cenotaph, religious symbol, painting, seal, tombstone, structure name, or display that is constructed and located with the intent of being permanently displayed or perpetually maintained; is dedicated to a historical person, an entity, an event, or a series of events; and honors or recounts the military service of any past or present United States Armed Forces military personnel, or the past or present public service of a resident of the geographical area comprising the state or the United States. The term includes, but is not limited to, the following memorials established under chapter 265:

1. Florida Women’s Hall of Fame.

2. Florida Medal of Honor Wall.

3. Florida Veterans’ Hall of Fame.

4. POW-MIA Chair of Honor Memorial.

5. Florida Veterans’ Walk of Honor and Florida Veterans’ Memorial Garden.



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185 6. Florida Law Enforcement Officers' Hall of Fame.

186 7. Florida Holocaust Memorial.

187 8. Florida Slavery Memorial.

188 9. Any other memorial located within the Capitol Complex,
189 including, but not limited to, Waller Park.

190 (2) It is unlawful for any person to willfully and
191 maliciously destroy or demolish any memorial or historic
192 property, or willfully and maliciously pull down a memorial or
193 historic property, unless authorized by the owner of the
194 memorial or historic property. A person who violates this
195 section commits a felony of the second degree, punishable as
196 provided in s. 775.082, s. 775.083, or s. 775.084.

197 (3) A court shall order any person convicted of violating
198 this section to pay restitution, which shall include the full
199 cost of repair or replacement of such memorial or historic
200 property.

201 Section 12. Subsections (3) and (4) of section 810.02,
202 Florida Statutes, are amended to read:

203 810.02 Burglary.—

204 (3) Burglary is a felony of the second degree, punishable
205 as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the
206 course of committing the offense, the offender does not make an
207 assault or battery and is not and does not become armed with a
208 dangerous weapon or explosive, and the offender enters or
209 remains in a:

210 (a) Dwelling, and there is another person in the dwelling
211 at the time the offender enters or remains;

212 (b) Dwelling, and there is not another person in the
213 dwelling at the time the offender enters or remains;



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(c) Structure, and there is another person in the structure at the time the offender enters or remains;

(d) Conveyance, and there is another person in the conveyance at the time the offender enters or remains;

(e) Authorized emergency vehicle, as defined in s. 316.003; or

(f) Structure or conveyance when the offense intended to be committed therein is theft of a controlled substance as defined in s. 893.02. Notwithstanding any other law, separate judgments and sentences for burglary with the intent to commit theft of a controlled substance under this paragraph and for any applicable possession of controlled substance offense under s. 893.13 or trafficking in controlled substance offense under s. 893.135 may be imposed when all such offenses involve the same amount or amounts of a controlled substance.

However, if the burglary is committed during a riot and the perpetration of the burglary is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252 after the declaration of emergency is made and the perpetration of the burglary is facilitated by conditions arising from the emergency, the burglary is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this subsection, the term "conditions arising from the riot" means civil unrest, power outages, curfews, or a reduction in the presence of or response time for first responders or homeland security personnel and the term "conditions arising from the emergency" means civil unrest,



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power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel. A person arrested for committing a burglary during a riot or within a county that is subject to such a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this subsection is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

(4) Burglary is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the course of committing the offense, the offender does not make an assault or battery and is not and does not become armed with a dangerous weapon or explosive, and the offender enters or remains in a:

(a) Structure, and there is not another person in the structure at the time the offender enters or remains; or

(b) Conveyance, and there is not another person in the conveyance at the time the offender enters or remains.

However, if the burglary is committed during a riot and the perpetration of the burglary is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252 after the declaration of emergency is made and the perpetration of the burglary is facilitated by conditions arising from the emergency, the burglary is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.



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As used in this subsection, the terms "conditions arising from the riot" and ~~term~~ "conditions arising from the emergency" have the same meanings as provided in subsection (3) ~~means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel.~~ A person arrested for committing a burglary during a riot or within a county that is subject to such a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this subsection is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

Section 13. Paragraphs (b) and (c) of subsection (2) of section 812.014, Florida Statutes, are amended to read:

812.014 Theft.—

(2)

(b)1. If the property stolen is valued at \$20,000 or more, but less than \$100,000;

2. The property stolen is cargo valued at less than \$50,000 that has entered the stream of interstate or intrastate commerce from the shipper's loading platform to the consignee's receiving dock;

3. The property stolen is emergency medical equipment, valued at \$300 or more, that is taken from a facility licensed under chapter 395 or from an aircraft or vehicle permitted under chapter 401; or

4. The property stolen is law enforcement equipment, valued at \$300 or more, that is taken from an authorized emergency



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vehicle, as defined in s. 316.003,

the offender commits grand theft in the second degree, punishable as a felony of the second degree, as provided in s. 775.082, s. 775.083, or s. 775.084. Emergency medical equipment means mechanical or electronic apparatus used to provide emergency services and care as defined in s. 395.002(9) or to treat medical emergencies. Law enforcement equipment means any property, device, or apparatus used by any law enforcement officer as defined in s. 943.10 in the officer's official business. However, if the property is stolen during a riot and the perpetration of the theft is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252, the theft is committed after the declaration of emergency is made, and the perpetration of the theft is facilitated by conditions arising from the emergency, the theft is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this paragraph, the term "conditions arising from the riot" means civil unrest, power outages, curfews, or a reduction in the presence of or response time for first responders or homeland security personnel and the term "conditions arising from the emergency" means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel. A person arrested for committing a theft during a riot or within a county that is subject to a state of emergency may not be released until the person appears before a committing magistrate at a first



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appearance hearing. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this paragraph is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

(c) It is grand theft of the third degree and a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property stolen is:

1. Valued at \$750 or more, but less than \$5,000.
2. Valued at \$5,000 or more, but less than \$10,000.
3. Valued at \$10,000 or more, but less than \$20,000.
4. A will, codicil, or other testamentary instrument.
5. A firearm.
6. A motor vehicle, except as provided in paragraph (a).
7. Any commercially farmed animal, including any animal of the equine, avian, bovine, or swine class or other grazing animal; a bee colony of a registered beekeeper; and aquaculture species raised at a certified aquaculture facility. If the property stolen is a commercially farmed animal, including an animal of the equine, avian, bovine, or swine class or other grazing animal; a bee colony of a registered beekeeper; or an aquaculture species raised at a certified aquaculture facility, a \$10,000 fine shall be imposed.
8. Any fire extinguisher that, at the time of the taking, was installed in any building for the purpose of fire prevention and control. This subparagraph does not apply to a fire extinguisher taken from the inventory at a point-of-sale business.
9. Any amount of citrus fruit consisting of 2,000 or more individual pieces of fruit.



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10. Taken from a designated construction site identified by the posting of a sign as provided for in s. 810.09(2)(d).

11. Any stop sign.

12. Anhydrous ammonia.

13. Any amount of a controlled substance as defined in s. 893.02. Notwithstanding any other law, separate judgments and sentences for theft of a controlled substance under this subparagraph and for any applicable possession of controlled substance offense under s. 893.13 or trafficking in controlled substance offense under s. 893.135 may be imposed when all such offenses involve the same amount or amounts of a controlled substance.

However, if the property is stolen during a riot and the perpetration of the theft is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency declared by the Governor under chapter 252, the property is stolen after the declaration of emergency is made, and the perpetration of the theft is facilitated by conditions arising from the emergency, the offender commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property is valued at \$5,000 or more, but less than \$10,000, as provided under subparagraph 2., or if the property is valued at \$10,000 or more, but less than \$20,000, as provided under subparagraph 3. As used in this paragraph, the terms "conditions arising from a riot" and ~~term~~ "conditions arising from the emergency" have the same meanings as provided in paragraph (b). A person arrested for committing a theft during a riot or within a county that is subject to a state of



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emergency may not be released until the person appears before a committing magistrate at a first appearance hearing ~~means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or the response time for first responders or homeland security personnel.~~ For purposes of sentencing under chapter 921, a felony offense that is reclassified under this paragraph is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

Section 14. Section 836.115, Florida Statutes, is created to read:

836.115 Cyberintimidation by publication.—

(1) As used in this section, the term:

(a) "Electronically publish" means to disseminate, post, or otherwise disclose information to an Internet site or forum.

(b) "Harass" has the same meaning as provided in s. 817.568(1)(c).

(c) "Personal identification information" has the same meaning as provided in s. 817.568(1)(f).

(2) It is unlawful for a person to electronically publish another person's personal identification information with the intent to, or with the intent that a third party will use the information to:

(a) Incite violence or commit a crime against the person;
or

(b) Threaten or harass the person, placing such person in reasonable fear of bodily harm.

A person who violates this subsection commits a misdemeanor of a



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first degree, punishable as provided in s. 775.082 or s.
775.083.

Section 15. Section 870.02, Florida Statutes, is amended to
read:

870.02 Unlawful assemblies.—

(1) If three or more persons meet together to commit a
breach of the peace, or to do any other unlawful act, each of
them commits ~~shall be guilty of~~ a misdemeanor of the second
degree, punishable as provided in s. 775.082 or s. 775.083.

(2) A person arrested for a violation of this section shall
be held in custody until brought before the court for admittance
to bail in accordance with chapter 903.

Section 16. Section 870.03, Florida Statutes, is repealed.

Section 17. Section 870.07, Florida Statutes, is created to
read:

870.07 Affirmative defense in civil action; party convicted
of riot.—

(1) In a civil action for damages for personal injury,
wrongful death, or property damage, it is an affirmative defense
that such action arose from an injury or damage sustained by a
participant acting in furtherance of a riot. The affirmative
defense authorized by this section shall be established by
evidence that the participant has been convicted of rioting, or
by proof of the commission of such crime by a preponderance of
the evidence.

(2) In a civil action in which a defendant raises an
affirmative defense under this section, the court must, on
motion by the defendant, stay the action during the pendency of
a criminal action that forms the basis for the defense, unless



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the court finds that a conviction in the criminal action would not form a valid defense under this section.

Section 18. Subsections (3) through (6) of section 872.02, Florida Statutes, are renumbered as subsections (4) through (7), respectively, a new subsection (3) is added to that section, subsections (1) and (2) of that section are republished, and present subsection (6) of that section is amended, to read:

872.02 Injuring or removing tomb or monument; disturbing contents of grave or tomb; penalties.—

(1) A person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she:

(a) Willfully and knowingly destroys, mutilates, defaces, injures, or removes any tomb, monument, gravestone, burial mound, earthen or shell monument containing human skeletal remains or associated burial artifacts, or other structure or thing placed or designed for a memorial of the dead, or any fence, railing, curb, or other thing intended for the protection or ornamentation of any tomb, monument, gravestone, burial mound, earthen or shell monument containing human skeletal remains or associated burial artifacts, or other structure before mentioned, or for any enclosure for the burial of the dead; or

(b) Willfully destroys, mutilates, removes, cuts, breaks, or injures any tree, shrub, or plant placed or being within any such enclosure, except for a person performing routine maintenance and upkeep.

(2) A person who willfully and knowingly excavates, exposes, moves, removes, or otherwise disturbs the contents of a



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grave or tomb commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) For purposes of sentencing under chapter 921, a violation of this section, committed by a person in furtherance of a riot is ranked one level above the ranking under s. 921.0022 or s. 921.0023 for the offense committed.

(7)~~(6)~~ If a legally authorized person refuses to sign a written authorization, as provided in paragraph (6) (a)~~(5) (a)~~, or if a legally authorized person objects, as provided in paragraph (6) (b)~~(5) (b)~~, a public hearing shall be held before the county commission of the county where the cemetery is located, or the city council, if the cemetery is located in a municipality, and the county commission or the city council shall have the authority to grant a request for relocation of the contents of such graves or tombs.

Section 19. Paragraphs (b), (c), and (d) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(b) LEVEL 2

Florida Statute	Felony Degree	Description
379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.



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498

379.2431 3rd Possession of more than 11
(1) (e) 4. marine turtle eggs in violation
 of the Marine Turtle Protection
 Act.

499

403.413 (6) (c) 3rd Dumps waste litter exceeding
 500 lbs. in weight or 100 cubic
 feet in volume or any quantity
 for commercial purposes, or
 hazardous waste.

500

517.07 (2) 3rd Failure to furnish a prospectus
 meeting requirements.

501

590.28 (1) 3rd Intentional burning of lands.

502

784.03 (3) 3rd Battery during a riot.

503

784.05 (3) 3rd Storing or leaving a loaded
 firearm within reach of minor
 who uses it to inflict injury
 or death.

504

787.04 (1) 3rd In violation of court order,
 take, entice, etc., minor
 beyond state limits.

505

806.13 (1) (b) 3. 3rd Criminal mischief; damage



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\$1,000 or more to public
communication or any other
public service.

806.13(3)

3rd

Criminal mischief; damage of
\$200 or more to a memorial or
historic property.

810.061(2)

3rd

Impairing or impeding telephone
or power to a dwelling;
facilitating or furthering
burglary.

810.09(2)(e)

3rd

Trespassing on posted
commercial horticulture
property.

812.014(2)(c)1.

3rd

Grand theft, 3rd degree; \$750
or more but less than \$5,000.

812.014(2)(d)

3rd

Grand theft, 3rd degree; \$100
or more but less than \$750,
taken from unenclosed curtilage
of dwelling.

812.015(7)

3rd

Possession, use, or attempted
use of an antishoplifting or
inventory control device
countermeasure.



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512	817.234(1)(a)2.	3rd	False statement in support of insurance claim.
513	817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
514	817.52(3)	3rd	Failure to redeliver hired vehicle.
515	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
516	817.60(5)	3rd	Dealing in credit cards of another.
517	817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
518	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
519	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.



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520	831.01	3rd	Forgery.
521	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
522	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
523	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
524	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
525	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
526	832.05(3)(a)	3rd	Cashing or depositing item with intent to defraud.
527	843.08	3rd	False personation.
528	893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c), (2)(c)1.,



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(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs
other than cannabis.

893.147(2) 3rd Manufacture or delivery of drug
paraphernalia.

(c) LEVEL 3

Florida Statute	Felony Degree	Description
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119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
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316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
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316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
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316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
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319.30(4)	3rd	Possession by junkyard of motor
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vehicle with identification
number plate removed.

539

319.33(1)(a) 3rd Alter or forge any certificate
of title to a motor vehicle or
mobile home.

540

319.33(1)(c) 3rd Procure or pass title on stolen
vehicle.

541

319.33(4) 3rd With intent to defraud,
possess, sell, etc., a blank,
forged, or unlawfully obtained
title or registration.

542

327.35(2)(b) 3rd Felony BUI.

543

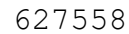
328.05(2) 3rd Possess, sell, or counterfeit
fictitious, stolen, or
fraudulent titles or bills of
sale of vessels.

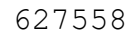
544

328.07(4) 3rd Manufacture, exchange, or
possess vessel with counterfeit
or wrong ID number.

545

376.302(5) 3rd Fraud related to reimbursement
for cleanup expenses under the
Inland Protection Trust Fund.





551

552

553

554

555

556

557

576-03903-21



627558

558	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
559	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
560	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
561	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
562	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
563	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
564	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
565	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud



627558

Act), property valued at less
than \$20,000.

566

817.233 3rd Burning to defraud insurer.

567

817.234 3rd Unlawful solicitation of
(8) (b) & (c) persons involved in motor
 vehicle accidents.

568

817.234 (11) (a) 3rd Insurance fraud; property value
 less than \$20,000.

569

817.236 3rd Filing a false motor vehicle
 insurance application.

570

817.2361 3rd Creating, marketing, or
 presenting a false or
 fraudulent motor vehicle
 insurance card.

571

817.413 (2) 3rd Sale of used goods of \$1,000 or
 more as new.

572

831.28 (2) (a) 3rd Counterfeiting a payment
 instrument with intent to
 defraud or possessing a
 counterfeit payment instrument
 with intent to defraud.

573



627558

574	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
575	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
576	843.19	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
577	860.15 (3)	3rd	Overcharging for repairs and parts.
578	870.01 (2)	3rd	Riot; inciting or encouraging.
579	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs).
	893.13 (1) (d) 2.	2nd	Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs within 1,000 feet of



627558

university.

580

893.13(1)(f)2. 2nd Sell, manufacture, or deliver
s. 893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs
within 1,000 feet of public
housing facility.

581

893.13(4)(c) 3rd Use or hire of minor; deliver
to minor other controlled
substances.

582

893.13(6)(a) 3rd Possession of any controlled
substance other than felony
possession of cannabis.

583

893.13(7)(a)8. 3rd Withhold information from
practitioner regarding previous
receipt of or prescription for
a controlled substance.

584

893.13(7)(a)9. 3rd Obtain or attempt to obtain
controlled substance by fraud,
forgery, misrepresentation,
etc.

585

893.13(7)(a)10. 3rd Affix false or forged label to



627558

package of controlled
substance.

586

893.13(7)(a)11. 3rd Furnish false or fraudulent
material information on any
document or record required by
chapter 893.

587

893.13(8)(a)1. 3rd Knowingly assist a patient,
other person, or owner of an
animal in obtaining a
controlled substance through
deceptive, untrue, or
fraudulent representations in
or related to the
practitioner's practice.

588

893.13(8)(a)2. 3rd Employ a trick or scheme in the
practitioner's practice to
assist a patient, other person,
or owner of an animal in
obtaining a controlled
substance.

589

893.13(8)(a)3. 3rd Knowingly write a prescription
for a controlled substance for
a fictitious person.

590

893.13(8)(a)4. 3rd Write a prescription for a



627558

controlled substance for a
patient, other person, or an
animal if the sole purpose of
writing the prescription is a
monetary benefit for the
practitioner.

591

918.13(1)(a) 3rd Alter, destroy, or conceal
investigation evidence.

592

944.47 3rd Introduce contraband to
(1)(a)1. & 2. correctional facility.

593

944.47(1)(c) 2nd Possess contraband while upon
the grounds of a correctional
institution.

594

985.721 3rd Escapes from a juvenile
facility (secure detention or
residential commitment
facility).

595

596

597 (d) LEVEL 4

598

Florida Statute	Felony Degree	Description
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599

316.1935(3)(a)	2nd	Driving at high speed or with
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627558

wanton disregard for safety
while fleeing or attempting to
elude law enforcement officer
who is in a patrol vehicle with
siren and lights activated.

