Tab 1						DUCERS) Andrade, Barnaby, Maggard, Manoy, McClain	
					r; (Similar to S 00484) Co	Maggard, Maney, McClain, mbating Public Disorder	Ріакоп, коасп,
901508	Α	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	Α	S	UNFAV	AP,	Powell	Delete L.153 - 259.	04/12 07:31 AM
895456	Α	S	UNFAV	AP,	Rouson	Delete L.260 - 306.	04/12 07:31 AM
564306	Α	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	Α	S	UNFAV	AP,	Farmer	Delete L.375 - 389.	04/12 07:31 AM
209248	Α	S	UNFAV	AP,	Farmer	Delete L.518 - 718.	04/12 07:31 AM
802470	Α	S	UNFAV	AP,	Stewart	Delete L.803 - 812.	04/12 07:31 AM
136990	Α	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	Α	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: TIME: PLACE: MEMBERS:	Friday, April 9, 2021 8:30 a.m.—6:00 p.m. <i>Pat Thomas Committee Room</i> , 412 Knott Building 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 INTR	ODUCER		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	

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 Sta	aff of the Committee	e 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:							
ANAL	YST	STAFF DIRECTOR	REFERENCE	ACTION Favorable					
l. Erickson		Sadberry	AP						

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-timel/timeline-key-events-in-the-month-since-georgefloyds-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/georgefloyd-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 <u>https://www.theguardian.com/us-news/2020/may/31/george-floyd-protests-us-cities-hotspots-unrest</u> (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 <u>https://www.voanews.com/usa/curfews-issued-florida-peaceful-protests-turn-violent</u> (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,

⁴ See, e.g., Michelle Solomon, *Miami protest Saturday goes from peaceful to pandemonium* (May 31, 2020), WPLG Local10.com, available at <u>https://www.local10.com/news/local/2020/05/30/watch-protests-in-downtown-miami-in-response-to-minneapolis-death-of-george-floyd/</u> (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 <u>https://wusfnews.wusf.usf.edu/law-order/2020-05-30/peaceful-protests-turn-violent-in-tampa-in-response-to-george-floyd-killing</u> (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 <u>https://wusfnews.wusf.usf.edu/law-order/2020-05-31/tampa-issues-curfew-after-businesses-damaged-in-overnight-protests</u> (last visited March 24, 2021); Marilyn Parker, *Peaceful protests 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).

⁸ Id.

⁹ The Capitol Siege: The Arrested And Their Stories (March 26, 2021), NPR, available at

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

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 <u>https://www.washingtonpost.com/national-security/doj-capitol-rioters-charges-debate/2021/01/23/3b0cf112-5d97-11eb-8bcf-3877871c819d_story.html</u> (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 <u>https://www.politifact.com/factchecks/2021/feb/09/greg-kelly/newsmax-host-falsely-claims-only-one-person-died-c/</u> (last visited March 24, 2021).

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

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

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 <u>https://www.justice.gov/opa/pr/thirteen-charged-federal-court-following-riot-united-states-capitol</u> (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 <u>https://www.reuters.com/article/us-usa-trump-capitol-crimes/explainer-what-crimes-can-the-u-s-capitol-rioters-be-charged-with-idUSKBN29E0ND</u> (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.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

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

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).

²⁵ Section 921.0023(1), F.S.

^{(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.

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).

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 <u>https://www.chicagotribune.com/nation-world/ct-nw-cb-george-floyd-</u>protesters-defund-police-20200607-kiupi5allygehinzidz3jund5e-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 <u>https://www.baynews9.com/fl/tampa/news/2021/01/13/st-pete-police-social-worker-program-set-to-begin-</u> (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 <u>https://www.washingtonpost.com/crime-law/2020/06/18/guest-post-defunding-or-disbanding-police-is-dangerous-idea-if-done-hastily/?outputType=amp</u> (last visited March 24, 2021).

³⁴ Amanda Arnold, *What Exactly Does It Mean to Defund the Police?* (June 12, 2020), The Cut, available at <u>https://www.thecut.com/2020/06/what-does-defund-the-police-mean-the-phrase-explained.html</u> (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. 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 (992) (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 enjoinment 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

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).

⁶² Sovereign Immunity, The Legal Information Institute, Cornell Law School, available at <u>https://www.law.cornell.edu/wex/sovereign_immunity</u> (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 Trianon 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 \$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.

- ⁷³ Section 806.13(2)-(4), F.S.
- ⁷⁴ Section 806.13(6)-(8), 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.

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.

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

⁸³ Section 810.02(3) and (4), 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 reranked 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. "Doxxers 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." "Doxxers 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

⁹² Id.

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 <u>https://www.dhs.gov/sites/default/files/publications/How%20to%20Prevent%20Online%20Harrassment%20From%20Doxxing.pdf</u> (last visited March 24, 2021). All information in this bill analysis, including quoted information, regarding doxing is from this source.

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.

⁹⁴ Affirmative Defense, Legal Information Institute, Cornell Law School, available at

https://www.law.cornell.edu/wex/affirmative_defense (last visited March 24, 2021).

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.

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;
 - \circ 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 <u>http://edr.state.fl.us/content/conferences/criminaljusticeimpact/CJIC21.xls</u> (last visited March 24, 2021).

¹³¹ *HB 1- Combating Public Disorder (Identical SB 484)*, Office of Economic and Demographic Research, available at <u>http://edr.state.fl.us/content/conferences/criminaljusticeimpact/HB1.pdf</u> (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 <u>https://www.wusfnews.wusf.usf.edu/law-order/2020-05-31/tampa-issues-curfew-after-businessesdamaged-in-overnight-protests</u> (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.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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LEGISLATIVE ACTION

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Senate Comm: UNFAV 04/12/2021 House

The Committee on Appropriations (Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 102 - 152.

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LEGISLATIVE ACTION

Senate Comm: WD 04/12/2021 House

The Committee on Appropriations (Gibson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 111 - 784

and insert:

5 enforcement agency which does not go toward neighborhood crime

located, or a member of the governing body who objects to the

6 intervention or other crime prevention programs, the state

7 attorney for the judicial circuit in which the municipality is

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1 2 3

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9 funding reduction, may file an appeal by petition to the

10 Administration Commission within 30 days after the day the

COMMITTEE AMENDMENT

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11	tentative budget is posted to the official website of the
12	municipality under subsection (3). The petition must set forth
13	the tentative budget proposed by the municipality, in the form
14	and manner prescribed by the Executive Office of the Governor
15	and approved by the Administration Commission, the operating
16	budget of the municipal law enforcement agency as approved by
17	the municipality for the previous year, and state the reasons or
18	grounds for the appeal. The petition shall be filed with the
19	Executive Office of the Governor, and a copy served upon the
20	governing body of the municipality or to the clerk of the
21	circuit court of the county in which the municipality is
22	located.
23	(b) The governing body of the municipality has 5 working
24	days after service of a copy of the petition to file a reply
25	with the Executive Office of the Governor, and shall serve a
26	copy of such reply to the petitioner.
27	(5) Upon receipt of the petition, the Executive Office of
28	the Governor shall provide for a budget hearing at which the
29	matters presented in the petition and the reply shall be
30	considered. A report of the findings and recommendations of the
31	Executive Office of the Governor thereon shall be promptly
32	submitted to the Administration Commission, which, within 30
33	days, shall approve the action of the governing body of the
34	municipality or amend or modify the budget as to each separate
35	item within the operating budget of the municipal law
36	enforcement agency. The budget as approved, amended, or modified
37	by the Administration Commission shall be final.
38	(8) (6) If the governing body of a municipality amends the
39	budget pursuant to paragraph (7)(c) paragraph (5)(c) , the

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40	adopted amendment must be posted on the official website of the
41	municipality within 5 days after adoption and must remain on the
42	website for at least 2 years. If the municipality does not
43	operate an official website, the municipality must, within a
44	reasonable period of time as established by the county or
45	counties in which the municipality is located, transmit the
46	adopted amendment to the manager or administrator of such county
47	or counties who shall post the adopted amendment on the county's
48	website.
49	Section 2. Section 316.2045, Florida Statutes, is amended
50	to read:
51	316.2045 Obstruction of public streets, highways, and
52	roads
53	(1) <u>(a)</u> <u>A</u> It is unlawful for any person <u>may not</u> or persons
54	willfully to obstruct the free, convenient, and normal use of \underline{a}
55	any public street, highway, or road by <u>:</u>
56	1. Impeding, hindering, stifling, retarding, or restraining
57	traffic or passage thereon <u>;</u> , by
58	2. Standing on or remaining in the street, highway, or
59	road; or approaching motor vehicles thereon, or by
60	3. Endangering the safe movement of vehicles or pedestrians
61	traveling thereon.
62	(b) A ; and any person or persons who violates paragraph
63	(a) violate the provisions of this subsection, upon conviction,
64	shall be cited for a pedestrian violation, punishable as
65	provided in chapter 318.
66	(c) This subsection does not prohibit a local governmental
67	entity from issuing a special event permit as authorized by law.
68	(2) It is unlawful, without proper authorization or a

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69	lawful permit, for any person or persons willfully to obstruct
70	the free, convenient, and normal use of any public street,
71	highway, or road by any of the means specified in subsection (1)
72	in order to solicit. Any person who violates the provisions of
73	this subsection is guilty of a misdemeanor of the second degree,
74	punishable as provided in s. 775.082 or s. 775.083.
75	Organizations qualified under s. 501(c)(3) of the Internal
76	Revenue Code and registered pursuant to chapter 496, or persons
77	or organizations acting on their behalf are exempted from the
78	provisions of this subsection for activities on streets or roads
79	not maintained by the state. Permits for the use of any portion
80	of a state-maintained road or right-of-way shall be required
81	only for those purposes and in the manner set out in s. 337.406.
82	(3) Permits for the use of any street, road, or right-of-
83	way not maintained by the state may be issued by the appropriate
84	local government. An organization that is qualified under s.
85	501(c)(3) of the Internal Revenue Code and registered under
86	chapter 496, or a person or organization acting on behalf of
87	that organization, is exempt from local requirements for a
88	permit issued under this subsection for charitable solicitation
89	activities on or along streets or roads that are not maintained
90	by the state under the following conditions:
91	(a) The organization, or the person or organization acting
92	on behalf of the organization, must provide all of the following
93	to the local government:
94	1. No fewer than 14 calendar days prior to the proposed
95	solicitation, the name and address of the person or organization
96	that will perform the solicitation and the name and address of
97	the organization that will receive funds from the solicitation.