499.0051(1) 3rd Failure to maintain or deliver
transaction history,
transaction information, or
transaction statements.

499.0051(5) 2nd Knowing sale or delivery, or
possession with intent to sell,
contraband prescription drugs.

517.07(1) 3rd Failure to register securities.

517.12(1) 3rd Failure of dealer, associated
person, or issuer of securities
to register.

784.07(2)(b) 3rd Battery of law enforcement
officer, firefighter, etc.

784.074(1)(c) 3rd Battery of sexually violent
predators facility staff.

784.075 3rd Battery on detention or
commitment facility staff.



627558

607	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
608	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
609	784.081 (3)	3rd	Battery on specified official or employee.
610	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
611	784.083 (3)	3rd	Battery on code inspector.
612	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
613	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
614	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.



627558

615	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
616	787.07	3rd	Human smuggling.
617	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
618	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
619	790.115 (2) (c)	3rd	Possessing firearm on school property.
620	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
621	<u>806.135</u>	<u>2nd</u>	<u>Destroying or demolishing a memorial or historic property.</u>
622	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault



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or battery.

810.02 (4) (b) 3rd Burglary, or attempted
burglary, of an unoccupied
conveyance; unarmed; no assault
or battery.

810.06 3rd Burglary; possession of tools.

810.08 (2) (c) 3rd Trespass on property, armed
with firearm or dangerous
weapon.

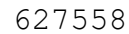
812.014 (2) (c) 3. 3rd Grand theft, 3rd degree \$10,000
or more but less than \$20,000.

812.014 3rd Grand theft, 3rd degree;
(2) (c) 4.-10. specified items.

812.0195 (2) 3rd Dealing in stolen property by
use of the Internet; property
stolen \$300 or more.

817.505 (4) (a) 3rd Patient brokering.

817.563 (1) 3rd Sell or deliver substance other
than controlled substance
agreed upon, excluding s.
893.03 (5) drugs.



817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
-----------------	-----	--

817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
-----------------	-----	---

817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.
-----------------	-----	---

828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
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837.02(1)	3rd	Perjury in official proceedings.
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837.021(1)	3rd	Make contradictory statements in official proceedings.
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838.022	3rd	Official misconduct.
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839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
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839.13(2) (c)	3rd	Falsifying records of the
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627558

Department of Children and
Families.

843.021 3rd Possession of a concealed
handcuff key by a person in
custody.

843.025 3rd Deprive law enforcement,
correctional, or correctional
probation officer of means of
protection or communication.

843.15(1)(a) 3rd Failure to appear while on bail
for felony (bond estreature or
bond jumping).

847.0135(5)(c) 3rd Lewd or lascivious exhibition
using computer; offender less
than 18 years.

874.05(1)(a) 3rd Encouraging or recruiting
another to join a criminal
gang.

893.13(2)(a)1. 2nd Purchase of cocaine (or other
s. 893.03(1)(a), (b), or (d),
(2)(a), (2)(b), or (2)(c)5.
drugs).



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647	914.14 (2)	3rd	Witnesses accepting bribes.
648	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
649	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
650	916.1085 (2) (c) 1.	3rd	Introduction of specified contraband into certain DCF facilities.
651	918.12	3rd	Tampering with jurors.
652	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
653	944.47 (1) (a) 6.	3rd	Introduction of contraband (cellular telephone or other portable communication device) into correctional institution.
	951.22 (1) (h), (j) & (k)	3rd	Intoxicating drug, instrumentality or other device to aid escape, or cellular telephone or other portable communication device introduced



627558

into county detention facility.

654

655

656 ===== T I T L E A M E N D M E N T =====

657 And the title is amended as follows:

658 Delete lines 74 - 84.



622818

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Farmer) recommended the following:

Senate Amendment (with title amendment)

Delete lines 375 - 389.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 36 - 43

and insert:

furtherance of a riot or an aggravated riot; amending



209248

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Farmer) recommended the following:

Senate Amendment (with title amendment)

Delete lines 518 - 718.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 60 - 71

and insert:

creating s. 836.115, F.S.; providing



802470

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Stewart) recommended the following:

Senate Amendment (with title amendment)

Delete lines 803 - 812.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 84 - 87

and insert:

appearance; providing an exception; repealing s.
870.03, F.S., relating to



136990

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Farmer) recommended the following:

Senate Amendment (with title amendment)

Delete lines 814 - 831.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 88 - 90

and insert:

riots or routs; amending s. 872.02,



530040

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Powell) recommended the following:

Senate Amendment (with title amendment)

Between lines 1040 and 1041
insert:

Section 21. Racial and ethnic impact study.—

(1) As used in this section, the term:

(a) "Criminal offender population" means all persons who are convicted of a crime or adjudicated delinquent for an act that, if committed by an adult, would constitute a crime.

(b) "Demonstrations" includes all physical congregations of



530040

three or more people directed against a political entity, a government institution, a policy group, an individual, a tradition or event, a business, or any other private institution. The term includes demonstrations affiliated with an organization, such as the National Association for the Advancement of Colored People; a movement, such as Black Lives Matter; a political party, such as the Republican Party; identity groups, such as lesbian, gay, bisexual, and transgender groups, women, and Native Americans; or a topic, such as climate change, opposition to vaccinations, or COVID-19 restrictions.

Examples of demonstrations include, but are not limited to:

1. Permitted and nonpermitted gatherings, peaceful protests, unlawful assemblies, and counter-protests;

2. Demonstrations that involve engagement in violence, vandalism, looting, road-blocking using barricades, and burning tires or other materials; and

3. Riots, extremist violence, mob attacks, and nonstate militia activity.

(c) "Juvenile offender population" means persons who are found to be within the jurisdiction of the juvenile court under chapter 985, Florida Statutes.

(d) "Office" means the Office of Program Policy Analysis and Government Accountability.

(2) By July 1, 2022, the office shall prepare a racial and ethnic impact study for the provisions adopted under this act. The racial and ethnic impact study must be impartial, simple, and understandable and, for racial and ethnic groups for which data are available, must include all the following:

(a) Data showing the number of demonstrations between the



530040

effective date of the act and December 31, 2021, the ideologies and primary goals of each demonstration, and the racial and ethnic makeup of the participants in each demonstration.

(b) Data showing the level of law enforcement or military intervention at each demonstration, including, but not limited to, all instances of use of lethal and nonlethal force, excessive force, and any other forms of intervention.

(c) Data showing the number of arrests, the racial and ethnic identification of each individual arrested, and the disposition of each case pursued under the provisions adopted under this act.

(d) A summary of the effects, if any, of this act on the racial and ethnic criminal offender population or juvenile offender population.

(e) A summary of whether or not this act has changed the racial and ethnic composition of the criminal offender population or juvenile offender population.

(f) A statement of the methodologies used in collecting the data under paragraphs (a)-(e).

(3) The office shall make the racial and ethnic impact study publicly available on its website.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Between lines 97 and 98
insert:

defining terms; requiring that by a specified date the
Office of Program Policy Analysis and Government
Accountability prepare a certain racial and ethnic



530040

69 impact study; providing study requirements; requiring
70 the office to make the racial and ethnic impact study
71 publicly available on its website;



882942

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/12/2021	.	
	.	
	.	
	.	

The Committee on Appropriations (Powell) recommended the following:

Senate Amendment (with title amendment)

Delete lines 1041 - 1042

and insert:

Section 21. Effective upon this act becoming a law:

Racial Impact Statement.—The College of Criminology and Criminal Justice at the Florida State University shall review each criminal offense created or amended by this act and submit a racial impact statement to the President of the Senate and the Speaker of the House of Representatives by September 30, 2021.



882942

The racial impact statement must estimate the anticipated effects that criminal offenses amended or created by this act may have on racial inequality among the residents of this state and must indicate whether the changes would increase, decrease, or have no impact on racial inequality or whether the impact is indeterminable. To the extent feasible, the impact statement should include quantifiable data. The impact statement must specify the methodologies and assumptions used in its preparation.

Section 22. Except as otherwise expressly provided in this act, and except for this section, which shall take effect upon this act becoming a law, this act shall take effect October 1, 2021.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

Delete line 98
and insert:
 requiring the College of Criminology and Criminal Justice at the Florida State University to provide a racial impact statement on specified criminal offenses and submit it to the Legislature by a certain date; providing requirements; providing effective dates.

CS/HB 1, Engrossed 1

2021

1 A bill to be entitled
2 An act relating to combating public disorder; amending
3 s. 166.241, F.S.; authorizing specified elected
4 officials to file an appeal to the Administration
5 Commission if the governing body of a municipality
6 makes a specified reduction to the operating budget of
7 the municipal law enforcement agency; requiring the
8 petition to contain specified information; requiring
9 the Executive Office of the Governor to conduct a
10 budget hearing considering the matter and make
11 findings and recommendations to the Administration
12 Commission; requiring the commission to approve,
13 amend, or modify the municipality's budget; amending
14 s. 316.2045, F.S.; revising the prohibition on
15 obstructing traffic by standing on the street,
16 highway, or road; deleting provisions concerning
17 charitable solicitations; amending s. 768.28, F.S.;
18 providing that a municipality has a duty to allow the
19 municipal law enforcement agency to respond to a riot
20 or unlawful assembly in a specified manner based on
21 specified circumstances; providing a municipality is
22 civilly liable for specified damages proximately
23 caused by the municipality's specified breach of such
24 duty; amending s.784.011, F.S.; reclassifying the
25 penalty for an assault committed in furtherance of a

Page 1 of 61

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

26 riot or an aggravated riot; amending s. 784.021, F.S.;
27 increasing the offense severity ranking of an
28 aggravated assault for the purposes of the Criminal
29 Punishment Code if committed in furtherance of a riot
30 or an aggravated riot; amending s. 784.03, F.S.;
31 reclassifying the penalty for a battery committed in
32 furtherance of a riot or an aggravated riot; amending
33 s. 784.045, F.S.; increasing the offense severity
34 ranking of an aggravated battery for the purposes of
35 the Criminal Punishment Code if committed in
36 furtherance of a riot or an aggravated riot; creating
37 s. 784.0495, F.S.; prohibiting specified assemblies
38 from using or threatening to use imminent force
39 against another person to do or refrain from doing any
40 act or to assume, abandon, or maintain a particular
41 viewpoint under certain circumstances; providing a
42 penalty; requiring a person arrested for a violation
43 to be held in custody until first appearance; amending
44 s. 784.07, F.S.; requiring a minimum term of
45 imprisonment for a person convicted of battery on a
46 law enforcement officer committed in furtherance of a
47 riot or an aggravated riot; increasing the offense
48 severity ranking of an assault or battery against
49 specified persons for the purposes of the Criminal
50 Punishment Code if committed in furtherance of a riot

Page 2 of 61

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

51 or an aggravated riot; amending s. 806.13, F.S.;
 52 prohibiting defacing, injuring, or damaging a memorial
 53 or historic property; providing a penalty; requiring a
 54 court to order restitution for such a violation;
 55 creating s. 806.135, F.S.; defining the terms
 56 "historic property" and "memorial"; prohibiting a
 57 person from destroying or demolishing a memorial or
 58 historic property; providing a penalty; requiring a
 59 court to order restitution for such a violation;
 60 amending s. 810.02, F.S.; reclassifying specified
 61 burglary offenses committed during a riot or an
 62 aggravated riot and facilitated by conditions arising
 63 from the riot; providing a definition; requiring a
 64 person arrested for such a violation to be held in
 65 custody until first appearance; amending s. 812.014,
 66 F.S.; reclassifying specified theft offenses committed
 67 during a riot or an aggravated riot and facilitated by
 68 conditions arising from the riot; providing a
 69 definition; requiring a person arrested for such a
 70 violation to be held in custody until first
 71 appearance; creating s. 836.115, F.S.; providing
 72 definitions; prohibiting cyberintimidation by
 73 publication; providing criminal penalties; amending s.
 74 870.01, F.S.; prohibiting a person from fighting in a
 75 public place; prohibiting a person from willfully

Page 3 of 61

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

76 participating in a specified violent public
 77 disturbance resulting in specified damage or injury;
 78 providing an increased penalty for rioting under
 79 specified circumstances; prohibiting a person from
 80 inciting a riot; providing an increased penalty for
 81 inciting a riot under specified circumstances;
 82 providing definitions; requiring a person arrested for
 83 such a violation to be held in custody until first
 84 appearance; providing an exception; amending s.
 85 870.02, F.S.; requiring a person arrested for an
 86 unlawful assembly to be held in custody until first
 87 appearance; repealing s. 870.03, F.S.; relating to
 88 riots or routs; creating s. 870.07, F.S.; creating an
 89 affirmative defense to a civil action where the
 90 plaintiff participated in a riot; amending s. 872.02,
 91 F.S.; increasing the offense severity ranking of
 92 specified offenses involving graves and tombs for the
 93 purposes of the Criminal Punishment Code if committed
 94 in furtherance of a riot or an aggravated riot;
 95 amending s. 921.0022, F.S.; conforming provisions to
 96 changes made by the act; ranking offenses created by
 97 the act on the offense severity ranking chart;
 98 providing an effective date.

99
 100 Be It Enacted by the Legislature of the State of Florida:

Page 4 of 61

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

101
102 Section 1. Subsections (4) through (6) of section 166.241,
103 Florida Statutes, are renumbered as subsections (6) through (8),
104 respectively, new subsections (4) and (5) are added to that
105 section, and present subsection (6) of that section is amended,
106 to read:

107 166.241 Fiscal years, budgets, appeal of municipal law
108 enforcement agency budget, and budget amendments.—

109 (4) (a) If the tentative budget of a municipality contains
110 a funding reduction to the operating budget of the municipal law
111 enforcement agency, the state attorney for the judicial circuit
112 in which the municipality is located, or a member of the
113 governing body who objects to the funding reduction, may file an
114 appeal by petition to the Administration Commission within 30
115 days after the day the tentative budget is posted to the
116 official website of the municipality under subsection (3). The
117 petition must set forth the tentative budget proposed by the
118 municipality, in the form and manner prescribed by the Executive
119 Office of the Governor and approved by the Administration
120 Commission, the operating budget of the municipal law
121 enforcement agency as approved by the municipality for the
122 previous year, and state the reasons or grounds for the appeal.
123 The petition shall be filed with the Executive Office of the
124 Governor, and a copy served upon the governing body of the
125 municipality or to the clerk of the circuit court of the county

Page 5 of 61

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

126 in which the municipality is located.

127 (b) The governing body of the municipality has 5 working
128 days after service of a copy of the petition to file a reply
129 with the Executive Office of the Governor, and shall serve a
130 copy of such reply to the petitioner.

131 (5) Upon receipt of the petition, the Executive Office of
132 the Governor shall provide for a budget hearing at which the
133 matters presented in the petition and the reply shall be
134 considered. A report of the findings and recommendations of the
135 Executive Office of the Governor thereon shall be promptly
136 submitted to the Administration Commission, which, within 30
137 days, shall approve the action of the governing body of the
138 municipality or amend or modify the budget as to each separate
139 item within the operating budget of the municipal law
140 enforcement agency. The budget as approved, amended, or modified
141 by the Administration Commission shall be final.

142 (8) ~~(6)~~ If the governing body of a municipality amends the
143 budget pursuant to paragraph (7) (c) ~~paragraph (5) (c)~~, the
144 adopted amendment must be posted on the official website of the
145 municipality within 5 days after adoption and must remain on the
146 website for at least 2 years. If the municipality does not
147 operate an official website, the municipality must, within a
148 reasonable period of time as established by the county or
149 counties in which the municipality is located, transmit the
150 adopted amendment to the manager or administrator of such county

Page 6 of 61

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

151 or counties who shall post the adopted amendment on the county's
152 website.

153 Section 2. Section 316.2045, Florida Statutes, is amended
154 to read:

155 316.2045 Obstruction of public streets, highways, and
156 roads.—

157 (1)(a) A ~~It is unlawful for any person may not or persons~~
158 willfully ~~to~~ obstruct the free, convenient, and normal use of a
159 ~~any~~ public street, highway, or road by:

160 1. Impeding, hindering, stifling, retarding, or
161 restraining traffic or passage thereon; ~~by~~

162 2. Standing on or remaining in the street, highway, or
163 road; ~~or approaching motor vehicles thereon, or by~~

164 3. Endangering the safe movement of vehicles or
165 pedestrians traveling thereon.

166 (b) A ~~and any person or persons who violates paragraph~~
167 (a) violate the provisions of this subsection, upon conviction,
168 shall be cited for a pedestrian violation, punishable as
169 provided in chapter 318.

170 (c) This subsection does not prohibit a local governmental
171 entity from issuing a special event permit as authorized by law.

172 ~~(2) It is unlawful, without proper authorization or a~~
173 ~~lawful permit, for any person or persons willfully to obstruct~~
174 ~~the free, convenient, and normal use of any public street,~~
175 ~~highway, or road by any of the means specified in subsection (1)~~

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176 ~~in order to solicit. Any person who violates the provisions of~~
177 ~~this subsection is guilty of a misdemeanor of the second degree,~~
178 ~~punishable as provided in s. 775.082 or s. 775.083.~~

179 ~~Organizations qualified under s. 501(c)(3) of the Internal~~
180 ~~Revenue Code and registered pursuant to chapter 496, or persons~~
181 ~~or organizations acting on their behalf are exempted from the~~
182 ~~provisions of this subsection for activities on streets or roads~~
183 ~~not maintained by the state. Permits for the use of any portion~~
184 ~~of a state maintained road or right of way shall be required~~
185 ~~only for those purposes and in the manner set out in s. 337.406.~~

186 ~~(3) Permits for the use of any street, road, or right of~~
187 ~~way not maintained by the state may be issued by the appropriate~~
188 ~~local government. An organization that is qualified under s.~~
189 ~~501(c)(3) of the Internal Revenue Code and registered under~~
190 ~~chapter 496, or a person or organization acting on behalf of~~
191 ~~that organization, is exempt from local requirements for a~~
192 ~~permit issued under this subsection for charitable solicitation~~
193 ~~activities on or along streets or roads that are not maintained~~
194 ~~by the state under the following conditions:~~

195 ~~(a) The organization, or the person or organization acting~~
196 ~~on behalf of the organization, must provide all of the following~~
197 ~~to the local government:~~

198 1. ~~No fewer than 14 calendar days prior to the proposed~~
199 ~~solicitation, the name and address of the person or organization~~
200 ~~that will perform the solicitation and the name and address of~~

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201 the organization that will receive funds from the solicitation.
 202 2. For review and comment, a plan for the safety of all
 203 persons participating in the solicitation, as well as the
 204 motoring public, at the locations where the solicitation will
 205 take place.
 206 3. Specific details of the location or locations of the
 207 proposed solicitation and the hours during which the
 208 solicitation activities will occur.
 209 4. Proof of commercial general liability insurance against
 210 claims for bodily injury and property damage occurring on
 211 streets, roads, or rights-of-way or arising from the solicitor's
 212 activities or use of the streets, roads, or rights-of-way by the
 213 solicitor or the solicitor's agents, contractors, or employees.
 214 The insurance shall have a limit of not less than \$1 million per
 215 occurrence for the general aggregate. The certificate of
 216 insurance shall name the local government as an additional
 217 insured and shall be filed with the local government no later
 218 than 72 hours before the date of the solicitation.
 219 5. Proof of registration with the Department of
 220 Agriculture and Consumer Services pursuant to s. 496.405 or
 221 proof that the soliciting organization is exempt from the
 222 registration requirement.
 223 (b) Organizations or persons meeting the requirements of
 224 subparagraphs (a)1.-5. may solicit for a period not to exceed 10
 225 cumulative days within 1 calendar year.

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226 (e) All solicitation shall occur during daylight hours
 227 only.
 228 (d) Solicitation activities shall not interfere with the
 229 safe and efficient movement of traffic and shall not cause
 230 danger to the participants or the public.
 231 (e) No person engaging in solicitation activities shall
 232 persist after solicitation has been denied, act in a demanding
 233 or harassing manner, or use any sound or voice-amplifying
 234 apparatus or device.
 235 (f) All persons participating in the solicitation shall be
 236 at least 18 years of age and shall possess picture
 237 identification.
 238 (g) Signage providing notice of the solicitation shall be
 239 posted at least 500 feet before the site of the solicitation.
 240 (h) The local government may stop solicitation activities
 241 if any conditions or requirements of this subsection are not
 242 met.
 243 (4) Nothing in this section shall be construed to inhibit
 244 political campaigning on the public right-of-way or to require a
 245 permit for such activity.
 246 (2)(5) Notwithstanding the provisions of subsection (1),
 247 any commercial vehicle used solely for the purpose of collecting
 248 solid waste or recyclable or recovered materials may stop or
 249 stand on any public street, highway, or road for the sole
 250 purpose of collecting solid waste or recyclable or recovered

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251 materials. However, such solid waste or recyclable or recovered
 252 materials collection vehicle shall show or display amber
 253 flashing hazard lights at all times that it is engaged in
 254 stopping or standing for the purpose of collecting solid waste
 255 or recyclable or recovered materials. Local governments may
 256 establish reasonable regulations governing the standing and
 257 stopping of such commercial vehicles, provided that such
 258 regulations are applied uniformly and without regard to the
 259 ownership of the vehicles.

260 Section 3. Subsection (5) of section 768.28, Florida
 261 Statutes, is amended to read:

262 768.28 Waiver of sovereign immunity in tort actions;
 263 recovery limits; civil liability for damages caused during a
 264 riot; limitation on attorney fees; statute of limitations;
 265 exclusions; indemnification; risk management programs.—

266 (5) (a) The state and its agencies and subdivisions shall
 267 be liable for tort claims in the same manner and to the same
 268 extent as a private individual under like circumstances, but
 269 liability shall not include punitive damages or interest for the
 270 period before judgment. Neither the state nor its agencies or
 271 subdivisions shall be liable to pay a claim or a judgment by any
 272 one person which exceeds the sum of \$200,000 or any claim or
 273 judgment, or portions thereof, which, when totaled with all
 274 other claims or judgments paid by the state or its agencies or
 275 subdivisions arising out of the same incident or occurrence,

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276 exceeds the sum of \$300,000. However, a judgment or judgments
 277 may be claimed and rendered in excess of these amounts and may
 278 be settled and paid pursuant to this act up to \$200,000 or
 279 \$300,000, as the case may be; and that portion of the judgment
 280 that exceeds these amounts may be reported to the Legislature,
 281 but may be paid in part or in whole only by further act of the
 282 Legislature. Notwithstanding the limited waiver of sovereign
 283 immunity provided herein, the state or an agency or subdivision
 284 thereof may agree, within the limits of insurance coverage
 285 provided, to settle a claim made or a judgment rendered against
 286 it without further action by the Legislature, but the state or
 287 agency or subdivision thereof shall not be deemed to have waived
 288 any defense of sovereign immunity or to have increased the
 289 limits of its liability as a result of its obtaining insurance
 290 coverage for tortious acts in excess of the \$200,000 or \$300,000
 291 waiver provided above. The limitations of liability set forth in
 292 this subsection shall apply to the state and its agencies and
 293 subdivisions whether or not the state or its agencies or
 294 subdivisions possessed sovereign immunity before July 1, 1974.

295 (b) A municipality has a duty to allow the municipal law
 296 enforcement agency to respond appropriately to protect persons
 297 and property during a riot or an unlawful assembly based on the
 298 availability of adequate equipment to its municipal law
 299 enforcement officers and relevant state and federal laws. If the
 300 governing body of a municipality or a person authorized by the

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301 governing body of the municipality breaches that duty, the
 302 municipality is civilly liable for any damages including damages
 303 arising from personal injury, wrongful death, or property
 304 damages proximately caused by the municipality's breach of duty.
 305 The sovereign immunity recovery limits in paragraph (a) do not
 306 apply to an action under this paragraph.

307 Section 4. Subsection (2) of section 784.011, Florida
 308 Statutes, is amended and subsection (3) is added to that
 309 section, to read:

310 784.011 Assault.—

311 (2) Except as provided in subsection (3), a person who
 312 assaults another person ~~Whoever~~ ~~commits an assault shall be~~
 313 ~~guilty of~~ a misdemeanor of the second degree, punishable as
 314 provided in s. 775.082 or s. 775.083.

315 (3) A person who assaults another person in furtherance of
 316 a riot or an aggravated riot prohibited under s. 870.01 commits
 317 a misdemeanor of the first degree, punishable as provided in s.
 318 775.082 or s. 775.083.

319 Section 5. Subsection (2) of section 784.021, Florida
 320 Statutes, is amended and subsection (3) is added to that
 321 section, to read:

322 784.021 Aggravated assault.—

323 (2) A person who ~~Whoever~~ ~~commits an~~ aggravated assault
 324 ~~commits shall be guilty of~~ a felony of the third degree,
 325 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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326 (3) For the purposes of sentencing under chapter 921, a
 327 violation of this section committed by a person acting in
 328 furtherance of a riot or an aggravated riot prohibited under s.
 329 870.01 is ranked one level above the ranking under s. 921.0022
 330 for the offense committed.

331 Section 6. Section 784.03, Florida Statutes, is amended to
 332 read:

333 784.03 Battery; felony battery.—

334 (1)(a) The offense of battery occurs when a person:

335 1. Actually and intentionally touches or strikes another
 336 person against the will of the other; or

337 2. Intentionally causes bodily harm to another person.

338 (b) Except as provided in subsection (2) or subsection
 339 (3), a person who commits battery commits a misdemeanor of the
 340 first degree, punishable as provided in s. 775.082 or s.
 341 775.083.

342 (2) A person who has one prior conviction for battery,
 343 aggravated battery, or felony battery and who commits any second
 344 or subsequent battery commits a felony of the third degree,
 345 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
 346 For purposes of this subsection, "conviction" means a
 347 determination of guilt that is the result of a plea or a trial,
 348 regardless of whether adjudication is withheld or a plea of nolo
 349 contendere is entered.

350 (3) A person who commits a battery in furtherance of a

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351 riot or an aggravated riot prohibited under s. 870.01 commits a
 352 felony of the third degree, punishable as provided in s.
 353 775.082, s. 775.083, or 775.084.

354 Section 7. Section 784.045, Florida Statutes, is amended
 355 to read:

356 784.045 Aggravated battery.—

357 (1)(a) A person commits aggravated battery who, in
 358 committing battery:

359 1. Intentionally or knowingly causes great bodily harm,
 360 permanent disability, or permanent disfigurement; or

361 2. Uses a deadly weapon.

362 (b) A person commits aggravated battery if the person who
 363 was the victim of the battery was pregnant at the time of the
 364 offense and the offender knew or should have known that the
 365 victim was pregnant.

366 (2) A person who violates subsection (1) commits ~~Whoever~~
 367 ~~commits aggravated battery shall be guilty of~~ a felony of the
 368 second degree, punishable as provided in s. 775.082, s. 775.083,
 369 or s. 775.084.

370 (3) For the purposes of sentencing under chapter 921, a
 371 violation of this section committed by a person acting in
 372 furtherance of a riot or an aggravated riot prohibited under s.
 373 870.01 is ranked one level above the ranking under s. 921.0022
 374 for the offense committed.

375 Section 8. Section 784.0495, Florida Statutes, is created

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376 to read:

377 784.0495 Mob intimidation.—

378 (1) It is unlawful for a person, assembled with two or
 379 more other persons and acting with a common intent, to use force
 380 or threaten to use imminent force, to compel or induce, or
 381 attempt to compel or induce, another person to do or refrain
 382 from doing any act or to assume, abandon, or maintain a
 383 particular viewpoint against his or her will.

384 (2) A person who violates subsection (1) commits a
 385 misdemeanor of the first degree, punishable as provided in s.
 386 775.082 or s. 775.083.

387 (3) A person arrested for a violation of this section
 388 shall be held in custody until brought before the court for
 389 admittance to bail in accordance with chapter 903.

390 Section 9. Subsection (2) of section 784.07, Florida
 391 Statutes, is amended and subsection (4) is added to that
 392 section, to read:

393 784.07 Assault or battery of law enforcement officers,
 394 firefighters, emergency medical care providers, public transit
 395 employees or agents, or other specified officers;
 396 reclassification of offenses; minimum sentences.—

397 (2) Whenever any person is charged with knowingly
 398 committing an assault or battery upon a law enforcement officer,
 399 a firefighter, an emergency medical care provider, a railroad
 400 special officer, a traffic accident investigation officer as

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401 described in s. 316.640, a nonsworn law enforcement agency
 402 employee who is certified as an agency inspector, a blood
 403 alcohol analyst, or a breath test operator while such employee
 404 is in uniform and engaged in processing, testing, evaluating,
 405 analyzing, or transporting a person who is detained or under
 406 arrest for DUI, a law enforcement explorer, a traffic infraction
 407 enforcement officer as described in s. 316.640, a parking
 408 enforcement specialist as defined in s. 316.640, a person
 409 licensed as a security officer as defined in s. 493.6101 and
 410 wearing a uniform that bears at least one patch or emblem that
 411 is visible at all times that clearly identifies the employing
 412 agency and that clearly identifies the person as a licensed
 413 security officer, or a security officer employed by the board of
 414 trustees of a community college, while the officer, firefighter,
 415 emergency medical care provider, railroad special officer,
 416 traffic accident investigation officer, traffic infraction
 417 enforcement officer, inspector, analyst, operator, law
 418 enforcement explorer, parking enforcement specialist, public
 419 transit employee or agent, or security officer is engaged in the
 420 lawful performance of his or her duties, the offense for which
 421 the person is charged shall be reclassified as follows:

422 (a) In the case of assault, from a misdemeanor of the
 423 second degree to a misdemeanor of the first degree.

424 (b) In the case of battery, from a misdemeanor of the
 425 first degree to a felony of the third degree. Notwithstanding

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426 any other provision of law, a person convicted of battery upon a
 427 law enforcement officer committed in furtherance of a riot or an
 428 aggravated riot prohibited under s. 870.01 shall be sentenced to
 429 a minimum term of imprisonment of 6 months.

430 (c) In the case of aggravated assault, from a felony of
 431 the third degree to a felony of the second degree.
 432 Notwithstanding any other provision of law, any person convicted
 433 of aggravated assault upon a law enforcement officer shall be
 434 sentenced to a minimum term of imprisonment of 3 years.

435 (d) In the case of aggravated battery, from a felony of
 436 the second degree to a felony of the first degree.
 437 Notwithstanding any other provision of law, any person convicted
 438 of aggravated battery of a law enforcement officer shall be
 439 sentenced to a minimum term of imprisonment of 5 years.

440 (4) For purposes of sentencing under chapter 921, a felony
 441 violation of this section committed by a person acting in
 442 furtherance of a riot or an aggravated riot prohibited under s.
 443 870.01 is ranked one level above the ranking under s. 921.0022
 444 for the offense committed.

445 Section 10. Subsections (3) through (9) of section 806.13,
 446 Florida Statutes, are renumbered as subsections (4) through
 447 (10), respectively, a new subsection (3) is added to that
 448 section, and present subsection (8) of that section is amended,
 449 to read:

450 806.13 Criminal mischief; penalties; penalty for minor.—

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451 (3) Any person who, without the consent of the owner
 452 thereof, willfully and maliciously defaces, injures, or
 453 otherwise damages by any means a memorial or historic property,
 454 as defined in s. 806.135(1), and the value of the damage to the
 455 memorial or historic property is greater than \$200, commits a
 456 felony of the third degree, punishable as provided in s.
 457 775.082, s. 775.083, or s. 775.084. A court shall order any
 458 person convicted of violating this subsection to pay
 459 restitution, which shall include the full cost of repair or
 460 replacement of such memorial or historic property.

461 ~~(9)(8)~~ A minor whose driver license or driving privilege
 462 is revoked, suspended, or withheld under subsection ~~(8)(7)~~ may
 463 elect to reduce the period of revocation, suspension, or
 464 withholding by performing community service at the rate of 1 day
 465 for each hour of community service performed. In addition, if
 466 the court determines that due to a family hardship, the minor's
 467 driver license or driving privilege is necessary for employment
 468 or medical purposes of the minor or a member of the minor's
 469 family, the court shall order the minor to perform community
 470 service and reduce the period of revocation, suspension, or
 471 withholding at the rate of 1 day for each hour of community
 472 service performed. As used in this subsection, the term
 473 "community service" means cleaning graffiti from public
 474 property.

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475 Section 11. Section 806.135, Florida Statutes, is created
 476 to read:
 477 806.135 Destroying or demolishing a memorial or historic
 478 property.—
 479 (1) As used in this section, the term:
 480 (a) "Historic property" means any building, structure,
 481 site, or object that has been officially designated as a
 482 historic building, historic structure, historic site, or
 483 historic object through a federal, state, or local designation
 484 program.
 485 (b) "Memorial" means a plaque, statue, marker, flag,
 486 banner, cenotaph, religious symbol, painting, seal, tombstone,
 487 structure name, or display that is constructed and located with
 488 the intent of being permanently displayed or perpetually
 489 maintained; is dedicated to a historical person, an entity, an
 490 event, or a series of events; and honors or recounts the
 491 military service of any past or present United States Armed
 492 Forces military personnel, or the past or present public service
 493 of a resident of the geographical area comprising the state or
 494 the United States. The term includes, but is not limited to, the
 495 following memorials established under chapter 265:
 496 1. Florida Women's Hall of Fame.
 497 2. Florida Medal of Honor Wall.
 498 3. Florida Veterans' Hall of Fame.
 499 4. POW-MIA Chair of Honor Memorial.

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500 5. Florida Veterans' Walk of Honor and Florida Veterans'
 501 Memorial Garden.
 502 6. Florida Law Enforcement Officers' Hall of Fame.
 503 7. Florida Holocaust Memorial.
 504 8. Florida Slavery Memorial.
 505 9. Any other memorial located within the Capitol Complex,
 506 including, but not limited to, Waller Park.
 507 (2) It is unlawful for any person to willfully and
 508 maliciously destroy or demolish any memorial or historic
 509 property, or willfully and maliciously pull down a memorial or
 510 historic property, unless authorized by the owner of the
 511 memorial or historic property. A person who violates this
 512 section commits a felony of the second degree, punishable as
 513 provided in s. 775.082, s. 775.083, or s. 775.084.
 514 (3) A court shall order any person convicted of violating
 515 this section to pay restitution, which shall include the full
 516 cost of repair or replacement of such memorial or historic
 517 property.
 518 Section 12. Subsections (3) and (4) of section 810.02,
 519 Florida Statutes, are amended to read:
 520 810.02 Burglary.—
 521 (3) Burglary is a felony of the second degree, punishable
 522 as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the
 523 course of committing the offense, the offender does not make an
 524 assault or battery and is not and does not become armed with a

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525 dangerous weapon or explosive, and the offender enters or
 526 remains in a:
 527 (a) Dwelling, and there is another person in the dwelling
 528 at the time the offender enters or remains;
 529 (b) Dwelling, and there is not another person in the
 530 dwelling at the time the offender enters or remains;
 531 (c) Structure, and there is another person in the
 532 structure at the time the offender enters or remains;
 533 (d) Conveyance, and there is another person in the
 534 conveyance at the time the offender enters or remains;
 535 (e) Authorized emergency vehicle, as defined in s.
 536 316.003; or
 537 (f) Structure or conveyance when the offense intended to
 538 be committed therein is theft of a controlled substance as
 539 defined in s. 893.02. Notwithstanding any other law, separate
 540 judgments and sentences for burglary with the intent to commit
 541 theft of a controlled substance under this paragraph and for any
 542 applicable possession of controlled substance offense under s.
 543 893.13 or trafficking in controlled substance offense under s.
 544 893.135 may be imposed when all such offenses involve the same
 545 amount or amounts of a controlled substance.
 546
 547 However, if the burglary is committed during a riot or an
 548 aggravated riot prohibited under s. 870.01 and the perpetration
 549 of the burglary is facilitated by conditions arising from the

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550 riot; or within a county that is subject to a state of emergency
 551 declared by the Governor under chapter 252 after the declaration
 552 of emergency is made and the perpetration of the burglary is
 553 facilitated by conditions arising from the emergency, the
 554 burglary is a felony of the first degree, punishable as provided
 555 in s. 775.082, s. 775.083, or s. 775.084. As used in this
 556 subsection, the term "conditions arising from the riot" means
 557 civil unrest, power outages, curfews, or a reduction in the
 558 presence of or response time for first responders or homeland
 559 security personnel and the term "conditions arising from the
 560 emergency" means civil unrest, power outages, curfews, voluntary
 561 or mandatory evacuations, or a reduction in the presence of or
 562 response time for first responders or homeland security
 563 personnel. A person arrested for committing a burglary during a
 564 riot or an aggravated riot or within a county that is subject to
 565 such a state of emergency may not be released until the person
 566 appears before a committing magistrate at a first appearance
 567 hearing. For purposes of sentencing under chapter 921, a felony
 568 offense that is reclassified under this subsection is ranked one
 569 level above the ranking under s. 921.0022 or s. 921.0023 of the
 570 offense committed.