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98	2. For review and comment, a plan for the safety of all
99	persons participating in the solicitation, as well as the
100	motoring public, at the locations where the solicitation will
101	take place.
102	3. Specific details of the location or locations of the
103	proposed solicitation and the hours during which the
104	solicitation activities will occur.
105	4. Proof of commercial general liability insurance against
106	claims for bodily injury and property damage occurring on
107	streets, roads, or rights-of-way or arising from the solicitor's
108	activities or use of the streets, roads, or rights-of-way by the
109	solicitor or the solicitor's agents, contractors, or employees.
110	The insurance shall have a limit of not less than \$1 million per
111	occurrence for the general aggregate. The certificate of
112	insurance shall name the local government as an additional
113	insured and shall be filed with the local government no later
114	than 72 hours before the date of the solicitation.
115	5. Proof of registration with the Department of Agriculture
116	and Consumer Services pursuant to s. 496.405 or proof that the
117	soliciting organization is exempt from the registration
118	requirement.
119	(b) Organizations or persons meeting the requirements of
120	subparagraphs (a)15. may solicit for a period not to exceed 10
121	cumulative days within 1 calendar year.
122	(c) All solicitation shall occur during daylight hours
123	only.
124	(d) Solicitation activities shall not interfere with the
125	safe and efficient movement of traffic and shall not cause
126	danger to the participants or the public.

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127	(e) No person engaging in solicitation activities shall
128	persist after solicitation has been denied, act in a demanding
129	or harassing manner, or use any sound or voice-amplifying
130	apparatus or device.
131	(f) All persons participating in the solicitation shall be
132	at least 18 years of age and shall possess picture
133	identification.
134	(g) Signage providing notice of the solicitation shall be
135	posted at least 500 feet before the site of the solicitation.
136	(h) The local government may stop solicitation activities
137	if any conditions or requirements of this subsection are not
138	met.
139	(4) Nothing in this section shall be construed to inhibit
140	political campaigning on the public right-of-way or to require a
141	permit for such activity.
142	(2)(5) Notwithstanding the provisions of subsection (1),
143	any commercial vehicle used solely for the purpose of collecting
144	solid waste or recyclable or recovered materials may stop or
145	stand on any public street, highway, or road for the sole
146	purpose of collecting solid waste or recyclable or recovered
147	materials. However, such solid waste or recyclable or recovered
148	materials collection vehicle shall show or display amber
149	flashing hazard lights at all times that it is engaged in
150	stopping or standing for the purpose of collecting solid waste
151	or recyclable or recovered materials. Local governments may
152	establish reasonable regulations governing the standing and
153	stopping of such commercial vehicles, provided that such
154	regulations are applied uniformly and without regard to the
155	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; <u>civil liability for damages caused during a</u> <u>riot;</u> limitation on attorney fees; statute of limitations; exclusions; indemnification; risk management programs.-

162 (5) (a) The state and its agencies and subdivisions shall be 163 liable for tort claims in the same manner and to the same extent 164 as a private individual under like circumstances, but liability 165 shall not include punitive damages or interest for the period 166 before judgment. Neither the state nor its agencies or 167 subdivisions shall be liable to pay a claim or a judgment by any 168 one person which exceeds the sum of \$200,000 or any claim or 169 judgment, or portions thereof, which, when totaled with all 170 other claims or judgments paid by the state or its agencies or 171 subdivisions arising out of the same incident or occurrence, exceeds the sum of \$300,000. However, a judgment or judgments 172 173 may be claimed and rendered in excess of these amounts and may 174 be settled and paid pursuant to this act up to \$200,000 or 175 \$300,000, as the case may be; and that portion of the judgment 176 that exceeds these amounts may be reported to the Legislature, 177 but may be paid in part or in whole only by further act of the 178 Legislature. Notwithstanding the limited waiver of sovereign 179 immunity provided herein, the state or an agency or subdivision 180 thereof may agree, within the limits of insurance coverage 181 provided, to settle a claim made or a judgment rendered against 182 it without further action by the Legislature, but the state or 183 agency or subdivision thereof shall not be deemed to have waived any defense of sovereign immunity or to have increased the 184



185 limits of its liability as a result of its obtaining insurance 186 coverage for tortious acts in excess of the \$200,000 or \$300,000 187 waiver provided above. The limitations of liability set forth in 188 this subsection shall apply to the state and its agencies and 189 subdivisions whether or not the state or its agencies or 190 subdivisions possessed sovereign immunity before July 1, 1974.

191 (b) A municipality has a duty to allow the municipal law 192 enforcement agency, as long as it appropriately trains its law 193 enforcement officers on standards regarding use of force, physical restraints, and deploying tear gas, to respond 195 appropriately to protect persons and property during a riot or 196 an unlawful assembly based on the availability of adequate 197 equipment to its municipal law enforcement officers and relevant state and federal laws. If the governing body of a municipality 199 or a person authorized by the governing body of the municipality 200 breaches that duty, the municipality is civilly liable for any 201 damages including damages arising from personal injury, wrongful 202 death, or property damages proximately caused by the municipality's breach of duty. The sovereign immunity recovery 203 limits in paragraph (a) do not apply to an action under this 205 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.-

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210 (2) Except as provided in subsection (3), a person who assaults another person Whoever commits an assault shall be 211 212 quilty of a misdemeanor of the second degree, punishable as 213 provided in s. 775.082 or s. 775.083.

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214	(3) A person, regardless of race or ethnicity and who is
215	clearly identified, who assaults another person in furtherance
216	of a riot or an aggravated riot prohibited under s. 870.01
217	commits a misdemeanor of the first degree, punishable as
218	provided in s. 775.082 or s. 775.083.
219	Section 5. Subsection (2) of section 784.021, Florida
220	Statutes, is amended and subsection (3) is added to that
221	section, to read:
222	784.021 Aggravated assault.—
223	(2) <u>A person who</u> Whoever commits an aggravated assault
224	commits shall be guilty of a felony of the third degree,
225	punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
226	(3) For the purposes of sentencing under chapter 921, a
227	violation of this section committed by a person, regardless of
228	race or ethnicity and who is clearly identified, acting in
229	furtherance of a riot or an aggravated riot prohibited under s.
230	870.01 is ranked one level above the ranking under s. 921.0022
231	for the offense committed.
232	Section 6. Section 784.03, Florida Statutes, is amended to
233	read:
234	784.03 Battery; felony battery
235	(1)(a) The offense of battery occurs when a person:
236	1. Actually and intentionally touches or strikes another
237	person against the will of the other; or
238	2. Intentionally causes bodily harm to another person.
239	(b) Except as provided in subsection (2) or subsection (3),
240	a person who commits battery commits a misdemeanor of the first
241	degree, punishable as provided in s. 775.082 or s. 775.083.
242	(2) A person who has one prior conviction for battery,

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243	aggravated battery, or felony battery and who commits any second
244	or subsequent battery commits a felony of the third degree,
245	punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
246	For purposes of this subsection, "conviction" means a
247	determination of guilt that is the result of a plea or a trial,
248	regardless of whether adjudication is withheld or a plea of nolo
249	contendere is entered.
250	(3) A person, regardless of race or ethnicity and who is
251	clearly identified, who commits a battery in furtherance of a
252	riot or an aggravated riot prohibited under s. 870.01 commits a
253	felony of the third degree, punishable as provided in s.
254	775.082, s. 775.083, or 775.084.
255	Section 7. Section 784.045, Florida Statutes, is amended to
256	read:
257	784.045 Aggravated battery
258	(1)(a) A person commits aggravated battery who, in
259	committing battery:
260	1. Intentionally or knowingly causes great bodily harm,
261	permanent disability, or permanent disfigurement; or
262	2. Uses a deadly weapon.
263	(b) A person commits aggravated battery if the person who
264	was the victim of the battery was pregnant at the time of the
265	offense and the offender knew or should have known that the
266	victim was pregnant.
267	(2) <u>A person who violates subsection (1) commits</u> Whoever
268	commits aggravated battery shall be guilty of a felony of the
269	second degree, punishable as provided in s. 775.082, s. 775.083,
270	or s. 775.084.
271	(3) For the purposes of sentencing under chapter 921, a

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272	violation of this section committed by a person, regardless of
273	race or ethnicity and who is clearly identified, acting in
274	furtherance of a riot or an aggravated riot prohibited under s.
275	870.01 is ranked one level above the ranking under s. 921.0022
276	for the offense committed.
277	Section 8. Section 784.0495, Florida Statutes, is created
278	to read:
279	784.0495 Mob intimidation
280	(1) It is unlawful for a person, regardless of race or
281	ethnicity and who is clearly identified, assembled with two or
282	more other persons and acting with a common intent, to use force
283	or threaten to use imminent force, to compel or induce, or
284	attempt to compel or induce, another person to do or refrain
285	from doing any act or to assume, abandon, or maintain a
286	particular viewpoint against his or her will.
287	(2) A person who violates subsection (1) commits a
288	misdemeanor of the first degree, punishable as provided in s.
289	775.082 or s. 775.083.
290	(3) A person arrested for a violation of this section shall
291	be held in custody until brought before the court for admittance
292	to bail in accordance with chapter 903.
293	Section 9. Subsection (2) of section 784.07, Florida
294	Statutes, is amended and subsection (4) is added to that
295	section, to read:
296	784.07 Assault or battery of law enforcement officers,
297	firefighters, emergency medical care providers, public transit
298	employees or agents, or other specified officers;
299	reclassification of offenses; minimum sentences
300	(2) Whenever any person is charged with knowingly

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301 committing an assault or battery upon a law enforcement officer, 302 a firefighter, an emergency medical care provider, a railroad special officer, a traffic accident investigation officer as 303 304 described in s. 316.640, a nonsworn law enforcement agency 305 employee who is certified as an agency inspector, a blood 306 alcohol analyst, or a breath test operator while such employee 307 is in uniform and engaged in processing, testing, evaluating, 308 analyzing, or transporting a person who is detained or under 309 arrest for DUI, a law enforcement explorer, a traffic infraction 310 enforcement officer as described in s. 316.640, a parking 311 enforcement specialist as defined in s. 316.640, a person 312 licensed as a security officer as defined in s. 493.6101 and 313 wearing a uniform that bears at least one patch or emblem that 314 is visible at all times that clearly identifies the employing 315 agency and that clearly identifies the person as a licensed 316 security officer, or a security officer employed by the board of 317 trustees of a community college, while the officer, firefighter, emergency medical care provider, railroad special officer, 318 319 traffic accident investigation officer, traffic infraction 320 enforcement officer, inspector, analyst, operator, law 321 enforcement explorer, parking enforcement specialist, public 322 transit employee or agent, or security officer is engaged in the 323 lawful performance of his or her duties, the offense for which 324 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.

327 (b) In the case of battery, from a misdemeanor of the first
328 degree to a felony of the third degree. <u>Notwithstanding any</u>
329 other provision of law, a person, regardless of race or

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330 ethnicity and who is clearly identified, convicted of battery 331 upon a law enforcement officer committed in furtherance of a 332 riot or an aggravated riot prohibited under s. 870.01 shall be 333 sentenced to a minimum term of imprisonment of 6 months. 334 (c) In the case of aggravated assault, from a felony of the 335 third degree to a felony of the second degree. Notwithstanding 336 any other provision of law, any person convicted of aggravated assault upon a law enforcement officer shall be sentenced to a 337 338 minimum term of imprisonment of 3 years. 339 (d) In the case of aggravated battery, from a felony of the 340 second degree to a felony of the first degree. Notwithstanding 341 any other provision of law, any person convicted of aggravated 342 battery of a law enforcement officer shall be sentenced to a 343 minimum term of imprisonment of 5 years. 344 (4) For purposes of sentencing under chapter 921, a felony 345 violation of this section committed by a person, regardless of 346 race or ethnicity and who is clearly identified, acting in 347 furtherance of a riot or an aggravated riot prohibited under s. 348 870.01 is ranked one level above the ranking under s. 921.0022 349 for the offense committed. 350 Section 10. Subsections (3) through (9) of section 806.13, 351 Florida Statutes, are renumbered as subsections (4) through 352 (10), respectively, a new subsection (3) is added to that 353 section, and present subsection (8) of that section is amended, 354 to read: 355 806.13 Criminal mischief; penalties; penalty for minor.-356 (3) Any person who, without the consent of the owner 357 thereof, willfully and maliciously defaces, injures, or 358 otherwise damages by any means a memorial or historic property,

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359 as defined in s. 806.135(1), and the value of the damage to the 360 memorial or historic property is greater than \$200, commits a 361 felony of the third degree, punishable as provided in s. 362 775.082, s. 775.083, or s. 775.084. A court shall order any 363 person convicted of violating this subsection to pay 364 restitution, which shall include the full cost of repair or 365 replacement of such memorial or historic property.

366 (9) (8) A minor whose driver license or driving privilege is 367 revoked, suspended, or withheld under subsection (8) (7) may 368 elect to reduce the period of revocation, suspension, or 369 withholding by performing community service at the rate of 1 day 370 for each hour of community service performed. In addition, if 371 the court determines that due to a family hardship, the minor's 372 driver license or driving privilege is necessary for employment 373 or medical purposes of the minor or a member of the minor's 374 family, the court shall order the minor to perform community 375 service and reduce the period of revocation, suspension, or 376 withholding at the rate of 1 day for each hour of community 377 service performed. As used in this subsection, the term 378 "community service" means cleaning graffiti from public 379 property.

380 Section 11. Section 806.135, Florida Statutes, is created 381 to read:

382 <u>806.135 Destroying or demolishing a memorial or historic</u> 383 <u>property.-</u>

384 <u>(1) As used in this section, the term:</u> 385 <u>(a) "Historic property" means any building, structure,</u> 386 <u>site, or object that has been officially designated as a</u> 387 <u>historic building, historic structure, historic site, or</u>

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388	historic object through a federal, state, or local designation
389	program.
390	(b) "Memorial" means a plaque, statue, marker, flag,
391	banner, cenotaph, religious symbol, painting, seal, tombstone,
392	structure name, or display that is constructed and located with
393	the intent of being permanently displayed or perpetually
394	maintained; is dedicated to a historical person, an entity, an
395	event, or a series of events; and honors or recounts the
396	military service of any past or present United States Armed
397	Forces military personnel, or the past or present public service
398	of a resident of the geographical area comprising the state or
399	the United States. The term includes, but is not limited to, the
400	following memorials established under chapter 265:
401	1. Florida Women's Hall of Fame.
402	2. Florida Medal of Honor Wall.
403	3. Florida Veterans' Hall of Fame.
404	4. POW-MIA Chair of Honor Memorial.
405	5. Florida Veterans' Walk of Honor and Florida Veterans'
406	Memorial Garden.
407	6. Florida Law Enforcement Officers' Hall of Fame.
408	7. Florida Holocaust Memorial.
409	8. Florida Slavery Memorial.
410	9. Any other memorial located within the Capitol Complex,
411	including, but not limited to, Waller Park.
412	(2) It is unlawful for any person to willfully and
413	maliciously destroy or demolish any memorial or historic
414	property, or willfully and maliciously pull down a memorial or
415	historic property, unless authorized by the owner of the
416	memorial or historic property. A person who violates this

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417	section commits a felony of the second degree, punishable as
418	provided in s. 775.082, s. 775.083, or s. 775.084.
419	(3) A court shall order any person convicted of violating
420	this section to pay restitution, which shall include the full
421	cost of repair or replacement of such memorial or historic
422	property.
423	Section 12. Subsections (3) and (4) of section 810.02,
424	Florida Statutes, are amended to read:
425	810.02 Burglary
426	(3) Burglary is a felony of the second degree, punishable
427	as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the
428	course of committing the offense, the offender does not make an
429	assault or battery and is not and does not become armed with a
430	dangerous weapon or explosive, and the offender enters or
431	remains in a:
432	(a) Dwelling, and there is another person in the dwelling
433	at the time the offender enters or remains;
434	(b) Dwelling, and there is not another person in the
435	dwelling at the time the offender enters or remains;
436	(c) Structure, and there is another person in the structure
437	at the time the offender enters or remains;
438	(d) Conveyance, and there is another person in the
439	conveyance at the time the offender enters or remains;
440	(e) Authorized emergency vehicle, as defined in s. 316.003;
441	or
442	(f) Structure or conveyance when the offense intended to be
443	committed therein is theft of a controlled substance as defined
444	in s. 893.02. Notwithstanding any other law, separate judgments
445	and sentences for burglary with the intent to commit theft of a

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451



446 controlled substance under this paragraph and for any applicable 447 possession of controlled substance offense under s. 893.13 or 448 trafficking in controlled substance offense under s. 893.135 may 449 be imposed when all such offenses involve the same amount or 450 amounts of a controlled substance.

However, if the burglary is committed during a riot or an 452 453 aggravated riot prohibited under s. 870.01 and the perpetration 454 of the burglary is facilitated by conditions arising from the 455 riot; or within a county that is subject to a state of emergency 456 declared by the Governor under chapter 252 after the declaration 457 of emergency is made and the perpetration of the burglary is 458 facilitated by conditions arising from the emergency, the 459 burglary is a felony of the first degree, punishable as provided 460 in s. 775.082, s. 775.083, or s. 775.084. As used in this 461 subsection, the term "conditions arising from the riot" means 462 civil unrest, power outages, curfews, or a reduction in the 463 presence of or response time for first responders or homeland 464 security personnel and the term "conditions arising from the 465 emergency" means civil unrest, power outages, curfews, voluntary 466 or mandatory evacuations, or a reduction in the presence of or 467 response time for first responders or homeland security 468 personnel. A person arrested for committing a burglary during a 469 riot or an aggravated riot or within a county that is subject to 470 such a state of emergency may not be released until the person 471 appears before a committing magistrate at a first appearance 472 hearing. For purposes of sentencing under chapter 921, a felony 473 offense that is reclassified under this subsection is ranked one 474 level above the ranking under s. 921.0022 or s. 921.0023 of the

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475 offense committed.