571 (4) Burglary is a felony of the third degree, punishable
 572 as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the
 573 course of committing the offense, the offender does not make an
 574 assault or battery and is not and does not become armed with a

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575 dangerous weapon or explosive, and the offender enters or
 576 remains in a:
 577 (a) Structure, and there is not another person in the
 578 structure at the time the offender enters or remains; or
 579 (b) Conveyance, and there is not another person in the
 580 conveyance at the time the offender enters or remains.
 581
 582 However, if the burglary is committed during a riot or an
 583 aggravated riot prohibited under s. 870.01 and the perpetration
 584 of the burglary is facilitated by conditions arising from the
 585 riot; or within a county that is subject to a state of emergency
 586 declared by the Governor under chapter 252 after the declaration
 587 of emergency is made and the perpetration of the burglary is
 588 facilitated by conditions arising from the emergency, the
 589 burglary is a felony of the second degree, punishable as
 590 provided in s. 775.082, s. 775.083, or s. 775.084. As used in
 591 this subsection, the terms "conditions arising from the riot"
 592 and term "conditions arising from the emergency" have the same
 593 meanings as provided in subsection (3) means civil unrest, power
 594 outages, curfews, voluntary or mandatory evacuations, or a
 595 reduction in the presence of or response time for first
 596 responders or homeland security personnel. A person arrested for
 597 committing a burglary during a riot or an aggravated riot or
 598 within a county that is subject to such a state of emergency may
 599 not be released until the person appears before a committing

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600 magistrate at a first appearance hearing. For purposes of
 601 sentencing under chapter 921, a felony offense that is
 602 reclassified under this subsection is ranked one level above the
 603 ranking under s. 921.0022 or s. 921.0023 of the offense
 604 committed.

605 Section 13. Paragraphs (b) and (c) of subsection (2) of
 606 section 812.014, Florida Statutes, are amended to read:

607 812.014 Theft.—

608 (2)

609 (b)1. If the property stolen is valued at \$20,000 or more,
 610 but less than \$100,000;

611 2. The property stolen is cargo valued at less than
 612 \$50,000 that has entered the stream of interstate or intrastate
 613 commerce from the shipper's loading platform to the consignee's
 614 receiving dock;

615 3. The property stolen is emergency medical equipment,
 616 valued at \$300 or more, that is taken from a facility licensed
 617 under chapter 395 or from an aircraft or vehicle permitted under
 618 chapter 401; or

619 4. The property stolen is law enforcement equipment,
 620 valued at \$300 or more, that is taken from an authorized
 621 emergency vehicle, as defined in s. 316.003,

622
 623 the offender commits grand theft in the second degree,
 624 punishable as a felony of the second degree, as provided in s.

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625 775.082, s. 775.083, or s. 775.084. Emergency medical equipment
 626 means mechanical or electronic apparatus used to provide
 627 emergency services and care as defined in s. 395.002(9) or to
 628 treat medical emergencies. Law enforcement equipment means any
 629 property, device, or apparatus used by any law enforcement
 630 officer as defined in s. 943.10 in the officer's official
 631 business. However, if the property is stolen during a riot or an
 632 aggravated riot prohibited under s. 870.01 and the perpetration
 633 of the theft is facilitated by conditions arising from the riot;
 634 or within a county that is subject to a state of emergency
 635 declared by the Governor under chapter 252, the theft is
 636 committed after the declaration of emergency is made, and the
 637 perpetration of the theft is facilitated by conditions arising
 638 from the emergency, the theft is a felony of the first degree,
 639 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
 640 As used in this paragraph, the term "conditions arising from the
 641 riot" means civil unrest, power outages, curfews, or a reduction
 642 in the presence of or response time for first responders or
 643 homeland security personnel and the term "conditions arising
 644 from the emergency" means civil unrest, power outages, curfews,
 645 voluntary or mandatory evacuations, or a reduction in the
 646 presence of or response time for first responders or homeland
 647 security personnel. A person arrested for committing a theft
 648 during a riot or an aggravated riot or within a county that is
 649 subject to a state of emergency may not be released until the

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650 person appears before a committing magistrate at a first
 651 appearance hearing. For purposes of sentencing under chapter
 652 921, a felony offense that is reclassified under this paragraph
 653 is ranked one level above the ranking under s. 921.0022 or s.
 654 921.0023 of the offense committed.

655 (c) It is grand theft of the third degree and a felony of
 656 the third degree, punishable as provided in s. 775.082, s.
 657 775.083, or s. 775.084, if the property stolen is:

- 658 1. Valued at \$750 or more, but less than \$5,000.
- 659 2. Valued at \$5,000 or more, but less than \$10,000.
- 660 3. Valued at \$10,000 or more, but less than \$20,000.
- 661 4. A will, codicil, or other testamentary instrument.
- 662 5. A firearm.
- 663 6. A motor vehicle, except as provided in paragraph (a).
- 664 7. Any commercially farmed animal, including any animal of
- 665 the equine, avian, bovine, or swine class or other grazing
- 666 animal; a bee colony of a registered beekeeper; and aquaculture
- 667 species raised at a certified aquaculture facility. If the
- 668 property stolen is a commercially farmed animal, including an
- 669 animal of the equine, avian, bovine, or swine class or other
- 670 grazing animal; a bee colony of a registered beekeeper; or an
- 671 aquaculture species raised at a certified aquaculture facility,
- 672 a \$10,000 fine shall be imposed.
- 673 8. Any fire extinguisher that, at the time of the taking,
- 674 was installed in any building for the purpose of fire prevention

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675 and control. This subparagraph does not apply to a fire
 676 extinguisher taken from the inventory at a point-of-sale
 677 business.

678 9. Any amount of citrus fruit consisting of 2,000 or more
 679 individual pieces of fruit.

680 10. Taken from a designated construction site identified
 681 by the posting of a sign as provided for in s. 810.09(2)(d).

682 11. Any stop sign.

683 12. Anhydrous ammonia.

684 13. Any amount of a controlled substance as defined in s.
 685 893.02. Notwithstanding any other law, separate judgments and
 686 sentences for theft of a controlled substance under this
 687 subparagraph and for any applicable possession of controlled
 688 substance offense under s. 893.13 or trafficking in controlled
 689 substance offense under s. 893.135 may be imposed when all such
 690 offenses involve the same amount or amounts of a controlled
 691 substance.

692

693 However, if the property is stolen during a riot or an
 694 aggravated riot prohibited under s. 870.01 and the perpetration
 695 of the theft is facilitated by conditions arising from the riot;
 696 or within a county that is subject to a state of emergency
 697 declared by the Governor under chapter 252, the property is
 698 stolen after the declaration of emergency is made, and the
 699 perpetration of the theft is facilitated by conditions arising

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700 from the emergency, the offender commits a felony of the second
 701 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 702 775.084, if the property is valued at \$5,000 or more, but less
 703 than \$10,000, as provided under subparagraph 2., or if the
 704 property is valued at \$10,000 or more, but less than \$20,000, as
 705 provided under subparagraph 3. As used in this paragraph, the
 706 terms "conditions arising from a riot" and ~~term~~ "conditions
 707 arising from the emergency" have the same meanings as provided
 708 in paragraph (b). A person arrested for committing a theft
 709 during a riot or an aggravated riot or within a county that is
 710 subject to a state of emergency may not be released until the
 711 person appears before a committing magistrate at a first
 712 appearance hearing means civil unrest, power outages, curfews,
 713 voluntary or mandatory evacuations, or a reduction in the
 714 presence of or the response time for first responders or
 715 homeland security personnel. For purposes of sentencing under
 716 chapter 921, a felony offense that is reclassified under this
 717 paragraph is ranked one level above the ranking under s.
 718 921.0022 or s. 921.0023 of the offense committed.

719 Section 14. Section 836.115, Florida Statutes, is created
 720 to read:

721 836.115 Cyberintimidation by publication.—

722 (1) As used in this section, the term:

723 (a) "Electronically publish" means to disseminate, post,
 724 or otherwise disclose information to an Internet site or forum.

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725 (b) "Harass" has the same meaning as provided in s.
 726 817.568(1)(c).

727 (c) "Personal identification information" has the same
 728 meaning as provided in s. 817.568(1)(f).

729 (2) It is unlawful for a person to electronically publish
 730 another person's personal identification information with the
 731 intent to, or with the intent that a third party will use the
 732 information to:

733 (a) Incite violence or commit a crime against the person;
 734 or

735 (b) Threaten or harass the person, placing such person in
 736 reasonable fear of bodily harm.

737
 738 A person who violates this subsection commits a misdemeanor of a
 739 first degree, punishable as provided in s. 775.082 or s.
 740 775.083.

741 Section 15. Section 870.01, Florida Statutes, is amended
 742 to read:

743 870.01 Affrays and riots.—

744 (1) A person commits an affray if he or she engages, by
 745 mutual consent, in fighting with another person in a public
 746 place to the terror of the people. A person who commits All
 747 persons guilty of an affray commits shall be guilty of a
 748 misdemeanor of the first degree, punishable as provided in s.
 749 775.082 or s. 775.083.

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750 (2) A person commits a riot if he or she willfully
 751 participates in a violent public disturbance involving an
 752 assembly of three or more persons, acting with a common intent
 753 to assist each other in violent and disorderly conduct,
 754 resulting in:
 755 (a) Injury to another person;
 756 (b) Damage to property; or
 757 (c) Imminent danger of injury to another person or damage
 758 to property.
 759
 760 ~~A person who commits~~ All persons guilty of a riot commits, or of
 761 ~~inciting or encouraging a riot, shall be guilty of~~ a felony of
 762 the third degree, punishable as provided in s. 775.082, s.
 763 775.083, or s. 775.084.
 764 (3) A person commits aggravated rioting if, in the course
 765 of committing a riot, he or she:
 766 (a) Participates with 25 or more other persons;
 767 (b) Causes great bodily harm to a person not participating
 768 in the riot;
 769 (c) Causes property damage in excess of \$5,000;
 770 (d) Displays, uses, threatens to use, or attempts to use a
 771 deadly weapon; or
 772 (e) By force, or threat of force, endangers the safe
 773 movement of a vehicle traveling on a public street, highway, or
 774 road.

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775
 776 A person who commits aggravating rioting commits a felony of the
 777 second degree, punishable as provided in s. 775.082, s. 775.083,
 778 or s. 775.084.
 779 (4) A person commits inciting a riot if he or she
 780 willfully incites another person to participate in a riot,
 781 resulting in a riot or imminent danger of a riot. A person who
 782 commits inciting a riot commits a felony of the third degree,
 783 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
 784 (5) A person commits aggravated inciting a riot if he or
 785 she:
 786 (a) Incites a riot resulting in great bodily harm to
 787 another person not participating in the riot;
 788 (b) Incites a riot resulting in property damage in excess
 789 of \$5,000; or
 790 (c) Supplies a deadly weapon to another person or teaches
 791 another person to prepare a deadly weapon with intent that the
 792 deadly weapon be used in a riot for an unlawful purpose.
 793
 794 A person who commits aggravated inciting a riot commits a felony
 795 of the second degree, punishable as provided in s. 775.082, s.
 796 775.083, or s. 775.084.
 797 (6) Except for a violation of subsection (1), a person
 798 arrested for a violation of this section shall be held in
 799 custody until brought before the court for admittance to bail in

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800 accordance with chapter 903.

801 (7) This section does not prohibit constitutionally
 802 protected activity such as a peaceful protest.

803 Section 16. Section 870.02, Florida Statutes, is amended
 804 to read:

805 870.02 Unlawful assemblies.—

806 (1) If three or more persons meet together to commit a
 807 breach of the peace, or to do any other unlawful act, each of
 808 them ~~commits~~ shall be guilty of a misdemeanor of the second
 809 degree, punishable as provided in s. 775.082 or s. 775.083.

810 (2) A person arrested for a violation of this section
 811 shall be held in custody until brought before the court for
 812 admittance to bail in accordance with chapter 903.

813 Section 17. Section 870.03, Florida Statutes, is repealed.

814 Section 18. Section 870.07, Florida Statutes, is created
 815 to read:

816 870.07 Affirmative defense in civil action; party
 817 convicted of riot.—

818 (1) In a civil action for damages for personal injury,
 819 wrongful death, or property damage, it is an affirmative defense
 820 that such action arose from an injury or damage sustained by a
 821 participant acting in furtherance of a riot. The affirmative
 822 defense authorized by this section shall be established by
 823 evidence that the participant has been convicted of a riot or an
 824 aggravated riot prohibited under s. 870.01, or by proof of the

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825 commission of such crime by a preponderance of the evidence.

826 (2) In a civil action in which a defendant raises an
 827 affirmative defense under this section, the court must, on
 828 motion by the defendant, stay the action during the pendency of
 829 a criminal action that forms the basis for the defense, unless
 830 the court finds that a conviction in the criminal action would
 831 not form a valid defense under this section.

832 Section 19. Subsections (3) through (6) of section 872.02,
 833 Florida Statutes, are renumbered as subsections (4) through (7),
 834 respectively, a new subsection (3) is added to that section,
 835 subsections (1) and (2) of that section are republished, and
 836 present subsection (6) of that section is amended, to read:

837 872.02 Injuring or removing tomb or monument; disturbing
 838 contents of grave or tomb; penalties.—

839 (1) A person commits a felony of the third degree,
 840 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 841 if he or she:

842 (a) Willfully and knowingly destroys, mutilates, defaces,
 843 injures, or removes any tomb, monument, gravestone, burial
 844 mound, earthen or shell monument containing human skeletal
 845 remains or associated burial artifacts, or other structure or
 846 thing placed or designed for a memorial of the dead, or any
 847 fence, railing, curb, or other thing intended for the protection
 848 or ornamentation of any tomb, monument, gravestone, burial
 849 mound, earthen or shell monument containing human skeletal

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850 remains or associated burial artifacts, or other structure
 851 before mentioned, or for any enclosure for the burial of the
 852 dead; or
 853 (b) Willfully destroys, mutilates, removes, cuts, breaks,
 854 or injures any tree, shrub, or plant placed or being within any
 855 such enclosure, except for a person performing routine
 856 maintenance and upkeep.
 857 (2) A person who willfully and knowingly excavates,
 858 exposes, moves, removes, or otherwise disturbs the contents of a
 859 grave or tomb commits a felony of the second degree, punishable
 860 as provided in s. 775.082, s. 775.083, or s. 775.084.
 861 (3) For purposes of sentencing under chapter 921, a
 862 violation of this section, committed by a person in furtherance
 863 of a riot or an aggravated riot prohibited under s. 870.01 is
 864 ranked one level above the ranking under s. 921.0022 or s.
 865 921.0023 for the offense committed.
 866 (7)(6) If a legally authorized person refuses to sign a
 867 written authorization, as provided in paragraph (6) (a) (5)(a), or
 868 if a legally authorized person objects, as provided in paragraph
 869 (6) (b) (5)(b), a public hearing shall be held before the county
 870 commission of the county where the cemetery is located, or the
 871 city council, if the cemetery is located in a municipality, and
 872 the county commission or the city council shall have the
 873 authority to grant a request for relocation of the contents of
 874 such graves or tombs.

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875 Section 20. Paragraphs (b), (c), and (d) of subsection (3)
 876 of section 921.0022, Florida Statutes, are amended to read:
 877 921.0022 Criminal Punishment Code; offense severity
 878 ranking chart.—
 879 (3) OFFENSE SEVERITY RANKING CHART
 880 (b) LEVEL 2
 881

Florida Statute	Felony Degree	Description
379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
403.413 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.

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885 517.07(2) 3rd Failure to furnish a prospectus
meeting requirements.

886 590.28(1) 3rd Intentional burning of lands.

887 784.03(3) 3rd Battery during a riot or an
aggravated riot.

888 784.05(3) 3rd Storing or leaving a loaded
firearm within reach of minor
who uses it to inflict injury
or death.

889 787.04(1) 3rd In violation of court order,
take, entice, etc., minor
beyond state limits.

890 806.13(1)(b)3. 3rd Criminal mischief; damage
\$1,000 or more to public
communication or any other
public service.

891 806.13(3) 3rd Criminal mischief; damage of
\$200 or more to a memorial or

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892 historic property.

810.061(2) 3rd Impairing or impeding telephone
or power to a dwelling;
facilitating or furthering
burglary.

893 810.09(2)(e) 3rd Trespassing on posted
commercial horticulture
property.

894 812.014(2)(c)1. 3rd Grand theft, 3rd degree; \$750
or more but less than \$5,000.

895 812.014(2)(d) 3rd Grand theft, 3rd degree; \$100
or more but less than \$750,
taken from unenclosed curtilage
of dwelling.

896 812.015(7) 3rd Possession, use, or attempted
use of an antishoplifting or
inventory control device
countermeasure.

897 817.234(1)(a)2. 3rd False statement in support of

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898			insurance claim.
899	817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
900	817.52(3)	3rd	Failure to redeliver hired vehicle.
901	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
902	817.60(5)	3rd	Dealing in credit cards of another.
903	817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
904	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
	826.04	3rd	Knowingly marries or has sexual

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905			intercourse with person to whom related.
906	831.01	3rd	Forgery.
907	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
908	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
909	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
910	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
911	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
	832.05(3)(a)	3rd	Cashing or depositing item with

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912			intent to defraud.
913	843.08	3rd	False personation.
914	893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs other than cannabis.
915	893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.
916	(c) LEVEL 3		
917	Florida	Felony	
918	Statute	Degree	Description
919	119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
	316.066	3rd	Unlawfully obtaining or using confidential crash reports.
	(3)(b)-(d)		

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920	316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
921	316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
922	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
923	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
924	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
925	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
926	327.35(2)(b)	3rd	Felony BUI.