482

483

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485

486

(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.

487 However, if the burglary is committed during a riot or an 488 aggravated riot prohibited under s. 870.01 and the perpetration 489 of the burglary is facilitated by conditions arising from the 490 riot; or within a county that is subject to a state of emergency 491 declared by the Governor under chapter 252 after the declaration 492 of emergency is made and the perpetration of the burglary is 493 facilitated by conditions arising from the emergency, the 494 burglary is a felony of the second degree, punishable as 495 provided in s. 775.082, s. 775.083, or s. 775.084. As used in 496 this subsection, the terms "conditions arising from the riot" 497 and term "conditions arising from the emergency" have the same 498 meanings as provided in subsection (3) means civil unrest, power 499 outages, curfews, voluntary or mandatory evacuations, or a 500 reduction in the presence of or response time for first 501 responders or homeland security personnel. A person arrested for 502 committing a burglary during a riot or an aggravated riot or 503 within a county that is subject to such a state of emergency may

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504	not be released until the person appears before a committing
505	magistrate at a first appearance hearing. For purposes of
506	sentencing under chapter 921, a felony offense that is
507	reclassified under this subsection is ranked one level above the
508	ranking under s. 921.0022 or s. 921.0023 of the offense
509	committed.
510	Section 13. Paragraphs (b) and (c) of subsection (2) of
511	section 812.014, Florida Statutes, are amended to read:
512	812.014 Theft
513	(2)
514	(b)1. If the property stolen is valued at \$20,000 or more,
515	but less than \$100,000;
516	2. The property stolen is cargo valued at less than \$50,000
517	that has entered the stream of interstate or intrastate commerce
518	from the shipper's loading platform to the consignee's receiving
519	dock;
520	3. The property stolen is emergency medical equipment,
521	valued at \$300 or more, that is taken from a facility licensed
522	under chapter 395 or from an aircraft or vehicle permitted under
523	chapter 401; or
524	4. The property stolen is law enforcement equipment, valued
525	at \$300 or more, that is taken from an authorized emergency
526	vehicle, as defined in s. 316.003,
527	
528	the offender commits grand theft in the second degree,
529	punishable as a felony of the second degree, as provided in s.
530	775.082, s. 775.083, or s. 775.084. Emergency medical equipment
531	means mechanical or electronic apparatus used to provide
532	emergency services and care as defined in s. 395.002(9) or to

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533 treat medical emergencies. Law enforcement equipment means any 534 property, device, or apparatus used by any law enforcement 535 officer as defined in s. 943.10 in the officer's official 536 business. However, if the property is stolen during a riot or an 537 aggravated riot prohibited under s. 870.01 and the perpetration 538 of the theft is facilitated by conditions arising from the riot; 539 or within a county that is subject to a state of emergency 540 declared by the Governor under chapter 252, the theft is 541 committed after the declaration of emergency is made, and the 542 perpetration of the theft is facilitated by conditions arising 543 from the emergency, the theft is a felony of the first degree, 544 punishable as provided in s. 775.082, s. 775.083, or s. 775.084. 545 As used in this paragraph, the term "conditions arising from the 546 riot" means civil unrest, power outages, curfews, or a reduction 547 in the presence of or response time for first responders or 548 homeland security personnel and the term "conditions arising from the emergency" means civil unrest, power outages, curfews, 549 550 voluntary or mandatory evacuations, or a reduction in the 551 presence of or response time for first responders or homeland security personnel. A person, regardless of race or ethnicity 552 553 and who is clearly identified, arrested for committing a theft 554 during a riot or an aggravated riot or within a county that is 555 subject to a state of emergency may not be released until the 556 person appears before a committing magistrate at a first 557 appearance hearing. For purposes of sentencing under chapter 558 921, a felony offense that is reclassified under this paragraph 559 is ranked one level above the ranking under s. 921.0022 or s. 560 921.0023 of the offense committed.

561

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

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562	the third degree, punishable as provided in s. 775.082, s.
563	775.083, or s. 775.084, if the property stolen is:
564	1. Valued at \$750 or more, but less than \$5,000.
565	2. Valued at \$5,000 or more, but less than \$10,000.
566	3. Valued at \$10,000 or more, but less than \$20,000.
567	4. A will, codicil, or other testamentary instrument.
568	5. A firearm.
569	6. A motor vehicle, except as provided in paragraph (a).
570	7. Any commercially farmed animal, including any animal of
571	the equine, avian, bovine, or swine class or other grazing
572	animal; a bee colony of a registered beekeeper; and aquaculture
573	species raised at a certified aquaculture facility. If the
574	property stolen is a commercially farmed animal, including an
575	animal of the equine, avian, bovine, or swine class or other
576	grazing animal; a bee colony of a registered beekeeper; or an
577	aquaculture species raised at a certified aquaculture facility,
578	a \$10,000 fine shall be imposed.
579	8. Any fire extinguisher that, at the time of the taking,
580	was installed in any building for the purpose of fire prevention
581	and control. This subparagraph does not apply to a fire
582	extinguisher taken from the inventory at a point-of-sale
583	business.
584	9. Any amount of citrus fruit consisting of 2,000 or more
585	individual pieces of fruit.
586	10. Taken from a designated construction site identified by
587	the posting of a sign as provided for in s. 810.09(2)(d).
588	11. Any stop sign.
589	12. Anhydrous ammonia.
590	13. Any amount of a controlled substance as defined in s.
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598



591 893.02. Notwithstanding any other law, separate judgments and 592 sentences for theft of a controlled substance under this 593 subparagraph and for any applicable possession of controlled 594 substance offense under s. 893.13 or trafficking in controlled 595 substance offense under s. 893.135 may be imposed when all such 596 offenses involve the same amount or amounts of a controlled 597 substance.

599 However, if the property is stolen during a riot or an 600 aggravated riot prohibited under s. 870.01 and the perpetration 601 of the theft is facilitated by conditions arising from the riot; 602 or within a county that is subject to a state of emergency 603 declared by the Governor under chapter 252, the property is 604 stolen after the declaration of emergency is made, and the 605 perpetration of the theft is facilitated by conditions arising 606 from the emergency, the offender commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 607 608 775.084, if the property is valued at \$5,000 or more, but less 609 than \$10,000, as provided under subparagraph 2., or if the 610 property is valued at \$10,000 or more, but less than \$20,000, as 611 provided under subparagraph 3. As used in this paragraph, the terms "conditions arising from a riot" and term "conditions 612 613 arising from the emergency" have the same meanings as provided 614 in paragraph (b). A person, regardless of race or ethnicity and 615 who is clearly identified, arrested for committing a theft 616 during a riot or an aggravated riot or within a county that is 617 subject to a state of emergency may not be released until the 618 person appears before a committing magistrate at a first 619 appearance hearing means civil unrest, power outages, curfews,

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620	voluntary or mandatory evacuations, or a reduction in the
621	presence of or the response time for first responders or
622	homeland security personnel. For purposes of sentencing under
623	chapter 921, a felony offense that is reclassified under this
624	paragraph is ranked one level above the ranking under s.
625	921.0022 or s. 921.0023 of the offense committed.
626	Section 14. Section 836.115, Florida Statutes, is created
627	to read:
628	836.115 Cyberintimidation by publication
629	(1) As used in this section, the term:
630	(a) "Electronically publish" means to disseminate, post, or
631	otherwise disclose information to an Internet site or forum.
632	(b) "Harass" has the same meaning as provided in s.
633	<u>817.568(1)(c).</u>
634	(c) "Personal identification information" has the same
635	meaning as provided in s. 817.568(1)(f).
636	(2) It is unlawful for a person, regardless of race or
637	ethnicity and who is clearly identified, to electronically
638	publish another person's personal identification information
639	with the intent to, or with the intent that a third party will
640	use the information to:
641	(a) Incite violence or commit a crime against the person;
642	or
643	(b) Threaten or harass the person, placing such person in
644	reasonable fear of bodily harm.
645	
646	A person who violates this subsection commits a misdemeanor of a
647	first degree, punishable as provided in s. 775.082 or s.
648	775.083.

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649	Section 15. Section 870.01, Florida Statutes, is amended to
650	read:
651	870.01 Affrays and riots
652	(1) A person commits an affray if he or she engages, by
653	mutual consent, in fighting with another person in a public
654	place to the terror of the people. A person who commits All
655	persons guilty of an affray commits shall be guilty of a
656	misdemeanor of the first degree, punishable as provided in s.
657	775.082 or s. 775.083.
658	(2) A person, regardless of race or ethnicity and who is
659	clearly identified, commits a riot if he or she willfully
660	participates in a violent public disturbance involving an
661	assembly of three or more persons, acting with a common intent
662	to assist each other in violent and disorderly conduct,
663	resulting in:
664	(a) Injury to another person;
665	(b) Damage to property; or
666	(c) Imminent danger of injury to another person or damage
667	to property.
668	
669	A person who commits All persons guilty of a riot commits, or of
670	inciting or encouraging a riot, shall be guilty of a felony of
671	the third degree, punishable as provided in s. 775.082, s.
672	775.083, or s. 775.084.
673	(3) A person, regardless of race or ethnicity and who is
674	clearly identified, commits aggravated rioting if, in the course
675	of committing a riot, he or she:
676	(a) Participates with 25 or more other persons;
677	(b) Causes great bodily harm to a person not participating

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678	in the riot;
679	(c) Causes property damage in excess of \$5,000;
680	(d) Displays, uses, threatens to use, or attempts to use a
681	deadly weapon; or
682	(e) By force, or threat of force, endangers the safe
683	movement of a vehicle traveling on a public street, highway, or
684	road.
685	
686	A person who commits aggravating rioting commits a felony of the
687	second degree, punishable as provided in s. 775.082, s. 775.083,
688	<u>or s. 775.084.</u>
689	(4) A person, regardless of race or ethnicity and who is
690	clearly identified, commits inciting a riot if he or she
691	willfully incites another person to participate in a riot,
692	resulting in a riot or imminent danger of a riot. A person who
693	commits inciting a riot commits a felony of the third degree,
694	punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
695	(5) A person, regardless of race or ethnicity and who is
696	clearly identified, commits aggravated inciting a riot if he or
697	
698	========== T I T L E A M E N D M E N T =============
699	And the title is amended as follows:
700	Delete lines 45 - 79
701	and insert:
702	imprisonment for a certain person convicted of battery
703	on a law enforcement officer committed in furtherance
704	of a riot or an aggravated riot; increasing the
705	offense severity ranking of an assault or battery
706	against specified persons for the purposes of the



707 Criminal Punishment Code if committed in furtherance 708 of a riot or an aggravated riot; amending s. 806.13, 709 F.S.; prohibiting defacing, injuring, or damaging a 710 memorial or historic property; providing a penalty; 711 requiring a court to order restitution for such a 712 violation; creating s. 806.135, F.S.; defining the 713 terms "historic property" and "memorial"; prohibiting 714 a person from destroying or demolishing a memorial or historic property; providing a penalty; requiring a 715 716 court to order restitution for such a violation; 717 amending s. 810.02, F.S.; reclassifying specified 718 burglary offenses committed during a riot or an 719 aggravated riot and facilitated by conditions arising 720 from the riot; providing a definition; requiring a 721 person arrested for such a violation to be held in 722 custody until first appearance; amending s. 812.014, 723 F.S.; reclassifying specified theft offenses committed 724 during a riot or an aggravated riot and facilitated by 725 conditions arising from the riot; providing a 726 definition; requiring a certain person arrested for 727 such a violation to be held in custody until first 728 appearance; creating s. 836.115, F.S.; providing 729 definitions; prohibiting cyberintimidation by 730 publication; providing criminal penalties; amending s. 731 870.01, F.S.; prohibiting a person from fighting in a 732 public place; prohibiting a certain person from 733 willfully participating in a specified violent public 734 disturbance resulting in specified damage or injury; 735 providing an increased penalty for rioting under



736 specified circumstances; prohibiting a certain person 737 from



LEGISLATIVE ACTION

Senate Comm: UNFAV 04/12/2021 House

The Committee on Appropriations (Gibson) recommended the

following:

and insert:

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

enforcement agency which does not go toward neighborhood crime

attorney for the judicial circuit in which the municipality is

located, or a member of the governing body who objects to the

intervention or other crime prevention programs, the state

funding reduction, may file an appeal by petition to the

1

8 9

10

Delete lines 111 - 784



11	Administration Commission within 30 days after the day the
12	tentative budget is posted to the official website of the
13	municipality under subsection (3). The petition must set forth
14	the tentative budget proposed by the municipality, in the form
15	and manner prescribed by the Executive Office of the Governor
16	and approved by the Administration Commission, the operating
17	budget of the municipal law enforcement agency as approved by
18	the municipality for the previous year, and state the reasons or
19	grounds for the appeal. The petition shall be filed with the
20	Executive Office of the Governor, and a copy served upon the
21	governing body of the municipality or to the clerk of the
22	circuit court of the county in which the municipality is
23	located.
24	(b) The governing body of the municipality has 5 working
25	days after service of a copy of the petition to file a reply
26	with the Executive Office of the Governor, and shall serve a
27	copy of such reply to the petitioner.
28	(5) Upon receipt of the petition, the Executive Office of
29	the Governor shall provide for a budget hearing at which the
30	matters presented in the petition and the reply shall be
31	considered. A report of the findings and recommendations of the
32	Executive Office of the Governor thereon shall be promptly
33	submitted to the Administration Commission, which, within 30
34	days, shall approve the action of the governing body of the
35	municipality or amend or modify the budget as to each separate
36	item within the operating budget of the municipal law
37	enforcement agency. The budget as approved, amended, or modified
38	by the Administration Commission shall be final.
39	(8) (6) If the governing body of a municipality amends the

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40	budget pursuant to <u>paragraph (7)(c)</u> paragraph (5)(c) , the
41	adopted amendment must be posted on the official website of the
42	municipality within 5 days after adoption and must remain on the
43	website for at least 2 years. If the municipality does not
44	operate an official website, the municipality must, within a
45	reasonable period of time as established by the county or
46	counties in which the municipality is located, transmit the
47	adopted amendment to the manager or administrator of such county
48	or counties who shall post the adopted amendment on the county's
49	website.
50	Section 2. Section 316.2045, Florida Statutes, is amended
51	to read:
52	316.2045 Obstruction of public streets, highways, and
53	roads
54	(1) <u>(a)</u> <u>A</u> It is unlawful for any person <u>may not</u> or persons
55	willfully to obstruct the free, convenient, and normal use of \underline{a}
56	any public street, highway, or road by <u>:</u>
57	<u>1.</u> Impeding, hindering, stifling, retarding, or restraining
58	traffic or passage thereon <u>;</u> , by
59	2. Standing on or remaining in the street, highway, or
60	road; or approaching motor vehicles thereon, or by
61	3. Endangering the safe movement of vehicles or pedestrians
62	traveling thereon.
63	(b) A ; and any person or persons who violates paragraph
64	(a) violate the provisions of this subsection, upon conviction,
65	shall be cited for a pedestrian violation, punishable as
66	provided in chapter 318.
67	(c) This subsection does not prohibit a local governmental
68	entity from issuing a special event permit as authorized by law.

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69	(2) It is unlawful, without proper authorization or a
70	lawful permit, for any person or persons willfully to obstruct
71	the free, convenient, and normal use of any public street,
72	highway, or road by any of the means specified in subsection (1)
73	in order to solicit. Any person who violates the provisions of
74	this subsection is guilty of a misdemeanor of the second degree,
75	punishable as provided in s. 775.082 or s. 775.083.
76	Organizations qualified under s. 501(c)(3) of the Internal
77	Revenue Code and registered pursuant to chapter 496, or persons
78	or organizations acting on their behalf are exempted from the
79	provisions of this subsection for activities on streets or roads
80	not maintained by the state. Permits for the use of any portion
81	of a state-maintained road or right-of-way shall be required
82	only for those purposes and in the manner set out in s. 337.406.
83	(3) Permits for the use of any street, road, or right-of-
84	way not maintained by the state may be issued by the appropriate
85	local government. An organization that is qualified under s.
86	501(c)(3) of the Internal Revenue Code and registered under
87	chapter 496, or a person or organization acting on behalf of
88	that organization, is exempt from local requirements for a
89	permit issued under this subsection for charitable solicitation
90	activities on or along streets or roads that are not maintained
91	by the state under the following conditions:
92	(a) The organization, or the person or organization acting
93	on behalf of the organization, must provide all of the following
94	to the local government:

95 1. No fewer than 14 calendar days prior to the proposed 96 solicitation, the name and address of the person or organization 97 that will perform the solicitation and the name and address of

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98	the organization that will receive funds from the solicitation.
99	2. For review and comment, a plan for the safety of all
100	persons participating in the solicitation, as well as the
101	motoring public, at the locations where the solicitation will
102	take place.
103	3. Specific details of the location or locations of the
104	proposed solicitation and the hours during which the
105	solicitation activities will occur.
106	4. Proof of commercial general liability insurance against
107	claims for bodily injury and property damage occurring on
108	streets, roads, or rights-of-way or arising from the solicitor's
109	activities or use of the streets, roads, or rights-of-way by the
110	solicitor or the solicitor's agents, contractors, or employees.
111	The insurance shall have a limit of not less than \$1 million per
112	occurrence for the general aggregate. The certificate of
113	insurance shall name the local government as an additional
114	insured and shall be filed with the local government no later
115	than 72 hours before the date of the solicitation.
116	5. Proof of registration with the Department of Agriculture
117	and Consumer Services pursuant to s. 496.405 or proof that the
118	soliciting organization is exempt from the registration
119	requirement.
120	(b) Organizations or persons meeting the requirements of
121	subparagraphs (a)15. may solicit for a period not to exceed 10
122	cumulative days within 1 calendar year.
123	(c) All solicitation shall occur during daylight hours
124	only.
125	(d) Solicitation activities shall not interfere with the
126	safe and efficient movement of traffic and shall not cause