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927 328.05 (2) 3rd Possess, sell, or counterfeit
fictitious, stolen, or
fraudulent titles or bills of
sale of vessels.

928 328.07 (4) 3rd Manufacture, exchange, or
possess vessel with counterfeit
or wrong ID number.

929 376.302 (5) 3rd Fraud related to reimbursement
for cleanup expenses under the
Inland Protection Trust Fund.

930 379.2431 3rd Taking, disturbing, mutilating,
(1) (e) 5. destroyed, causing to be
destroyed, transferring,
selling, offering to sell,
molesting, or harassing marine
turtles, marine turtle eggs, or
marine turtle nests in
violation of the Marine Turtle
Protection Act.

931 379.2431 3rd Possessing any marine turtle

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(1) (e) 6. species or hatchling, or parts
thereof, or the nest of any
marine turtle species described
in the Marine Turtle Protection
Act.

932 379.2431 3rd Soliciting to commit or
(1) (e) 7. conspiring to commit a
violation of the Marine Turtle
Protection Act.

933 400.9935 (4) (a) 3rd Operating a clinic, or offering
or (b) services requiring licensure,
without a license.

934 400.9935 (4) (e) 3rd Filing a false license
application or other required
information or failing to
report information.

935 440.1051 (3) 3rd False report of workers'
compensation fraud or
retaliation for making such a
report.

936

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937 501.001(2)(b) 2nd Tamper with a consumer product
or the container using
materially false/misleading
information.

938 624.401(4)(a) 3rd Transacting insurance without a
certificate of authority.

939 624.401(4)(b)1. 3rd Transacting insurance without a
certificate of authority;
premium collected less than
\$20,000.

940 626.902(1)(a) & 3rd Representing an unauthorized
(b) insurer.

941 697.08 3rd Equity skimming.

942 790.15(3) 3rd Person directs another to
discharge firearm from a
vehicle.

806.10(1) 3rd Maliciously injure, destroy, or
interfere with vehicles or
equipment used in firefighting.

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943 806.10(2) 3rd Interferes with or assaults
firefighter in performance of
duty.

944 810.09(2)(c) 3rd Trespass on property other than
structure or conveyance armed
with firearm or dangerous
weapon.

945 812.014(2)(c)2. 3rd Grand theft; \$5,000 or more but
less than \$10,000.

946 812.0145(2)(c) 3rd Theft from person 65 years of
age or older; \$300 or more but
less than \$10,000.

947 812.015(8)(b) 3rd Retail theft with intent to
sell; conspires with others.

948 815.04(5)(b) 2nd Computer offense devised to
defraud or obtain property.

949 817.034(4)(a)3. 3rd Engages in scheme to defraud
(Florida Communications Fraud

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950 Act), property valued at less
than \$20,000.

951 817.233 3rd Burning to defraud insurer.

952 817.234 3rd Unlawful solicitation of
(8) (b) & (c) persons involved in motor
vehicle accidents.

953 817.234 (11) (a) 3rd Insurance fraud; property value
less than \$20,000.

954 817.236 3rd Filing a false motor vehicle
insurance application.

955 817.2361 3rd Creating, marketing, or
presenting a false or
fraudulent motor vehicle
insurance card.

956 817.413 (2) 3rd Sale of used goods of \$1,000 or
more as new.

831.28 (2) (a) 3rd Counterfeiting a payment
instrument with intent to

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957 defraud or possessing a
counterfeit payment instrument
with intent to defraud.

831.29 2nd Possession of instruments for
counterfeiting driver licenses
or identification cards.

958 838.021 (3) (b) 3rd Threatens unlawful harm to
public servant.

959 843.19 2nd Injure, disable, or kill
police, fire, or SAR canine or
police horse.

960 860.15 (3) 3rd Overcharging for repairs and
parts.

961 870.01 (2) 3rd Riot, ~~inciting or encouraging~~.

962 870.01 (4) 3rd Inciting a riot.

963 893.13 (1) (a) 2. 3rd Sell, manufacture, or deliver
cannabis (or other s.
893.03 (1) (c), (2) (c) 1.,

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964 (2) (c) 2., (2) (c) 3., (2) (c) 6.,
 (2) (c) 7., (2) (c) 8., (2) (c) 9.,
 (2) (c) 10., (3), or (4) drugs).

893.13(1)(d)2. 2nd Sell, manufacture, or deliver
 s. 893.03(1)(c), (2) (c) 1.,
 (2) (c) 2., (2) (c) 3., (2) (c) 6.,
 (2) (c) 7., (2) (c) 8., (2) (c) 9.,
 (2) (c) 10., (3), or (4) drugs
 within 1,000 feet of
 university.

965 893.13(1)(f)2. 2nd Sell, manufacture, or deliver
 s. 893.03(1)(c), (2) (c) 1.,
 (2) (c) 2., (2) (c) 3., (2) (c) 6.,
 (2) (c) 7., (2) (c) 8., (2) (c) 9.,
 (2) (c) 10., (3), or (4) drugs
 within 1,000 feet of public
 housing facility.

966 893.13(4)(c) 3rd Use or hire of minor; deliver
 to minor other controlled
 substances.

967 893.13(6)(a) 3rd Possession of any controlled

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968 substance other than felony
 possession of cannabis.

893.13(7)(a)8. 3rd Withhold information from
 practitioner regarding previous
 receipt of or prescription for
 a controlled substance.

969 893.13(7)(a)9. 3rd Obtain or attempt to obtain
 controlled substance by fraud,
 forgery, misrepresentation,
 etc.

970 893.13(7)(a)10. 3rd Affix false or forged label to
 package of controlled
 substance.

971 893.13(7)(a)11. 3rd Furnish false or fraudulent
 material information on any
 document or record required by
 chapter 893.

972 893.13(8)(a)1. 3rd Knowingly assist a patient,
 other person, or owner of an
 animal in obtaining a

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CS/HB 1, Engrossed 1

2021

973			controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
	893.13(8)(a)2.	3rd	Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
974			
	893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
975			
	893.13(8)(a)4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
976			

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

	918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
977			
	944.47	3rd	Introduce contraband to (1)(a)1. & 2. correctional facility.
978			
	944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
979			
	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
980			
981	(d) LEVEL 4		
982			
	Florida	Felony	
	Statute	Degree	Description
983			
	316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with

Page 52 of 61

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

984 siren and lights activated.

985 499.0051 (1) 3rd Failure to maintain or deliver
transaction history,
transaction information, or
transaction statements.

986 499.0051 (5) 2nd Knowing sale or delivery, or
possession with intent to sell,
contraband prescription drugs.

987 517.07 (1) 3rd Failure to register securities.

988 517.12 (1) 3rd Failure of dealer, associated
person, or issuer of securities
to register.

989 784.07 (2) (b) 3rd Battery of law enforcement
officer, firefighter, etc.

990 784.074 (1) (c) 3rd Battery of sexually violent
predators facility staff.

784.075 3rd Battery on detention or
commitment facility staff.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

991 784.078 3rd Battery of facility employee by
throwing, tossing, or expelling
certain fluids or materials.

992 784.08 (2) (c) 3rd Battery on a person 65 years of
age or older.

993 784.081 (3) 3rd Battery on specified official
or employee.

994 784.082 (3) 3rd Battery by detained person on
visitor or other detainee.

995 784.083 (3) 3rd Battery on code inspector.

996 784.085 3rd Battery of child by throwing,
tossing, projecting, or
expelling certain fluids or
materials.

997 787.03 (1) 3rd Interference with custody;
wrongly takes minor from
appointed guardian.

998

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

999 787.04(2) 3rd Take, entice, or remove child
beyond state limits with
criminal intent pending custody
proceedings.

1000 787.04(3) 3rd Carrying child beyond state
lines with criminal intent to
avoid producing child at
custody hearing or delivering
to designated person.

1001 787.07 3rd Human smuggling.

1002 790.115(1) 3rd Exhibiting firearm or weapon
within 1,000 feet of a school.

1003 790.115(2)(b) 3rd Possessing electric weapon or
device, destructive device, or
other weapon on school
property.

1004 790.115(2)(c) 3rd Possessing firearm on school
property.

800.04(7)(c) 3rd Lewd or lascivious exhibition;

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

1005 offender less than 18 years.

1006 806.135 2nd Destroying or demolishing a
memorial or historic property.

810.02(4)(a) 3rd Burglary, or attempted
burglary, of an unoccupied
structure; unarmed; no assault
or battery.

1007 810.02(4)(b) 3rd Burglary, or attempted
burglary, of an unoccupied
conveyance; unarmed; no assault
or battery.

1008 810.06 3rd Burglary; possession of tools.

1009 810.08(2)(c) 3rd Trespass on property, armed
with firearm or dangerous
weapon.

1010 812.014(2)(c)3. 3rd Grand theft, 3rd degree \$10,000
or more but less than \$20,000.

1011 812.014 3rd Grand theft, 3rd degree;

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

1012	(2) (c) 4.-10.		specified items.
	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
1013			
	817.505 (4) (a)	3rd	Patient brokering.
1014			
	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
1015			
	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
1016			
	817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
1017			
	817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.
1018			
	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

			breeding disability to any registered horse or cattle.
1019			
	837.02 (1)	3rd	Perjury in official proceedings.
1020			
	837.021 (1)	3rd	Make contradictory statements in official proceedings.
1021			
	838.022	3rd	Official misconduct.
1022			
	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
1023			
	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
1024			
	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
1025			
	843.025	3rd	Deprive law enforcement, correctional, or correctional

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

probation officer of means of
protection or communication.

1026

843.15(1)(a) 3rd Failure to appear while on bail
for felony (bond estreature or
bond jumping).

1027

847.0135(5)(c) 3rd Lewd or lascivious exhibition
using computer; offender less
than 18 years.

1028

870.01(3) 2nd Aggravated rioting.

1029

870.01(5) 2nd Aggravated inciting a riot.

1030

874.05(1)(a) 3rd Encouraging or recruiting
another to join a criminal
gang.

1031

893.13(2)(a)1. 2nd Purchase of cocaine (or other
s. 893.03(1)(a), (b), or (d),
(2)(a), (2)(b), or (2)(c)5.
drugs).

1032

914.14(2) 3rd Witnesses accepting bribes.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

1033

914.22(1) 3rd Force, threaten, etc., witness,
victim, or informant.

1034

914.23(2) 3rd Retaliation against a witness,
victim, or informant, no bodily
injury.

1035

916.1085 3rd Introduction of specified
(2)(c)1. contraband into certain DCF
facilities.

1036

918.12 3rd Tampering with jurors.

1037

934.215 3rd Use of two-way communications
device to facilitate commission
of a crime.

1038

944.47(1)(a)6. 3rd Introduction of contraband
(cellular telephone or other
portable communication device)
into correctional institution.

1039

951.22(1)(h), 3rd Intoxicating drug,
(j) & (k) instrumentality or other device

Page 60 of 61

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0001-02-e1

CS/HB 1, Engrossed 1

2021

to aid escape, or cellular
telephone or other portable
communication device introduced
into county detention facility.

1040

1041

1042

Section 21. This act shall take effect upon becoming a
law.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB 1

Bill Number (if applicable)

901 508

Amendment Barcode (if applicable)

Topic COMBATTING PUBLIC DISORDER

Name TRISH NEELY

Job Title BOARD MEMBER

Address 2024 SHANGRI LA LANE

Street

Phone 850 322 3317

TALLAH

City

FL

State

32303

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LEAGUE WOMEN VOTERS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21
Meeting Date

HB 1
Bill Number (if applicable)
901508
Amendment Barcode (if applicable)

Topic AMENDMENT TO HB 1 (ROVSSON)

Name Rev Dr Russell Meyer

Job Title Exec Dir

Address 1308 Windsor Plce
Street

Phone 813 435 5335

JACKSONVILLE FL 32205
City State Zip

Email rmeyer@floridachurches.org

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FLORIDA COUNCIL OF CHURCHES

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-9-71

Meeting Date

H.B. 7

Bill Number (if applicable)

Topic Anti-Protest Bill amendment

901508

Amendment Barcode (if applicable)

Name David Dodier

Job Title small business owner

Address 1237 almond tree ct.

Street

Orlando

City

FL

State

Zip

Phone 706-761-3169

Email dodier@knights.vet.edu

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing March for Our Lives

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

CS/HB 1

Bill Number (if applicable)

901508

Amendment Barcode (if applicable)

Topic Combating Public Disorder

Name Amber Hughes

Job Title Senior Legislative Advocate

Address 301 S. Bronough Street

Street

Tallahassee

City

FL

State

32301

Zip

Phone 850-701-3621

Email ahughes@flcities.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida League of Cities

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB 1

Bill Number (if applicable)

788596

Topic COMBATTING PUBLIC DISORDER

Amendment Barcode (if applicable)

Name TRISH NEELY

Job Title BOARD MEMBER

Address 2024 SHANGRI LA LANE
Street

Phone 850 322 3317

TALLY FL 32303
City State Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LEAGUE WOMEN VOTERS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

HB-1

Bill Number (if applicable)

965052

Amendment Barcode (if applicable)

Topic COMBATTING PUBLIC DISORDER

Name TRISH NEELY

Job Title BOARD MEMBER

Address 2024 SHANGRI LA LANE

Street

Phone 850 322 3317

TALLAH

City

FL

State

32303

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LEAGUE WOMEN VOTERS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB 1

Bill Number (if applicable)

646196

Amendment Barcode (if applicable)

Topic COMBAT DISORDER

Name TRISH NEELY

Job Title _____

Address 2024 SHANGRI LA

Street

Phone 850 322 3317

TALLAH

City

FL

State

32303

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LCOV

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/24

Meeting Date

HB7

Bill Number (if applicable)

895456

Amendment Barcode (if applicable)

Topic COMBAT DISORDER

Name TRISH NEELY

Job Title _____

Address 2024 SHANGRI LA
Street

Phone 850 322 3317

TALL FL 32703
City State Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LWV

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

CS/HB 1

Bill Number (if applicable)

895456

Amendment Barcode (if applicable)

Topic Combating Public Disorder

Name Amber Hughes

Job Title Senior Legislative Advocate

Address 301 S. Bronough Street

Street

Tallahassee

City

FL

State

32301

Zip

Phone 850-701-3621

Email ahughes@flcities.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida League of Cities

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB1

Bill Number (if applicable)

622818

Amendment Barcode (if applicable)

Topic COMBAT DISORDER

Name TRISH NEELY

Job Title _____

Address 2024 SHANGRI LA

Street

TALLAH FL 32353

City

State

Zip

Phone 850 322 3317

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LWV

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB 7

Bill Number (if applicable)

209248

Amendment Barcode (if applicable)

Topic COMBAT DISORDER

Name TRISH NEELY

Job Title _____

Address 2024 SHANGRI LA LANE
Street

Phone 850 322 3317

TALLY FL 32308
City State Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LWN

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB-7

Bill Number (if applicable)

802470

Amendment Barcode (if applicable)

Topic COMBAT DISORDER

Name TRISH NEELY

Job Title _____

Address 2024 SHANGRI LA LANE
Street

Phone 850 322 3317

TALLAH FL 32313
City State Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LWV

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB7

Bill Number (if applicable)

530040

Amendment Barcode (if applicable)

Topic COMBAT DISORDER

Name TRISH NEELY

Job Title _____

Address 2024 SHANGRI LA LANE
Street

Phone 850 3223317

TALLU FL 32303
City State Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LWN

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

HB1

Bill Number (if applicable)

882942

Amendment Barcode (if applicable)

Topic _____

Name Samantha McLoughlin

Job Title _____

Address 5545 Oakworth Place

Street

Sanford

City

FL

State

32173

Zip

Phone 407-247-5487

Email sammcloughlin@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FSU College Democrats

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21
Meeting Date

88
Bill Number (if applicable)

Topic HB 1/484

882942
Amendment Barcode (if applicable)

Name Od Swan Whitehead

Job Title

Address 25 N. Market St.
Street

Phone 904.415.3438

City

State

Zip

Email od.swan.whitehead@fla.senate.gov

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

H.B. 1

Bill Number (if applicable)

682942

Amendment Barcode (if applicable)

Meeting Date

Topic Anti-Protest Amendment

Name David Rodier

Job Title Small Business Owner

Address 1237 Almond Tree Ct.

Street

Orlando

City

FL

State

32835

Zip

Phone 706-761-3169

Email drodier@knights.vf.edu

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB1

Bill Number (if applicable)

882942

Amendment Barcode (if applicable)

Topic Amendment

Name Courtney

Job Title _____

Address 1518 E Ridgewood St

Street

Phone 321 505 1580

Orlando

City

FL

State

32803

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21
Meeting Date

HB-1

Bill Number (if applicable)

882942

Amendment Barcode (if applicable)

Topic Amendment For Study

Name Rev. James T. Golden

Job Title _____

Address 4815 11th Ave Cir E.

Phone 941-773-4031

Bradenton, FL 34208
City State Zip

Email jamesthegold@aol.com

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing AME Church

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB 1

Bill Number (if applicable)

882942

Amendment Barcode (if applicable)

Topic ANTI PROTEST DATA STUDY FSU

Name REV DR RUSSELL MEYER

Job Title EXEC DIR

Address 1308 WINDSOR PLACE
Street

Phone 813 435 5335

JACKSONVILLE FL 32205
City State Zip

Email rmeyer@floridachurches.org

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FL COUNCIL OF CHURCHES

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

Bill Number (if applicable) HB 1

Topic Anti-Protest Bill

Amendment Barcode (if applicable) 882942

Name Malik Gury

Job Title Collegiate Chair

Address 1341 Blossom Cir.