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127	danger to the participants or the public.
128	(c) No person engaging in solicitation activities shall
129	persist after solicitation has been denied, act in a demanding
130	or harassing manner, or use any sound or voice-amplifying
131	apparatus or device.
132	(f) All persons participating in the solicitation shall be
133	at least 18 years of age and shall possess picture
134	identification.
135	(g) Signage providing notice of the solicitation shall be
136	posted at least 500 feet before the site of the solicitation.
137	(h) The local government may stop solicitation activities
138	if any conditions or requirements of this subsection are not
139	met.
140	(4) Nothing in this section shall be construed to inhibit
141	political campaigning on the public right-of-way or to require a
142	permit for such activity.
143	(2) (5) Notwithstanding the provisions of subsection (1),
144	any commercial vehicle used solely for the purpose of collecting
145	solid waste or recyclable or recovered materials may stop or
146	stand on any public street, highway, or road for the sole
147	purpose of collecting solid waste or recyclable or recovered
148	materials. However, such solid waste or recyclable or recovered
149	materials collection vehicle shall show or display amber
150	flashing hazard lights at all times that it is engaged in
151	stopping or standing for the purpose of collecting solid waste
152	or recyclable or recovered materials. Local governments may
153	establish reasonable regulations governing the standing and
154	stopping of such commercial vehicles, provided that such
155	regulations are applied uniformly and without regard to the

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156 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; <u>civil liability for damages caused during a</u> <u>riot;</u> limitation on attorney fees; statute of limitations; exclusions; indemnification; risk management programs.-

163 (5) (a) The state and its agencies and subdivisions shall be 164 liable for tort claims in the same manner and to the same extent as a private individual under like circumstances, but liability 165 166 shall not include punitive damages or interest for the period 167 before judgment. Neither the state nor its agencies or 168 subdivisions shall be liable to pay a claim or a judgment by any 169 one person which exceeds the sum of \$200,000 or any claim or 170 judgment, or portions thereof, which, when totaled with all 171 other claims or judgments paid by the state or its agencies or 172 subdivisions arising out of the same incident or occurrence, 173 exceeds the sum of \$300,000. However, a judgment or judgments 174 may be claimed and rendered in excess of these amounts and may 175 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 176 177 that exceeds these amounts may be reported to the Legislature, 178 but may be paid in part or in whole only by further act of the Legislature. Notwithstanding the limited waiver of sovereign 179 180 immunity provided herein, the state or an agency or subdivision 181 thereof may agree, within the limits of insurance coverage 182 provided, to settle a claim made or a judgment rendered against 183 it without further action by the Legislature, but the state or agency or subdivision thereof shall not be deemed to have waived 184

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185 any defense of sovereign immunity or to have increased the 186 limits of its liability as a result of its obtaining insurance 187 coverage for tortious acts in excess of the \$200,000 or \$300,000 188 waiver provided above. The limitations of liability set forth in 189 this subsection shall apply to the state and its agencies and 190 subdivisions whether or not the state or its agencies or 191 subdivisions possessed sovereign immunity before July 1, 1974. 192 (b) A municipality has a duty to allow the municipal law 193 enforcement agency, as long as it appropriately trains its law 194 enforcement officers on standards regarding use of force, 195 physical restraints, and deploying tear gas, to respond 196 appropriately to protect persons and property during a riot or 197 an unlawful assembly based on the availability of adequate 198 equipment to its municipal law enforcement officers and relevant 199 state and federal laws. If the governing body of a municipality 200 or a person authorized by the governing body of the municipality 201 breaches that duty, the municipality is civilly liable for any 202 damages including damages arising from personal injury, wrongful 203 death, or property damages proximately caused by the municipality's breach of duty. The sovereign immunity recovery 204 205 limits in paragraph (a) do not apply to an action under this 206 paragraph. 207 Section 4. Subsection (2) of section 784.011, Florida 2.08 Statutes, is amended and subsection (3) is added to that 209 section, to read:

210 211

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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214	provided in s. 775.082 or s. 775.083.
215	(3) A person, regardless of race or ethnicity and who is
216	clearly identified, who assaults another person in furtherance
217	of a riot or an aggravated riot prohibited under s. 870.01
218	commits a misdemeanor of the first degree, punishable as
219	provided in s. 775.082 or s. 775.083.
220	Section 5. Subsection (2) of section 784.021, Florida
221	Statutes, is amended and subsection (3) is added to that
222	section, to read:
223	784.021 Aggravated assault
224	(2) <u>A person who</u> Whoever commits an aggravated assault
225	commits shall be guilty of a felony of the third degree,
226	punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
227	(3) For the purposes of sentencing under chapter 921, a
228	violation of this section committed by a person, regardless of
229	race or ethnicity and who is clearly identified, acting in
230	furtherance of a riot or an aggravated riot prohibited under s.
231	870.01 is ranked one level above the ranking under s. 921.0022
232	for the offense committed.
233	Section 6. Section 784.03, Florida Statutes, is amended to
234	read:
235	784.03 Battery; felony battery
236	(1)(a) The offense of battery occurs when a person:
237	1. Actually and intentionally touches or strikes another
238	person against the will of the other; or
239	2. Intentionally causes bodily harm to another person.
240	(b) Except as provided in subsection (2) or subsection (3),
241	a person who commits battery commits a misdemeanor of the first
242	degree, punishable as provided in s. 775.082 or s. 775.083.

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243	(2) A person who has one prior conviction for battery,
244	aggravated battery, or felony battery and who commits any second
245	or subsequent battery commits a felony of the third degree,
246	punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
247	For purposes of this subsection, "conviction" means a
248	determination of guilt that is the result of a plea or a trial,
249	regardless of whether adjudication is withheld or a plea of nolo
250	contendere is entered.
251	(3) A person, regardless of race or ethnicity and who is
252	clearly identified, who commits a battery in furtherance of a
253	riot or an aggravated riot prohibited under s. 870.01 commits a
254	felony of the third degree, punishable as provided in s.
255	775.082, s. 775.083, or 775.084.
256	Section 7. Section 784.045, Florida Statutes, is amended to
257	read:
258	784.045 Aggravated battery
259	(1)(a) A person commits aggravated battery who, in
260	committing battery:
261	1. Intentionally or knowingly causes great bodily harm,
262	permanent disability, or permanent disfigurement; or
263	2. Uses a deadly weapon.
264	(b) A person commits aggravated battery if the person who
265	was the victim of the battery was pregnant at the time of the
266	offense and the offender knew or should have known that the
267	victim was pregnant.
268	(2) <u>A person who violates subsection (1) commits</u> Whoever
269	commits aggravated battery shall be guilty of a felony of the
270	second degree, punishable as provided in s. 775.082, s. 775.083,
271	or s. 775.084.

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272	(3) For the purposes of sentencing under chapter 921, a
273	violation of this section committed by a person, regardless of
274	race or ethnicity and who is clearly identified, acting in
275	furtherance of a riot or an aggravated riot prohibited under s.
276	870.01 is ranked one level above the ranking under s. 921.0022
277	for the offense committed.
278	Section 8. Section 784.0495, Florida Statutes, is created
279	to read:
280	784.0495 Mob intimidation
281	(1) It is unlawful for a person, regardless of race or
282	ethnicity and who is clearly identified, assembled with two or
283	more other persons and acting with a common intent, to use force
284	or threaten to use imminent force, to compel or induce, or
285	attempt to compel or induce, another person to do or refrain
286	from doing any act or to assume, abandon, or maintain a
287	particular viewpoint against his or her will.
288	(2) A person who violates subsection (1) commits a
289	misdemeanor of the first degree, punishable as provided in s.
290	775.082 or s. 775.083.
291	(3) A person arrested for a violation of this section shall
292	be held in custody until brought before the court for admittance
293	to bail in accordance with chapter 903.
294	Section 9. Subsection (2) of section 784.07, Florida
295	Statutes, is amended and subsection (4) is added to that
296	section, to read:
297	784.07 Assault or battery of law enforcement officers,
298	firefighters, emergency medical care providers, public transit
299	employees or agents, or other specified officers;
300	reclassification of offenses; minimum sentences

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301 (2) Whenever any person is charged with knowingly 302 committing an assault or battery upon a law enforcement officer, 303 a firefighter, an emergency medical care provider, a railroad 304 special officer, a traffic accident investigation officer as 305 described in s. 316.640, a nonsworn law enforcement agency 306 employee who is certified as an agency inspector, a blood 307 alcohol analyst, or a breath test operator while such employee 308 is in uniform and engaged in processing, testing, evaluating, 309 analyzing, or transporting a person who is detained or under 310 arrest for DUI, a law enforcement explorer, a traffic infraction 311 enforcement officer as described in s. 316.640, a parking 312 enforcement specialist as defined in s. 316.640, a person 313 licensed as a security officer as defined in s. 493.6101 and 314 wearing a uniform that bears at least one patch or emblem that 315 is visible at all times that clearly identifies the employing 316 agency and that clearly identifies the person as a licensed 317 security officer, or a security officer employed by the board of 318 trustees of a community college, while the officer, firefighter, emergency medical care provider, railroad special officer, 319 320 traffic accident investigation officer, traffic infraction enforcement officer, inspector, analyst, operator, law 321 322 enforcement explorer, parking enforcement specialist, public 323 transit employee or agent, or security officer is engaged in the 324 lawful performance of his or her duties, the offense for which 325 the person is charged shall be reclassified as follows:

326 (a) In the case of assault, from a misdemeanor of the327 second degree to a misdemeanor of the first degree.

328 (b) In the case of battery, from a misdemeanor of the first329 degree to a felony of the third degree. Notwithstanding any

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330 other provision of law, a person, regardless of race or ethnicity and who is clearly identified, convicted of battery 331 332 upon a law enforcement officer committed in furtherance of a 333 riot or an aggravated riot prohibited under s. 870.01 shall be 334 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.

351 Section 10. Subsections (3) through (9) of section 806.13, 352 Florida Statutes, are renumbered as subsections (4) through 353 (10), respectively, a new subsection (3) is added to that section, and present subsection (8) of that section is amended, 355 to read:

356 806.13 Criminal mischief; penalties; penalty for minor.-357 (3) Any person who, without the consent of the owner 358 thereof, willfully and maliciously defaces, injures, or

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otherwise damages by any means a memorial or historic property, 359 as defined in s. 806.135(1), and the value of the damage to the 360 361 memorial or historic property is greater than \$200, commits a 362 felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A court shall order any 363 364 person convicted of violating this subsection to pay 365 restitution, which shall include the full cost of repair or 366 replacement of such memorial or historic property.

367 (9) (8) A minor whose driver license or driving privilege is 368 revoked, suspended, or withheld under subsection (8) (7) may 369 elect to reduce the period of revocation, suspension, or 370 withholding by performing community service at the rate of 1 day 371 for each hour of community service performed. In addition, if 372 the court determines that due to a family hardship, the minor's 373 driver license or driving privilege is necessary for employment 374 or medical purposes of the minor or a member of the minor's 375 family, the court shall order the minor to perform community 376 service and reduce the period of revocation, suspension, or 377 withholding at the rate of 1 day for each hour of community 378 service performed. As used in this subsection, the term 379 "community service" means cleaning graffiti from public 380 property. Section 11. Section 806.135, Florida Statutes, is created 381 to read: 382 383 806.135 Destroying or demolishing a memorial or historic 384 property.-

385		(1)	As used	d in '	this	sect	ion,	the	term	<u>-</u>		
386		(a)	"Histor	ric p	ropei	rty" i	means	any	buil	ding,	struc	ture,
387	<u>site,</u>	or	object	that	has	been	offi	cial	ly de	esigna	ted as	a

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388	historic building, historic structure, historic site, or
389	historic object through a federal, state, or local designation
390	program.
391	(b) "Memorial" means a plaque, statue, marker, flag,
392	banner, cenotaph, religious symbol, painting, seal, tombstone,
393	structure name, or display that is constructed and located with
394	the intent of being permanently displayed or perpetually
395	maintained; is dedicated to a historical person, an entity, an
396	event, or a series of events; and honors or recounts the
397	military service of any past or present United States Armed
398	Forces military personnel, or the past or present public service
399	of a resident of the geographical area comprising the state or
400	the United States. The term includes, but is not limited to, the
401	following memorials established under chapter 265:
402	1. Florida Women's Hall of Fame.
403	2. Florida Medal of Honor Wall.
404	3. Florida Veterans' Hall of Fame.
405	4. POW-MIA Chair of Honor Memorial.
406	5. Florida Veterans' Walk of Honor and Florida Veterans'
407	Memorial Garden.
408	6. Florida Law Enforcement Officers' Hall of Fame.
409	7. Florida Holocaust Memorial.
410	8. Florida Slavery Memorial.
411	9. Any other memorial located within the Capitol Complex,
412	including, but not limited to, Waller Park.
413	(2) It is unlawful for any person to willfully and
414	maliciously destroy or demolish any memorial or historic
415	property, or willfully and maliciously pull down a memorial or
416	historic property, unless authorized by the owner of the

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417	memorial or historic property. A person who violates this
418	section commits a felony of the second degree, punishable as
419	provided in s. 775.082, s. 775.083, or s. 775.084.
420	(3) A court shall order any person convicted of violating
421	this section to pay restitution, which shall include the full
422	cost of repair or replacement of such memorial or historic
423	property.
424	Section 12. Subsections (3) and (4) of section 810.02,
425	Florida Statutes, are amended to read:
426	810.02 Burglary
427	(3) Burglary is a felony of the second degree, punishable
428	as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the
429	course of committing the offense, the offender does not make an
430	assault or battery and is not and does not become armed with a
431	dangerous weapon or explosive, and the offender enters or
432	remains in a:
433	(a) Dwelling, and there is another person in the dwelling
434	at the time the offender enters or remains;
435	(b) Dwelling, and there is not another person in the
436	dwelling at the time the offender enters or remains;
437	(c) Structure, and there is another person in the structure
438	at the time the offender enters or remains;
439	(d) Conveyance, and there is another person in the
440	conveyance at the time the offender enters or remains;
441	(e) Authorized emergency vehicle, as defined in s. 316.003;
442	or
443	(f) Structure or conveyance when the offense intended to be
444	committed therein is theft of a controlled substance as defined
445	in s. 893.02. Notwithstanding any other law, separate judgments

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446 and sentences for burglary with the intent to commit theft of a 447 controlled substance under this paragraph and for any applicable 448 possession of controlled substance offense under s. 893.13 or 449 trafficking in controlled substance offense under s. 893.135 may 450 be imposed when all such offenses involve the same amount or 451 amounts of a controlled substance.

453 However, if the burglary is committed during a riot or an 454 aggravated riot prohibited under s. 870.01 and the perpetration 455 of the burglary is facilitated by conditions arising from the 456 riot; or within a county that is subject to a state of emergency 457 declared by the Governor under chapter 252 after the declaration 458 of emergency is made and the perpetration of the burglary is 459 facilitated by conditions arising from the emergency, the 460 burglary is a felony of the first degree, punishable as provided 461 in s. 775.082, s. 775.083, or s. 775.084. As used in this subsection, the term "conditions arising from the riot" means 462 civil unrest, power outages, curfews, or a reduction in the 463 464 presence of or response time for first responders or homeland 465 security personnel and the term "conditions arising from the 466 emergency" means civil unrest, power outages, curfews, voluntary 467 or mandatory evacuations, or a reduction in the presence of or 468 response time for first responders or homeland security personnel. A person, regardless of race or ethnicity and who is 469 470 clearly identified, arrested for committing a burglary during a 471 riot or an aggravated riot or within a county that is subject to 472 such a state of emergency may not be released until the person 473 appears before a committing magistrate at a first appearance 474 hearing. For purposes of sentencing under chapter 921, a felony

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475 offense that is reclassified under this subsection is ranked one 476 level above the ranking under s. 921.0022 or s. 921.0023 of the 477 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.

489 However, if the burglary is committed during a riot or an 490 aggravated riot prohibited under s. 870.01 and the perpetration 491 of the burglary is facilitated by conditions arising from the 492 riot; or within a county that is subject to a state of emergency 493 declared by the Governor under chapter 252 after the declaration 494 of emergency is made and the perpetration of the burglary is 495 facilitated by conditions arising from the emergency, the 496 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 497 498 this subsection, the terms "conditions arising from the riot" 499 and term "conditions arising from the emergency" have the same 500 meanings as provided in subsection (3) means civil unrest, power 501 outages, curfews, voluntary or mandatory evacuations, or a 502 reduction in the presence of or response time for first 503 responders or homeland security personnel. A person, regardless

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504	of race or ethnicity and who is clearly identified, arrested for
505	committing a burglary during a riot or an aggravated riot or
506	within a county that is subject to such a state of emergency may
507	not be released until the person appears before a committing
508	magistrate at a first appearance hearing. For purposes of
509	sentencing under chapter 921, a felony offense that is
510	reclassified under this subsection is ranked one level above the
511	ranking under s. 921.0022 or s. 921.0023 of the offense
512	committed.
513	Section 13. Paragraphs (b) and (c) of subsection (2) of
514	section 812.014, Florida Statutes, are amended to read:
515	812.014 Theft
516	(2)
517	(b)1. If the property stolen is valued at \$20,000 or more,
518	but less than \$100,000;
519	2. The property stolen is cargo valued at less than \$50,000
520	that has entered the stream of interstate or intrastate commerce
521	from the shipper's loading platform to the consignee's receiving
522	dock;
523	3. The property stolen is emergency medical equipment,
524	valued at \$300 or more, that is taken from a facility licensed
525	under chapter 395 or from an aircraft or vehicle permitted under
526	chapter 401; or
527	4. The property stolen is law enforcement equipment, valued
528	at \$300 or more, that is taken from an authorized emergency
529	vehicle, as defined in s. 316.003,
530	
531	the offender commits grand theft in the second degree,
532	punishable as a felony of the second degree, as provided in s.
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533 775.082, s. 775.083, or s. 775.084. Emergency medical equipment 534 means mechanical or electronic apparatus used to provide emergency services and care as defined in s. 395.002(9) or to 535 536 treat medical emergencies. Law enforcement equipment means any 537 property, device, or apparatus used by any law enforcement 538 officer as defined in s. 943.10 in the officer's official 539 business. However, if the property is stolen during a riot or an aggravated riot prohibited under s. 870.01 and the perpetration 540 of the theft is facilitated by conditions arising from the riot; 541 542 or within a county that is subject to a state of emergency 543 declared by the Governor under chapter 252, the theft is 544 committed after the declaration of emergency is made, and the 545 perpetration of the theft is facilitated by conditions arising 546 from the emergency, the theft is a felony of the first degree, 547 punishable as provided in s. 775.082, s. 775.083, or s. 775.084. 548 As used in this paragraph, the term "conditions arising from the riot" means civil unrest, power outages, curfews, or a reduction 549 550 in the presence of or response time for first responders or 551 homeland security personnel and the term "conditions arising 552 from the emergency" means civil unrest, power outages, curfews, 553 voluntary or mandatory evacuations, or a reduction in the 554 presence of or response time for first responders or homeland 555 security personnel. A person, regardless of race or ethnicity 556 and who is clearly identified, arrested for committing a theft 557 during a riot or an aggravated riot or within a county that is 558 subject to a state of emergency may not be released until the 559 person appears before a committing magistrate at a first 560 appearance hearing. For purposes of sentencing under chapter 561 921, a felony offense that is reclassified under this paragraph