Phone 850-519-7092

Street

Tallahassee

FL

32305

City

State

Zip

Email malikgury98@gmail.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Roos People Campaign

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09/21

Meeting Date

HB1

Bill Number (if applicable)

Topic HB1

882942

Amendment Barcode (if applicable)

Name Kristen Torres

Job Title Community Organizer

Address 746 NE 3rd Ave

Street

Fort Lauderdale

City

FL

State

33304

Zip

Phone 954-360-8447

Email kris@chainlesschange.org

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Chainless Change

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB1

Bill Number (if applicable)

882942

Amendment Barcode (if applicable)

Topic COMBAT DISORDER

Name TRISH NEELY

Job Title DIRECTOR

Address 2024 SHANGRI LA
Street

Phone 850 322 3317

TALLY FL 32303
City State Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LLUV

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/19/21

Meeting Date

HB4

Bill Number (if applicable)

822942

Amendment Barcode (if applicable)

Topic

Name F. MARQUIS MITCHELL

Job Title Executive Director

Address 220 NE 38th St

Street

FL Lauderdale FL

City

State

33334

Zip

Phone 4073079492

Email

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-9-21

Meeting Date

HB 1

Bill Number (if applicable)

882942

Amendment Barcode (if applicable)

Topic Combating public disorder

Name Aiyssa Akbar

Job Title State Director

Address _____

Street

Phone 813-838-0706

City

State

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing March For Our Lives

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

HB 1

Bill Number (if applicable)

8189942

Amendment Barcode (if applicable)

8829412

Topic _____

Name Kareem Williams

Job Title _____

Address _____
Street

Phone 954830-0577

City

State

Zip

Email KareemPCWilliams@kello.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

Bill Number (if applicable)

882942

Amendment Barcode (if applicable)

Topic HB 1 / SB 484

Name Nancy Metayer

Job Title Commissioner

Address 9833 NW 31st place
Street

Phone 954-857-5441

Coconut Springs FL 33076
City State Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09/21

Meeting Date

HBI

Bill Number (if applicable)

882942

Amendment Barcode (if applicable)

Topic HBI

Name Sabrina Javellana

Job Title Commissioner

Address 816 NE 27th Ave

Street

Hortlandale Blvd FL

City

State

33009

Zip

Phone 305 9883006

Email Sabrina.Je@gnarl.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09/2021

Meeting Date

HB1

Bill Number (if applicable)

882942

Amendment Barcode (if applicable)

Topic _____

Name Jamil Davis

Job Title FL LEAD ORGANIZER

Address 9640 Sandpiper St.

Street

Pensacola

City

FL

State

32514

Zip

Phone (850) 252-2873

Email jamil@blackvotersmatterfund.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Black Voters Matter

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

9/9/2021

Meeting Date

HB#1

Bill Number (if applicable)

882942

Amendment Barcode (if applicable)

Topic Amendment to H.B.#1

Name Rev. Tom Holdcraft

Job Title Pastor St. Stephen

Address 2948 Tipperary Dr.

Street

Tallahassee

City

FL

State

32309

Zip

Phone 850 308-3218

Email tomholdcraft@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing St. Stephen

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

HB-1

Bill Number (if applicable)

882942

Amendment Barcode (if applicable)

Topic _____

Name Nicholas Carey

Job Title _____

Address 5320 10th St. N

Street

St. Petersburg

City

FL

State

33703

Zip

Phone _____

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Faith in Florida

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB7

Bill Number (if applicable)

343996

Amendment Barcode (if applicable)

Topic COMBAT PUBLIC DISORDER

Name TRISH NEELY

Job Title DIRECTOR

Address 2024 SHANGRI LA LANE
Street

Phone 850 322 3317

TALLY FL 32313
City State Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LEAGUE WOMEN VOTERS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB1

Bill Number (if applicable)

136990

Amendment Barcode (if applicable)

Topic COMBAT PUBLIC DISORDER

Name TRISH NEELY

Job Title DIRECTOR

Address 2024 SHANGRI LA LANE

Street

Phone 850 322 3317

TALLY FL 32308

City

State

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LEAGUE WOMEN VOTERS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB 1

Bill Number (if applicable)

564306

Amendment Barcode (if applicable)

Topic COMBAT POSTER DISORDER

Name IRISH NEELY

Job Title DIRECTOR

Address 2024 SHANGRI LA LAKE

Street

Phone 850 322 3317

TALLY FL

City

State

32303

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LEAGUE WOMEN VOTERS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/8/21

Meeting Date

HB 1

Bill Number (if applicable)

Topic Anti-Peaceful Protest

Amendment Barcode (if applicable)

Name Jon Harris Maunier

Job Title Public Policy Dir.

Address 201 E. Park Ave., Ste. 200 A

Phone 850 681-0980

Street

TLH

City

FL

State

32301

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Equality Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB1/SB484

Bill Number (if applicable)

Topic Combating Public Disorder

Amendment Barcode (if applicable)

Name Lauren Cephus

Job Title Vice President of The Black Commission

Address 8025 Baymeadows Cir E St 2105
Street

Phone 904 701 2975

Jax

City

FL

State

33256

Zip

Email blackcomm904@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

Bill Number (if applicable)

Topic HB 1

Amendment Barcode (if applicable)

Name E. Mark Mitchell

Job Title Executive Director

Address 220 NE 38th St.

Phone _____

Street

Ft. Lauderdale, FL

33334

Email mark@chainlesschange.org

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Chainless Change, Inc.

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021
Meeting Date

HB1
Bill Number (if applicable)

Topic HB1

Amendment Barcode (if applicable)

Name Kareem Williams

Job Title President of a non profit organization

Address _____
Street

Phone 954830-0577

City

State

Zip

Email KareemrcWilliams@yahoo.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Chair Chainless Changs and myself

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

SB484

Bill Number (if applicable)

Topic A

Amendment Barcode (if applicable)

Name Lenisha Gibson

Job Title _____

Address 1800 N/ 5th Ave

Street

Phone 954-300-8626

Hollywood

City

FL

State

33021

Zip

Email lenishaogibson@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09/21
Meeting Date

HB1
Bill Number (if applicable)

Topic HB2

Amendment Barcode (if applicable)

Name Kristen Torres

Job Title Community Organizer

Address 746 NE 3rd Ave
Street

Phone 954-360-8447

Fort Lauderdale FL
City State Zip

Email Kris@ChainlessChange.org

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Chainless Change

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

HB 1 SB 2184

Bill Number (if applicable)

Topic Anti-Protest bill

Amendment Barcode (if applicable)

Name Rev. Tom Holdcraft

Job Title Pastor St. Stephen

Address 2948 Tipperary Dr

Street

Tallahassee

City

FL

State

32309

Zip

Phone 850 303-3218

Email twholdcraft@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Self : St. Stephen Church

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

HB1

Meeting Date _____

Bill Number (if applicable) _____

Topic *HB1*

Amendment Barcode (if applicable) _____

Name *Sierra Bush Mester*

Job Title _____

Address *13965 old oak trail*

Phone *850-666-594*

Street

Tallahassee

FL

32309

City

State

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing *Leon County democratic party*

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09/2021

Meeting Date

~~SB 1000~~ / HB 1

Bill Number (if applicable)

Topic ~~SB 1000~~ / HB 1

Amendment Barcode (if applicable)

Name Nataly Chalco Lopez

Job Title Student and Community Organizer

Address 229 S Lipona Rd

Phone 954-279-0480

Street

Tallahassee

FL

32304

City

State

Zip

Email nataly@unitedwedream.org

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing United We Dream

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09/2021
Meeting Date

~~HB1~~ / HB1
Bill Number (if applicable)

Topic Opposing ~~HB1~~ / HB1

Amendment Barcode (if applicable)

Name Maxwell Slater

Job Title Student

Address 229 S Lipona Rd

Phone 239-679-7813

Street

Tallahassee

FL

32304

City

State

Zip

Email Maxrslater@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB1/SK484

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Od Stuart Whitfield

Job Title Democracy

Address ~~8303~~ 25N Market St.

Phone 904.415.3438

Street

Jacksonville FL 32202

City

State

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Faith IN Public Life

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

SB 484

Meeting Date

Bill Number (if applicable)

Topic

Name

Job Title

Address

Street

City

State

Zip

Phone

Email

Amendment Barcode (if applicable)

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-9-21

Meeting Date

HB 1

Bill Number (if applicable)

Topic Anti-Protesting Bill

Amendment Barcode (if applicable)

Name Kristellys Estanga

Job Title Aide to City Commissioner

Address 406 W 8th Ave
Street

Phone 954 804 9010

Tallahassee FL 32301
City State Zip

Email kristellys@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9
Meeting Date

HB 1 / SB 484
Bill Number (if applicable)

Topic Anti-protest bill

Amendment Barcode (if applicable)

Name Rev. Andy Oliver

Job Title Pastor

Address 1363 42nd Ave N

727 527 6695
Phone 727 527 6695

Street

St Petersburg FL 33703

City

State

Zip

Email office@allendaleumc.org

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Allendale United Methodist Church - St Petersburg

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21
Meeting Date

HB 1
Bill Number (if applicable)

Topic Combating Violence / Disorder

Amendment Barcode (if applicable)

Name Carrie Boyd

Job Title Policy Director

Address P.O. Box 10788
Street

Phone 8505709560

Tallahassee FL 32303
City State Zip

Email carrie.boyd@fpcenter.org

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing SPLC Action Fund

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21
Meeting Date

HB 1
Bill Number (if applicable)

Topic Combating Public Disorder

Amendment Barcode (if applicable)

Name Rick Harper Ph.D.

Job Title Economist

Address 516 E. Zaragoza St

Phone 850-341-8908

Pensacola FL 32502

City State Zip

Email RickHarperPhD@gmail.com

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Economic Impact of HB1, sponsored by ACUE /SPUC

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021
Meeting Date

HB1
Bill Number (if applicable)

Topic HB1

Amendment Barcode (if applicable)

Name Kira Romero-Craft

Job Title Managing Attorney

Address 523 W Colonial Drive
Street
Orlando FL 32804
City State Zip

Phone 407 443 0006

Email Kromero@latinojustice.org

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LatinoJustice PRLDEF

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

9/9/2021

Meeting Date

1

Bill Number (if applicable)

Topic Combating Public Disorder

Amendment Barcode (if applicable)

Name JONATHAN Webber

Job Title Deputy Director

Address 1700 N. Monroe St. #11-286

Phone 954-593-4449

Street

Tallahassee

FL

32303

City

State

Zip

Email JWEBBER@FLVOTERS.ORG

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FLORIDA CONSERVATION VOTERS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

HB-1

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name Nicholas Carey

Job Title

Address 5320 10th St. N

Phone

Street

St. Petersburg

FL

33703

City

State

Zip

Email

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/06⁹/21
Meeting Date

HB 1
Bill Number (if applicable)

Topic HB 1

Amendment Barcode (if applicable)

Name Sabrina Javellana (ha-vey-yana)

Job Title Commissioner

Address 8110 NE 21st Ave
Street
Hallandale Beach FL 33009
City State Zip

Phone 305 988 3086

Email Sabrina.jave@smail7.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

KB1

Bill Number (if applicable)

Topic Anti-Protest Bill

Amendment Barcode (if applicable)

Name Haley Morrisette

Job Title Self

Address 4236 Acacia Dr.

Phone _____

Street

Pensacola

FL

32503

City

State

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09/2021

Meeting Date

HB1

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Jamil Davis

Job Title FLORIDA Lead Organizer

Address 9640 Sandpiper St.

Phone (850) 252-2873

Street

Pensacola

City

FL

State

32514

Zip

Email jamil@blackvotersmatterfund.org

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Black Voters Matter

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21
Meeting Date

HB 1
Bill Number (if applicable)

Topic ANTI PROTEST

Amendment Barcode (if applicable)

Name REV DR RUSSELL MEYER

Job Title EXEC DIR

Address 1308 WINDSOR PLACE

Phone 813 435 5335

Street

JACKSONVILLE

FL

32205

City

State

Zip

Email rmeyer@floridachurches.org

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FLORIDA COUNCIL OF CHURCHES

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

April 9 2021
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

HB 1
Bill Number (if applicable)

Topic HB 1

Amendment Barcode (if applicable)

Name Curtis Murphy

Job Title Retired

Address 3602 SW 98th Blvd
Gainesville FL 32608
City State Zip

Phone 352-240-2743

Email 2fabmurphys@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Chainless Change

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

1

Bill Number (if applicable)

Topic Combating Public Disorder

Amendment Barcode (if applicable)

Name Ida V. Eskamani

Job Title

Address 126 N. Mills

Phone 407 376 4801

Street

Orlando

FL

32801

City

State

Zip

Email ida.eskamani@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Rising + Florida Immigrant Coalition

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/9/21

Meeting Date

Bill Number (if applicable)

Topic Public Disorder

Amendment Barcode (if applicable)

Name Ingrid Delgado

Job Title Associate Director for Social Concerns & Respect Life

Address 201 W Park Av Phone _____
Street

Tallahassee FL 32301 Email _____
City State Zip

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Conference of Catholic Bishops

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

03/09/21

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

HB 1

Bill Number (if applicable)

Topic Anti-Protest Bill

Amendment Barcode (if applicable)

Name Mr. Malik Gary

Job Title Collegiate Chair

Address 1341 Blossom Cir

Phone 850-519-7092

Street

Tallahassee

City

FL

State

32305

Zip

Email malikgary98@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Poor People Campaign of Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021
Meeting Date

HB1
Bill Number (if applicable)

Topic COMBATTING PUBLIC DISORDER

Amendment Barcode (if applicable)

Name TRISH NEELY

Job Title BOARD MEMBER

Address 2024 SHANGRI LA LANE
Street

Phone 850 322 3317

TALLY FL 32308
City State Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LEAGUE WOMEN VOTERS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09

Meeting Date

HB 1

Bill Number (if applicable)

Topic protest

Amendment Barcode (if applicable)

Name Lauren Brenzel

Job Title _____

Address _____

Street

Tallahassee

City

FL

State

32301

Zip

Phone _____

Email B

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-9-21

Meeting Date

SB 484/HBI

Bill Number (if applicable)

Topic anti-protest bill

Amendment Barcode (if applicable)

Name Diana Shanks

Job Title

Address 3539 Margate Drive

Phone 727 569 6729

Street

Holiday

City

FL

State

34691

Zip

Email

shanks.diana@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

~~HB~~ HB1

Bill Number (if applicable)

Topic Anti-Protesting Bill

Amendment Barcode (if applicable)

Name Courtney Peters

Job Title _____

Address 1518 E Ridgewood St
Street

Phone 321-505-1580

Orlando FL
City State Zip

Email Courtneypeterswrites@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB1

Bill Number (if applicable)

Topic Anti Riot Bill

Amendment Barcode (if applicable)

Name Epiphany Summers

Job Title Director of Non Profit

Address 231 10th Ave North, Apt E

Phone 267-481-5001

Street

St. Petersburg

City

FL

State

33701

Zip

Email ec_summers@yahoo.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04-09-21

Meeting Date

SB484

Bill Number (if applicable)

Topic

Public Safety / SB484

Amendment Barcode (if applicable)

Name

Deja-Denice Sherrad

Job Title

Community Advocate

Address

520 15th St North

Phone

Street

St Petersburg

FL

33705

Zip

Email

Speaking:

☐

For

☒

Against

☐

Information

Waive Speaking:

☐

In Support

☐

Against

(The Chair will read this information into the record.)

Representing

Florida for All

Appearing at request of Chair:

☐

Yes

☒

No

Lobbyist registered with Legislature:

☐

Yes

☒

No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB1

Bill Number (if applicable)

Topic Combatting Public Disorder

Amendment Barcode (if applicable)

Name Chloe Elcus

Job Title _____

Address 75 N Woodward Ave

Street

Phone _____

Tallahassee

City

FL

State

32313

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)Representing selfAppearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

SB 484

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name Sarah Adams

Job Title

Address ~~472~~ 472 W Jefferson St. Apt 308 Phone 850 - 284 - 3663

Street

Tallahassee

City

FL

State

32301

Zip

Email saraheadams127@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

4-9-21

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

H.B. 1

Bill Number (if applicable)

Topic Anti-Protest bill

Amendment Barcode (if applicable)

Name David Rodier

Job Title Small business owner

Address 1237 almond tree ct.

Phone 706-761-3169

Street

Orlando

FL

32835

City

State

Zip

Email d.rodier@knights.vcf.edu

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB1

Bill Number (if applicable)

Topic Protest Bill

Amendment Barcode (if applicable)

Name Emily Richeson

Job Title

Address 1433 Branch St.

Phone

Street

Tallahassee

FL

32303

City

State

Zip

Email

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/20

Meeting Date

Bill Number (if applicable)

Topic HBI / SB484

Amendment Barcode (if applicable)

Name Nushrat Nur

Job Title _____

Address 424 Highbrooke Blvd
Street

Phone 407 627 7924

Osceola
City

FL
State

34761
Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Dream Defenders

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021
Meeting Date

HB1
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Samantha McLoughlin

Job Title _____

Address 5545 Oakworth Place
Street
Sanford Florida 32773
City State Zip

Phone 407-247-3487

Email sammcloughlin@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FSU College Democrats

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-9-21

Meeting Date

HB 1

Bill Number (if applicable)

Topic Combating Public Disorder

Amendment Barcode (if applicable)

Name Alyssa Akbar

Job Title State Director

Address 75 N Woodward Ave

Phone 813-838-0706

Street

Temple

City

FL

State

32313

Zip

Email

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing March For Our Lives

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

APPEARANCE RECORD

4-9-2021 (Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB484

Meeting Date

Bill Number (if applicable)

Topic SB484

Amendment Barcode (if applicable)

Name SANA HAFEEZ

Job Title ORLANDO DREAM DEFENDERS
& UF ALUMNIAddress _____
Street

Phone 407-538-3645

Orlando
CityFL
State~~30280~~
Zip

Email _____

Speaking: ☐ For ☒ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

(in job title)

Appearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

SB484

Bill Number (if applicable)

Topic SB484

Amendment Barcode (if applicable)

Name Michael McLaughlin

Job Title Student

Address 100 Cadiz Street
Street

Phone (605) 759-6437

Tallahassee
City

FL
State

32301
Zip

Email michael.mclaughlin243@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB 1

Bill Number (if applicable)

Topic HB 1

Amendment Barcode (if applicable)

Name Mitchell Allen

Job Title _____

Address 1636 Broome Street
Street

Phone _____

Fernandina Beach FL 32034
City State Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

~~May~~ April 9
Meeting Date

HB 1.
~~SB~~ 1
Bill Number (if applicable)

Topic HB 1

Amendment Barcode (if applicable)

Name Patty Farley

Job Title President, Democratic Women's Club of FL.

Address 173 Coral Way East
Street

Phone 321-794-1955

Indiantown
City

State

Zip

Email pfarley-10@hotmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Democratic Women

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

Bill Number (if applicable)

Amendment Barcode (if applicable)

Name I, fan Kovankaya

Job Title N/A

Address 1211 oaks edge road
Street

Phone 850-980-1342

Tallahassee FL 32317
City State Zip

Email ifan.kovarkyru@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Dream Defender

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04-09-21

Meeting Date

HB-1

Bill Number (if applicable)

Topic HB-1

Amendment Barcode (if applicable)

Name Zachary Lesic

Job Title Restaurant

Address 3108 Ironwood Drive

Phone 954-204-4344

Street

Tallahassee

FL

32309

City

State

Zip

Email zacharyalesic@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

APPEARANCE RECORD

4/9/21

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

HB 1

Bill Number (if applicable)

Topic Combating Pub Disorder

Amendment Barcode (if applicable)

Name Deborah FooteJob Title Acting Chapter DirectorAddress 200 W College

Street

Tallahassee

City

FL

State

32301

Zip

Phone 850-727-4039Email deborah.foote@sierraclub.orgSpeaking: ☐ For ☒ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)Representing Sierra Club FLAppearing at request of Chair: ☐ Yes ☐ NoLobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09/21

Meeting Date

SB484

Bill Number (if applicable)

Topic SB484 Say NO to Bill

Amendment Barcode (if applicable)

Name LACANDIS Reid

Job Title CEO / Community Organizer

Address 1046 LINCOLN Rd

Phone 786-489-4244

Street

West palm beach Fl 33407

City

State

Zip

Email Apostheofbusiness@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing GIRLS WITH SOARS INC / BLACK LIVES MATTER ALLIANCE

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

HB1 / SB484
Bill Number (if applicable)

Meeting Date _____

Topic HB1

Amendment Barcode (if applicable) _____

Name INT. F.

Job Title _____

Address _____

Phone _____

Street

TLH

City

State

FL

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

AB1/SS884

Bill Number (if applicable)

Topic Anti Protest Bill

Amendment Barcode (if applicable)

Name Isabel Ruano

Job Title Human Services

Address 2631 Yarmouth Lane

Street

Tallahassee FL 32309

City

State

Zip

Phone

Email

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/19/2021

Meeting Date

CS/HB1

Bill Number (if applicable)

Topic Combating Public Disorder

Amendment Barcode (if applicable)

Name Rodney Elbert

Job Title Self Employed

Address 421 Indian Village Trail

Street

Tallahassee

City

State

Zip

Phone 354 67929

Email Rodney@1clawson

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing My self

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09/2021

Meeting Date

HB 7

Bill Number (if applicable)

Topic HB 7

Amendment Barcode (if applicable)

Name Jerry Sola

Job Title _____

Address _____
Street

Phone _____

City

State

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/19/14

Meeting Date

HB1/SB484

Bill Number (if applicable)

Topic Combating Public Disorder

Amendment Barcode (if applicable)

Name Manuel Paez Teran

Job Title Student

Address 2525 W Tennessee

Street

Tallahassee

City

FL

State

32304

Zip

Phone 773 786 1755

Email manuelpaez@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

SB484

Bill Number (if applicable)

Topic SB484

Amendment Barcode (if applicable)

Name Manoro Amani

Job Title _____

Address 1248 ne 180th

Street

Phone 786-300-9621

NMB

City

FL

State

33162

Zip

Email manoroamani2@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing SOUL Sisters

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09/2021

Meeting Date

SB484

Bill Number (if applicable)

Topic SB484 - Say No To The Bill

Amendment Barcode (if applicable)

Name Tiffany Burks

Job Title Community Organizer

Address 10505 SW 18TH ST

Phone 954-249-1995

Street

Miramar

City

FL

State

33025

Zip

Email Tiffany.Burks@gmail

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against

(The Chair will read this information into the record.)

#FreeTimKOThompson

Representing Black Lives Matter Alliance / Southern Birth Justice Network

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

HB1/SB484

Bill Number (if applicable)

Topic HB1/SB484

Amendment Barcode (if applicable)

Name Nancy Metayer

Job Title Commissioner

Address 9833 NW 54th place

Phone 954-857-5441

Street

Coral Springs

City

FL

State

33026

Zip

Email Nancy@NancyMetayer.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

1

Bill Number (if applicable)

Topic Combating Public Disorder

Amendment Barcode (if applicable)

Name Sheriff Bobby Schultz

Job Title President

Address 9239 South Hwy. 129

Phone (352) 463-3181

Street

Trenton FL 32693

City

State

Zip

Email bschultz@gcso.us

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Sheriffs Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/2021

Meeting Date

SB484

Bill Number (if applicable)

Topic SB484- Say NO To Bill

Amendment Barcode (if applicable)

Name Netertini Marshall

Job Title _____

Address 1046 NW Lincoln Rd

Street

Miami

City

Florida

State

33407

Zip

Phone (786) 458-9040

Email NetertiniMarshall@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Girls With Sex Inc

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04-09-2021
Meeting Date

SB484
Bill Number (if applicable)

Topic SB484-Say No To The Bill

Amendment Barcode (if applicable)

Name Tye Albertie

Job Title Youth Organizer

Address 2825 opa-locka Blvd
Street

Phone 786-512-8615

opa-locka FL 33056
City State Zip

Email Tyealbertie0611@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Black Lives Matter/southern Birth justice

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09/2021
Meeting Date

484
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Joi Ada Williams

Job Title South Florida Regional Organizer

Address 500 SW 145th Ave Phone 205 587 6407
Street

Pembroke Pines FL 33027 Email joiada@dreamdefenders.org
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing ~~Alachua Co~~ Broward Community

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

484

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name Tyler Stock

Job Title

Address 420 E Park Ave

Phone 904-514-6533

Street

Tallahassee

FL

State

32301

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

9-9-2021

Meeting Date

HB 1

Bill Number (if applicable)

Topic CS/HB 1

Amendment Barcode (if applicable)

Name Bianca Báez

Job Title _____

Address _____
Street

Phone _____

City

State

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM

Reset Form

THE FLORIDA SENATE

APPEARANCE RECORD

4/9-10/2021

Meeting Date

1

Bill Number (if applicable)

Topic Combatting Public Disorder

Amendment Barcode (if applicable)

Name Pamela Burch Fort

Job Title _____

Address 104 South Monroe Street

Phone 850-425-1344

Street

Tallahassee

FL

32301

Email TcgLobby@aol.com

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing ACLU FL and NAACP Florida State Conference

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/9/21

Meeting Date

HB-1

Bill Number (if applicable)

Topic

Anti-Protest Legislation

Amendment Barcode (if applicable)

Name

Rev. James T. Golden

Job Title

Pastor

Address

7401 Kissimmee St. S.

Phone

941-773-4051

Street

Bronckston, FL

State

33616

Zip

Email

jameshgo1@aol.com

City

Speaking:

☐

For

☒

Against

☐

Information

Waive Speaking:

☐

In Support

☒

Against

(The Chair will read this information into the record.)

Representing

AME Church

Appearing at request of Chair:

☐

Yes

☒

No

Lobbyist registered with Legislature:

☐

Yes

☒

No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-9-21

Meeting Date

HB 1

Bill Number (if applicable)

Topic SB 484

Amendment Barcode (if applicable)

Name Danielle Adams

Job Title Community organizer

Address

Phone

Street

City

State

Zip

Email

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Community

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4.9.21

Meeting Date

HB1

Bill Number (if applicable)

Topic HB1

Amendment Barcode (if applicable)

Name Darryl Alfred

Job Title Entrepreneur

Address 814 W Thorpe St
Street

Phone _____

Tallahassee
City

FL
State

32303
Zip

Email darwavemaker@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

~~Waive~~ Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4.5.21.

Meeting Date

HB1/SB484

Bill Number (if applicable)

Topic Combating Public Disorders

Amendment Barcode (if applicable)

Name Tish Brown

Job Title Organizer Facilitator

Address 1316 Long Ave

Street

Tallahassee

City

FL

State

32310

Zip

Phone (850) 688-7153

Email Poor People's Campaign

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Tallahassee Community Action Committee / Poor People's Campaign

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/09/21

Meeting Date

HB 1

Bill Number (if applicable)

Topic House Bill 1

Amendment Barcode (if applicable)

Name Yunus Koranliaya

Job Title _____

Address 1211 Oaks Edge Road

Street

Phone 850-688-2699

Tallahassee

City

FL

State

32317

Zip

Email ~~yunus.koranliaya@gmail.com~~ yunus.koranliaya@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

CourtSmart Tag Report

Room: KB 412

Case No.: -

Type:

Caption: Senate Appropriations Committee

Judge:

Started: 4/9/2021 8:36:24 AM

Ends: 4/9/2021 4:52:22 PM **Length:** 08:15:59

8:36:22 AM Meeting called to order by Chair Stargel
8:36:32 AM Roll call by CAA Sue Arnold
8:36:38 AM Quorum present
8:37:07 AM Comments from Chair Stargel
8:38:03 AM Explanation of CS/HB 1 by Chair Stargel
8:39:09 AM Introduction of Tab 1, CS/HB 1, 1st Eng. by Chair Stargel
8:39:33 AM Explanation of CS/HB 1, 1st Eng., Combating Public Disorder by Senator Burgess
8:48:07 AM Comments from Chair Stargel
8:48:17 AM Introduction of Amendment Barcode 901508 by Chair Stargel
8:48:34 AM Explanation of Amendment by Senator Rouson
8:49:30 AM Comments from Chair Stargel
8:49:44 AM Speaker Trish Neely, League of Women Voters in support
8:50:16 AM Speaker David Rodies, March for our Lives in support
8:51:06 AM Speaker Rev. Dr. Russell Meyer, Florida Council of Churches in support
8:52:16 AM Comments from Chair Stargel
8:52:25 AM Senator Rouson in closure
8:52:34 AM Comments from Chair Stargel
8:53:08 AM Senator Burgess in opposition of Amendment
8:53:52 AM Question from Senator Brandes
8:54:51 AM Response from Senator Burgess
8:56:31 AM Senator Rouson in closure
8:57:51 AM Amendment Barcode 901508 is not adopted
8:58:00 AM Introduction of Amendment Barcode 788596 and Substitute Amendment Barcode 965052 by Chair Stargel
8:58:17 AM Explanation of Substitute Amendment Barcode 965052 by Senator Gibson
8:59:55 AM Comments from Chair Stargel
9:00:07 AM Speaker Trish Neely, League Women Voters in support
9:00:28 AM Comments from Chair Stargel
9:00:33 AM Senator Burgess in opposition of Amendment
9:01:25 AM Senator Gibson in closure on Substitute Amendment
9:05:49 AM Amendment 965052 is not adopted
9:06:06 AM Amendment Barcode 788596 is withdrawn
9:06:14 AM Introduction of Amendment Barcode 646196 by Chair Stargel
9:06:27 AM Explanation of Amendment by Senator Powell
9:07:24 AM Comments from Chair Stargel
9:07:33 AM Speaker Trish Neely, League of Women Voters in support
9:07:55 AM Senator Burgess in opposition of Amendment
9:09:09 AM Senator Powell in closure of Amendment
9:09:45 AM Amendment 646196 is not adopted
9:10:28 AM Introduction of Amendment Barcode 895456 by Chair Stargel
9:10:42 AM Explanation of Amendment by Senator Rouson
9:11:10 AM Comments from Chair Stargel
9:11:17 AM Question from Senator Pizzo
9:11:21 AM Response from Senator Rouson
9:11:47 AM Response from Senator Burgess
9:12:24 AM Speaker Trish Neely, League of Women Voters in support
9:12:46 AM Senator Rouson in closure of Amendment
9:14:14 AM Comments from Chair Stargel
9:14:19 AM Amendment Barcode 895456 is not adopted
9:14:31 AM Introduction of Amendment Barcode 622818 by Chair Stargel
9:14:42 AM Explanation of Amendment by Senator Farmer
9:14:47 AM Comments from Chair Stargel

9:14:51 AM Speaker Trish Neely, League of Women Voters in support
9:15:15 AM Comments from Chair Stargel
9:15:24 AM Senator Burgess in opposition of Amendment
9:16:34 AM Senator Farmer in closure of Amendment
9:19:58 AM Amendment Barcode 622818 is not adopted
9:20:11 AM Introduction of Amendment Barcode 209248 by Chair Stargel
9:20:21 AM Explanation of Amendment by Senator Farmer
9:20:37 AM Comments from Chair Stargel
9:20:44 AM Speaker Trish Neely, League of Women Voters in support
9:21:05 AM Comments from Chair Stargel
9:21:13 AM Senator Burgess in opposition of Amendment
9:22:19 AM Senator Farmer in closure of Amendment
9:24:32 AM Amendment Barcode 209248 is not adopted
9:25:32 AM Introduction of Amendment Barcode 802470 by Chair Stargel
9:25:46 AM Explanation of Amendment by Senator Stewart
9:26:38 AM Comments from Chair Stargel
9:26:46 AM Speaker Trish Neely, League of Women Voters in support
9:27:07 AM Comments from Chair Stargel
9:27:17 AM Senator Powell in debate
9:28:12 AM Senator Burgess in opposition of Amendment
9:29:51 AM Senator Stewart in closure of Amendment
9:31:00 AM Amendment Barcode 802470 is not adopted
9:31:23 AM Introduction of Amendment Barcode 530040 by Chair Stargel
9:31:33 AM Explanation of Amendment by Senator Powell
9:33:05 AM Comments from Chair Stargel
9:33:14 AM Speaker Trish Neely, League of Women Voters in support
9:33:33 AM Comments from Chair Stargel
9:33:42 AM Senator Gibson in debate
9:33:48 AM Senator Bracy in debate
9:34:47 AM Senator Rouson in debate
9:35:35 AM Senator Farmer in debate
9:38:26 AM Senator Pizzo in debate
9:39:36 AM Senator Bracy in debate
9:40:31 AM Chair Stargel in debate
9:41:45 AM Senator Burgess with request to withdraw Amendment
9:44:32 AM Senator Powell in closure of Amendment and withdrawing Amendment
9:45:35 AM Senator Burgess with commitment to have study done
9:45:54 AM Amendment 530040 withdrawn
9:46:14 AM Introduction of Amendment Barcode 882942 by Chair Stargel
9:46:20 AM Explanation of Amendment by Senator Powell
9:47:48 AM Comments from Chair Stargel
9:47:56 AM Speaker Trish Neely, League of Women Voters in support
9:48:24 AM Speaker Rev. James T. Golden, AME Church in support
9:51:25 AM Speaker Rev. Dr. Russell Meyer, Florida Council of Churches in support
9:53:36 AM Speaker Malix Gary in support
9:54:20 AM Speaker Nancy Metayer in support
9:54:40 AM Speaker Sabrina Javellana in support
9:54:53 AM Speaker Courtney Peters in support
9:55:04 AM Speaker David Rodies in support
9:55:17 AM Speaker Kareem Williams in support
9:55:28 AM Speaker E. Marquis Mitchell in support
9:55:41 AM Speaker Kristen Torres in support
9:55:53 AM Speaker Alyssa Ackbar in support
9:56:03 AM Speaker Kira Romero-Craft in opposition of Amendment
9:56:27 AM Speaker Jamil Davis, Black Voters Matter in support
9:57:20 AM Speaker Patty Farley, Democratic Women Club of Florida in support
9:58:11 AM Speaker Nicholas Carey, Faith in Florida in support
9:58:39 AM Speaker Samantha McLoughlin, FSU College Democrats in support
9:58:54 AM Speaker OdJuan Whitfield in support
9:59:12 AM Speaker Rev. Tom Holdcraft, St. Stephens Church in support
9:59:32 AM Speaker Carrie Boyd, SPLC Action Fund in support
10:00:05 AM Comments from Chair Stargel

10:00:19 AM Senator Bracy in debate
10:00:36 AM Senator Pizzo in debate
10:03:59 AM Senator Farmer in debate
10:05:01 AM Senator Gibson in debate
10:07:20 AM Senator Burgess in opposition of Amendment
10:09:50 AM Senator Powell in closure of Amendment
10:12:20 AM Amendment Barcode 882942 is not adopted by voice vote, by show of 2 hands roll call
10:13:21 AM Roll call Vote on Amendment by CAA
10:13:34 AM Amendment Barcode 882942 is not adopted
10:14:22 AM Introduction of Late-filed Amendment Barcode 343996 and Late-filed Substitute Amendment 627558 by Chair Stargel
10:15:14 AM Explanation of Substitute Amendment Barcode 627558 by Senator Farmer
10:15:15 AM Comments from Chair Stargel
10:15:24 AM Speaker Trish Neely, League of Women Voters in support
10:15:49 AM Comments from Chair Stargel
10:16:21 AM Senator Burgess in opposition of Amendment
10:18:38 AM Senator Farmer in closure of Amendment
10:21:54 AM Amendment Barcode 627558 is not adopted
10:22:06 AM Late-filed Amendment Barcode 343996 withdrawn
10:22:19 AM Introduction of Late-filed Amendment Barcode 136990 by Chair Stargel
10:22:31 AM Explanation of Amendment by Senator Farmer
10:22:49 AM Comments from Chair Stargel
10:22:57 AM Speaker Trish Neely, League of Women Voters in support
10:23:32 AM Comments from Chair Stargel
10:23:36 AM Senator Burgess in opposition of Amendment
10:25:27 AM Senator Farmer in closure of Amendment
10:26:14 AM Late-filed Amendment Barcode 136990 is not adopted
10:27:13 AM Introduction of Late-filed Amendment Barcode 564306 by Chair Stargel
10:27:36 AM Explanation of Amendment by Senator Gibson
10:30:24 AM Comments from Chair Stargel
10:30:29 AM Speaker Trish Neely, League of Women Voters in support
10:30:52 AM Comments from Chair Stargel
10:31:02 AM Senator Burgess in opposition of Amendment
10:31:13 AM Senator Gibson in closure of Amendment
10:32:55 AM Amendment Barcode 564306 is not adopted
10:33:08 AM Comments from Chair Stargel
10:33:12 AM Question from Senator Hutson
10:33:20 AM Comments from Chair Bean
10:33:58 AM Response from Senator Burgess
10:35:00 AM Follow-up question from Senator Hutson
10:36:00 AM Response from Senator Burgess
10:36:26 AM Comments and follow-up question from Senator Hutson
10:37:26 AM Response from Senator Burgess
10:38:19 AM Follow-up question from Senator Hutson
10:38:26 AM Response from Senator Burgess
10:39:24 AM Question from Senator Hooper
10:39:31 AM Response from Senator Burgess
10:40:46 AM Follow-up question from Senator Hooper
10:40:53 AM Response from Senator Burgess
10:42:06 AM Question from Senator Bracy
10:42:10 AM Response from Senator Burgess
10:43:25 AM Follow-up question from Senator Bracy
10:45:05 AM Response from Senator Burgess
10:48:10 AM Follow-up question from Senator Bracy
10:48:21 AM Response from Senator Burgess
10:49:33 AM Follow-up question from Senator Bracy
10:49:52 AM Response from Senator Burgess
10:50:29 AM Follow-up question from Senator Bracy
10:50:41 AM Response from Senator Burgess
10:50:55 AM Follow-up question from Senator Bracy
10:51:54 AM Response from Senator Burgess
10:52:42 AM Follow-up question from Senator Bracy

10:53:43 AM	Response from Senator Burgess
10:55:28 AM	Comments from Chair Stargel
10:55:43 AM	Follow-up question from Senator Bracy
10:55:55 AM	Response from Senator Burgess
10:56:22 AM	Question from Senator Stewart
10:56:28 AM	Response from Senator Burgess
10:57:39 AM	Follow-up question from Senator Stewart
10:58:39 AM	Response from Senator Burgess
10:58:46 AM	Follow-up question from Senator Stewart
10:59:43 AM	Response from Senator Burgess
11:00:09 AM	Follow-up question from Senator Stewart
11:01:09 AM	Response from Senator Burgess
11:02:05 AM	Question from Senator Rouson
11:02:32 AM	Response from Senator Burgess
11:05:57 AM	Follow-up question from Senator Rouson
11:06:10 AM	Response from Senator Burgess
11:07:49 AM	Follow-up question from Senator Rouson
11:09:02 AM	Response from Senator Burgess
11:09:18 AM	Follow-up question from Senator Rouson
11:10:14 AM	Response from Senator Burgess
11:11:16 AM	Follow-up question from Senator Rouson
11:12:05 AM	Response from Senator Burgess
11:12:32 AM	Follow-up question from Senator Rouson
11:12:40 AM	Response from Senator Burgess
11:14:01 AM	Question from Senator Gibson
11:14:08 AM	Response from Senator Burgess
11:14:49 AM	Follow-up question from Senator Gibson
11:15:41 AM	Response from Senator Burgess
11:16:15 AM	Follow-up question from Senator Gibson
11:16:27 AM	Response from Senator Burgess
11:16:55 AM	Follow-up question from Senator Gibson
11:17:06 AM	Response from Senator Burgess
11:17:14 AM	Follow-up question from Senator Gibson
11:17:22 AM	Response from Senator Burgess
11:17:38 AM	Follow-up question from Senator Gibson
11:17:56 AM	Response from Senator Burgess
11:18:27 AM	Follow-up question from Senator Gibson
11:18:38 AM	Response from Senator Burgess
11:19:17 AM	Follow-up question from Senator Gibson
11:19:38 AM	Response from Senator Burgess
11:20:27 AM	Follow-up question from Senator Gibson
11:20:38 AM	Response from Senator Burgess
11:21:08 AM	Response from Chair Stargel
11:21:18 AM	Comments from Senator Gibson
11:21:26 AM	Response from Senator Burgess
11:22:01 AM	Follow-up question from Senator Gibson
11:22:08 AM	Response from Senator Burgess
11:22:28 AM	Follow-up question from Senator Gibson
11:23:06 AM	Response from Senator Burgess
11:23:59 AM	Follow-up question from Senator Gibson
11:24:08 AM	Response from Senator Burgess
11:24:58 AM	Question from Senator Powell
11:25:05 AM	Response from Senator Burgess
11:25:44 AM	Follow-up question from Senator Powell
11:26:24 AM	Response from Senator Burgess
11:26:56 AM	Follow-up question from Senator Powell
11:27:32 AM	Response from Senator Burgess
11:27:42 AM	Follow-up question from Senator Powell
11:28:06 AM	Response from Senator Burgess
11:28:22 AM	Follow-up question from Senator Powell
11:29:22 AM	Response from Senator Burgess
11:30:39 AM	Follow-up question from Senator Powell

11:31:39 AM	Response from Senator Burgess
11:32:03 AM	Follow-up question from Senator Powell
11:32:31 AM	Response from Senator Powell
11:33:25 AM	Follow-up question from Senator Powell
11:33:38 AM	Response from Senator Burgess
11:34:00 AM	Additional question from Senator Powell
11:34:39 AM	Response from Senator Burgess
11:35:49 AM	Follow-up question from Senator Powell
11:36:49 AM	Response from Senator Burgess
11:37:31 AM	Follow-up question from Senator Powell
11:38:00 AM	Response from Senator Burgess
11:38:09 AM	Follow-up question from Senator Powell
11:38:20 AM	Response from Senator Burgess
11:39:26 AM	Follow-up question from Senator Powell
11:40:42 AM	Question from Senator Book
11:41:42 AM	Response from Senator Burgess
11:42:04 AM	Follow-up question from Senator Book
11:42:54 AM	Response from Senator Burgess
11:43:04 AM	Follow-up question from Senator Book
11:43:44 AM	Response from Senator Burgess
11:45:04 AM	Follow-up question from Senator Book
11:46:51 AM	Response from Senator Burgess
11:48:11 AM	Comments from Chair Stargel
11:50:05 AM	Question from Senator Bracy
11:50:09 AM	Response from Senator Burgess
11:52:53 AM	Follow-up question from Senator Bracy
11:54:03 AM	Response from Senator Burgess
11:55:27 AM	Follow-up question from Senator Bracy
11:55:33 AM	Response from Senator Burgess
11:56:17 AM	Question from Senator Powell
11:56:43 AM	Response from Senator Burgess
11:57:04 AM	Follow-up question from Senator Powell
11:57:39 AM	Response from Senator Burgess
11:58:03 AM	Follow-up question from Senator Powell
11:58:51 AM	Response from Senator Burgess
11:59:30 AM	Follow-up question from Senator Powell
12:00:30 PM	Response from Senator Burgess
12:01:13 PM	Follow-up question from Senator Powell
12:01:43 PM	Response from Senator Burgess
12:02:09 PM	Follow-up question from Senator Powell
12:02:21 PM	Response from Senator Burgess
12:03:06 PM	Question from Senator Pizzo
12:03:11 PM	Response from Senator Burgess
12:03:34 PM	Follow-up question from Senator Pizzo
12:03:40 PM	Response from Senator Burgess
12:03:55 PM	Follow-up question from Senator Pizzo
12:04:06 PM	Response from Senator Burgess
12:04:23 PM	Comments from Chair Stargel
12:04:55 PM	Follow-up question from Senator Pizzo
12:05:03 PM	Response from Senator Burgess
12:05:12 PM	Follow-up question from Senator Pizzo
12:05:44 PM	Response from Senator Burgess
12:05:51 PM	Follow-up question from Senator Pizzo
12:05:59 PM	Response from Senator Burgess
12:06:04 PM	Follow-up question from Senator Pizzo
12:06:14 PM	Comments from Chair Stargel
12:07:14 PM	Comments from Senator Pizzo
12:07:19 PM	Comments from Chair Stargel
12:07:30 PM	Follow-up question from Senator Pizzo
12:07:38 PM	Response from Senator Burgess
12:08:05 PM	Follow-up question from Senator Pizzo
12:08:18 PM	Response from Senator Burgess

12:08:24 PM	Follow-up question from Senator Pizzo
12:08:31 PM	Response from Senator Burgess
12:08:36 PM	Follow-up question from Senator Pizzo
12:08:48 PM	Response from Senator Burgess
12:08:52 PM	Follow-up question from Senator Pizzo
12:09:17 PM	Response from Senator Burgess
12:09:26 PM	Follow-up question from Senator Pizzo
12:09:32 PM	Comments from Chair Stargel
12:09:56 PM	Follow-up question from Senator Pizzo
12:10:09 PM	Comments from Chair Stargel
12:10:26 PM	Comments from Senator Pizzo
12:10:39 PM	Response from Senator Burgess
12:10:46 PM	Follow-up question from Senator Pizzo
12:11:18 PM	Response from Senator Burgess
12:11:29 PM	Follow-up question from Senator Pizzo
12:11:37 PM	Response from Senator Burgess
12:11:48 PM	Follow-up question from Senator Pizzo
12:11:58 PM	Response from Senator Burgess
12:12:13 PM	Follow-up question from Senator Pizzo
12:12:27 PM	Response from Senator Burgess
12:12:48 PM	Follow-up question from Senator Pizzo
12:13:06 PM	Response from Senator Burgess
12:13:23 PM	Follow-up question from Senator Pizzo
12:13:31 PM	Response from Senator Burgess
12:13:48 PM	Follow-up question from Senator Pizzo
12:13:55 PM	Response from Senator Burgess
12:14:03 PM	Follow-up question from Senator Pizzo
12:14:08 PM	Response from Senator Burgess
12:14:23 PM	Follow-up question from Senator Pizzo
12:14:31 PM	Response from Senator Burgess
12:14:37 PM	Additional question from Senator Pizzo
12:14:57 PM	Response from Senator Burgess
12:15:13 PM	Additional question from Senator Pizzo
12:15:32 PM	Response from Senator Burgess
12:15:48 PM	Follow-up question from Senator Pizzo
12:16:03 PM	Response from Senator Burgess
12:16:08 PM	Follow-up question from Senator Pizzo
12:16:23 PM	Response from Senator Burgess
12:16:46 PM	Follow-up question from Senator Pizzo
12:16:54 PM	Response from Senator Burgess
12:17:10 PM	Follow-up question from Senator Pizzo
12:17:25 PM	Response from Senator Burgess
12:17:39 PM	Follow-up question from Senator Pizzo
12:18:16 PM	Response from Senator Burgess
12:18:43 PM	Comments from Chair Stargel
12:18:52 PM	Follow-up question from Senator Pizzo
12:18:58 PM	Response from Senator Burgess
12:19:12 PM	Response from Chair Stargel
12:19:51 PM	Follow-up question from Senator Pizzo
12:20:01 PM	Response from Senator Burgess
12:20:10 PM	Follow-up question from Senator Pizzo
12:20:22 PM	Response from Senator Burgess
12:20:51 PM	Comments from Senator Pizzo
12:21:06 PM	Follow-up question from Senator Pizzo
12:21:11 PM	Response from Senator Burgess
12:21:19 PM	Follow-up question from Senator Pizzo
12:21:26 PM	Response from Senator Burgess
12:21:35 PM	Follow-up question from Senator Pizzo
12:22:01 PM	Response from Senator Burgess
12:23:01 PM	Follow-up question from Senator Pizzo
12:23:13 PM	Response from Senator Burgess
12:23:40 PM	Follow-up question from Senator Pizzo

12:23:49 PM Response from Senator Burgess
12:24:19 PM Follow-up question from Senator Pizzo
12:24:28 PM Response from Senator Burgess
12:24:35 PM Follow-up question from Senator Pizzo
12:25:05 PM Response from Senator Burgess
12:26:05 PM Follow-up question from Senator Pizzo
12:26:22 PM Response from Senator Burgess
12:26:34 PM Comments from Chair Stargel
12:26:57 PM Response from Senator Burgess
12:27:15 PM Follow-up question from Senator Pizzo
12:27:26 PM Response from Senator Burgess
12:28:00 PM Follow-up question from Senator Pizzo
12:28:11 PM Response from Senator Burgess
12:28:45 PM Follow-up question from Senator Pizzo
12:29:09 PM Response from Senator Burgess
12:30:12 PM Comments from Chair Stargel
12:30:33 PM Committee on break for 30 minutes
12:30:47 PM Recording Paused
1:06:10 PM Recording Resumed
1:06:13 PM Meeting called back to order
1:06:19 PM Comments from Chair Stargel
1:07:18 PM Speaker Trish Neely, League of Women Voters in opposition
1:08:20 PM Speaker Rick Harper, ACLU/SPLC in opposition
1:12:16 PM Speaker Curtis Murphy in opposition
1:13:19 PM Speaker Rev. James T. Golden, AME Church in opposition
1:17:45 PM Speaker Rev. Andy Oliver in opposition
1:19:52 PM Speaker Rev. Dr. Russell Meyer, Florida Council of Churches in opposition
1:22:54 PM Speaker Nicholas Carey in opposition
1:25:27 PM Speaker Rev. Tom Holdcraft in opposition
1:27:04 PM Speaker Epiphany Summers in opposition
1:29:33 PM Question from Senator Powell
1:30:33 PM Response from Ms. Summers
1:31:39 PM Speaker David Rodies in opposition
1:32:57 PM Speaker Kristellys Estanga in opposition
1:34:51 PM Speaker Diana Shanks in opposition
1:37:21 PM Speaker Jamil Davis, Black Voters Matter in opposition
1:39:50 PM Question from Senator Powell
1:40:50 PM Response from Mr. Davis
1:42:32 PM Speaker Kira Romero-Craft, Latino Justice PRLDEF in opposition
1:44:39 PM Speaker Haley Marissette in opposition
1:46:08 PM Speaker Sabrina Javellana in opposition
1:48:13 PM Speaker Nancy Metayer in opposition
1:51:39 PM Speaker Jonathan Webber, Florida Conservation Voters in opposition
1:53:22 PM Speaker Lauren Brenzel in opposition
1:56:27 PM Speaker Emily Richeson in opposition
1:57:47 PM Speaker Ida Eskamani, Florida Rising & Florida Immigrant Coalition in opposition
2:00:31 PM Speaker Malix Gary, Poor People Campaign of Florida in opposition
2:02:48 PM Speaker Sadie Carlson in opposition
2:05:19 PM Speaker Sarah Adams in opposition
2:07:24 PM Speaker Chloe Ilcus in opposition
2:08:42 PM Speaker Jol Ada Williams in opposition
2:11:05 PM Speaker Lauren Cephus in opposition
2:14:58 PM Speaker Michael McLoughlin in opposition
2:16:29 PM Speaker Nushrat Nur in opposition
2:18:05 PM Speaker Sana Hafeez in opposition
2:20:15 PM Speaker Nataly Lopez in opposition
2:21:50 PM Speaker Dollar S., Black Commission in opposition
2:22:26 PM Speaker Samantha McLoughlin, FSU Democrats in opposition
2:23:59 PM Speaker Alyssa Ackbar in opposition
2:25:10 PM Speaker Georgetta Williams in opposition
2:27:50 PM Speaker Carrie Boyd, SPLC Action Fund in opposition
2:30:29 PM Speaker OdJuan Whitfield, Faith in Public Life in opposition

2:32:31 PM	Speaker Lenisha Gibson in opposition
2:33:33 PM	Speaker Darryl Alfred in opposition
2:36:37 PM	Speaker Sierra Bush Mester, Leon County Democratic Party in opposition
2:38:56 PM	Speaker Danielle Adams in opposition
2:40:19 PM	Speaker Rodney Elibert in opposition
2:41:58 PM	Speaker Kristen Torres in opposition
2:44:54 PM	Comments from Chair Stargel
2:45:55 PM	Speaker Mark Mitchell in opposition
2:48:05 PM	Speaker Nefertini Marshall in opposition
2:49:05 PM	Speaker Kareem Williams in opposition
2:49:54 PM	Speaker Tiffany Burks in opposition
2:52:41 PM	Speaker Manovo Amani in opposition
2:54:41 PM	Speaker LaCandis Reid in opposition
2:55:50 PM	Speaker Bianca Baez in opposition
2:57:05 PM	Speaker Tye Albertie in opposition
2:57:48 PM	Speaker Inez F. in opposition
3:00:45 PM	Speaker Isabelle Ruano in opposition
3:03:22 PM	Speaker Yunus Korankaya in opposition
3:06:07 PM	Speaker Zachery Leslie in opposition
3:07:07 PM	Speaker Jerry Sola in opposition
3:08:14 PM	Speaker Deborah Foote, Sierra Club Florida in opposition
3:10:20 PM	Speaker Jon Harris Maurer in opposition
3:12:32 PM	Speaker Trish Brown, Tallahassee Community Action, Poor People's Campaign in opposition
3:16:25 PM	Speaker (No name given -Tally 19 protestors)
3:19:07 PM	Question from Senator Pizzo
3:20:03 PM	Response from Speaker
3:20:57 PM	Comments from Chair Stargel
3:22:12 PM	Question from Senator Powell to Dr. Harper
3:22:19 PM	Response from Dr. Harper
3:23:46 PM	Follow-up question from Senator Powell
3:23:52 PM	Response from Dr. Harper
3:26:05 PM	Follow-up question from Senator Powell
3:26:12 PM	Response from Dr. Harper
3:26:59 PM	Comments from Chair Stargel
3:27:38 PM	Senator Rouson in debate
3:37:09 PM	Senator Gibson in debate
3:48:59 PM	Senator Stewart in debate
3:49:59 PM	Senator Powell in debate
3:57:38 PM	Senator Pizzo in debate
4:09:42 PM	Senator Brandes in debate
4:11:14 PM	Senator Hooper in debate
4:20:56 PM	Senator Book in debate
4:22:16 PM	Senator Bracy in debate
4:25:40 PM	Senator Farmer in debate
4:41:30 PM	Chair Stargel in debate
4:44:53 PM	Senator Burgess in closure
4:50:03 PM	Roll call by CAA
4:51:02 PM	CS/HB 1 reported favorably
4:51:53 PM	Comments from Chair Stargel
4:51:59 PM	Senator Passidomo moves to adjourn
4:52:05 PM	Meeting adjourned