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562	is ranked one level above the ranking under s. 921.0022 or s.
563	921.0023 of the offense committed.
564	(c) It is grand theft of the third degree and a felony of
565	the third degree, punishable as provided in s. 775.082, s.
566	775.083, or s. 775.084, if the property stolen is:
567	1. Valued at \$750 or more, but less than \$5,000.
568	2. Valued at \$5,000 or more, but less than \$10,000.
569	3. Valued at \$10,000 or more, but less than \$20,000.
570	4. A will, codicil, or other testamentary instrument.
571	5. A firearm.
572	6. A motor vehicle, except as provided in paragraph (a).
573	7. Any commercially farmed animal, including any animal of
574	the equine, avian, bovine, or swine class or other grazing
575	animal; a bee colony of a registered beekeeper; and aquaculture
576	species raised at a certified aquaculture facility. If the
577	property stolen is a commercially farmed animal, including an
578	animal of the equine, avian, bovine, or swine class or other
579	grazing animal; a bee colony of a registered beekeeper; or an
580	aquaculture species raised at a certified aquaculture facility,
581	a \$10,000 fine shall be imposed.
582	8. Any fire extinguisher that, at the time of the taking,
583	was installed in any building for the purpose of fire prevention
584	and control. This subparagraph does not apply to a fire
585	extinguisher taken from the inventory at a point-of-sale
586	business.
587	9. Any amount of citrus fruit consisting of 2,000 or more
588	individual pieces of fruit.
589	10. Taken from a designated construction site identified by
590	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 619 during a riot or an aggravated riot or within a county that is

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620	subject to a state of emergency may not be released until the
621	person appears before a committing magistrate at a first
622	appearance hearing means civil unrest, power outages, curfews,
623	voluntary or mandatory evacuations, or a reduction in the
624	presence of or the response time for first responders or
625	homeland security personnel. For purposes of sentencing under
626	chapter 921, a felony offense that is reclassified under this
627	paragraph is ranked one level above the ranking under s.
628	921.0022 or s. 921.0023 of the offense committed.
629	Section 14. Section 836.115, Florida Statutes, is created
630	to read:
631	836.115 Cyberintimidation by publication
632	(1) As used in this section, the term:
633	(a) "Electronically publish" means to disseminate, post, or
634	otherwise disclose information to an Internet site or forum.
635	(b) "Harass" has the same meaning as provided in s.
636	<u>817.568(1)(c).</u>
637	(c) "Personal identification information" has the same
638	meaning as provided in s. 817.568(1)(f).
639	(2) It is unlawful for a person, regardless of race or
640	ethnicity and who is clearly identified, to electronically
641	publish another person's personal identification information
642	with the intent to, or with the intent that a third party will
643	use the information to:
644	(a) Incite violence or commit a crime against the person;
645	or
646	(b) Threaten or harass the person, placing such person in
647	reasonable fear of bodily harm.
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649	A person who violates this subsection commits a misdemeanor of a
650	first degree, punishable as provided in s. 775.082 or s.
651	<u>775.083.</u>
652	Section 15. Section 870.01, Florida Statutes, is amended to
653	read:
654	870.01 Affrays and riots
655	(1) A person commits an affray if he or she engages, by
656	mutual consent, in fighting with another person in a public
657	place to the terror of the people. A person who commits All
658	persons guilty of an affray commits shall be guilty of a
659	misdemeanor of the first degree, punishable as provided in s.
660	775.082 or s. 775.083.
661	(2) A person, regardless of race or ethnicity and who is
662	clearly identified, commits a riot if he or she willfully
663	participates in a violent public disturbance involving an
664	assembly of three or more persons, acting with a common intent
665	to assist each other in violent and disorderly conduct,
666	resulting in:
667	(a) Injury to another person;
668	(b) Damage to property; or
669	(c) Imminent danger of injury to another person or damage
670	to property.
671	
672	A person who commits All persons guilty of a riot commits, or of
673	inciting or encouraging a riot, shall be guilty of a felony of
674	the third degree, punishable as provided in s. 775.082, s.
675	775.083, or s. 775.084.
676	(3) A person, regardless of race or ethnicity and who is
677	clearly identified, commits aggravated rioting if, in the course

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678	of committing a riot, he or she:
679	(a) Participates with 25 or more other persons;
680	(b) Causes great bodily harm to a person not participating
681	in the riot;
682	(c) Causes property damage in excess of \$5,000;
683	(d) Displays, uses, threatens to use, or attempts to use a
684	deadly weapon; or
685	(e) By force, or threat of force, endangers the safe
686	movement of a vehicle traveling on a public street, highway, or
687	road.
688	
689	A person who commits aggravating rioting commits a felony of the
690	second degree, punishable as provided in s. 775.082, s. 775.083,
691	<u>or s. 775.084.</u>
692	(4) A person, regardless of race or ethnicity and who is
693	clearly identified, commits inciting a riot if he or she
694	willfully incites another person to participate in a riot,
695	resulting in a riot or imminent danger of a riot. A person who
696	commits inciting a riot commits a felony of the third degree,
697	punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
698	(5) A person, regardless of race or ethnicity and who is
699	clearly identified, commits aggravated inciting a riot if he or
700	
701	========== T I T L E A M E N D M E N T ==============
702	And the title is amended as follows:
703	Delete lines 45 - 79
704	and insert:
705	imprisonment for a certain person convicted of battery
706	on a law enforcement officer committed in furtherance

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707 of a riot or an aggravated riot; increasing the 708 offense severity ranking of an assault or battery against specified persons for the purposes of the 709 Criminal Punishment Code if committed in furtherance 710 711 of a riot or an aggravated riot; amending s. 806.13, 712 F.S.; prohibiting defacing, injuring, or damaging a 713 memorial or historic property; providing a penalty; 714 requiring a court to order restitution for such a violation; creating s. 806.135, F.S.; defining the 715 716 terms "historic property" and "memorial"; prohibiting 717 a person from destroying or demolishing a memorial or 718 historic property; providing a penalty; requiring a 719 court to order restitution for such a violation; 720 amending s. 810.02, F.S.; reclassifying specified 721 burglary offenses committed during a riot or an 722 aggravated riot and facilitated by conditions arising 723 from the riot; providing a definition; requiring a 724 person arrested for such a violation to be held in 725 custody until first appearance; amending s. 812.014, 726 F.S.; reclassifying specified theft offenses committed 727 during a riot or an aggravated riot and facilitated by 728 conditions arising from the riot; providing a 729 definition; requiring a certain person arrested for 730 such a violation to be held in custody until first 731 appearance; creating s. 836.115, F.S.; providing 732 definitions; prohibiting cyberintimidation by 733 publication; providing criminal penalties; amending s. 734 870.01, F.S.; prohibiting a person from fighting in a 735 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

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LEGISLATIVE ACTION

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Senate Comm: UNFAV 04/12/2021 House

The Committee on Appropriations (Powell) recommended the following:

Senate Amendment (with title amendment)

Delete lines 153 - 259.

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House

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LEGISLATIVE ACTION

Senate Comm: UNFAV 04/12/2021

The Committee on Appropriations (Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 260 - 306.

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LEGISLATIVE ACTION

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Senate Comm: UNFAV 04/12/2021 House

The Committee on Appropriations (Gibson) recommended the following:

Senate Amendment

Delete line 296

and insert:

5 enforcement agency, as long as it appropriately trains its law

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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 Comm: WD 04/12/2021 House

The Committee on Appropriations (Farmer) recommended the following:

Senate Amendment (with title amendment)

Delete lines 316 - 1040

and insert:

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<u>a riot or an aggravated riot commits a misdemeanor of the first</u> <u>degree, punishable as provided in s. 775.082 or s. 775.083</u>.

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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11	(2) <u>A person who</u> Whoever commits an aggravated assault
12	commits shall be guilty of a felony of the third degree,
13	punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
14	(3) For the purposes of sentencing under chapter 921, a
15	violation of this section committed by a person acting in
16	furtherance of a riot or an aggravated riot is ranked one level
17	above the ranking under s. 921.0022 for the offense committed.
18	Section 6. Section 784.03, Florida Statutes, is amended to
19	read:
20	784.03 Battery; felony battery
21	(1)(a) The offense of battery occurs when a person:
22	1. Actually and intentionally touches or strikes another
23	person against the will of the other; or
24	2. Intentionally causes bodily harm to another person.
25	(b) Except as provided in subsection (2) or subsection (3),
26	a person who commits battery commits a misdemeanor of the first
27	degree, punishable as provided in s. 775.082 or s. 775.083.
28	(2) A person who has one prior conviction for battery,
29	aggravated battery, or felony battery and who commits any second
30	or subsequent battery commits a felony of the third degree,
31	punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
32	For purposes of this subsection, "conviction" means a
33	determination of guilt that is the result of a plea or a trial,
34	regardless of whether adjudication is withheld or a plea of nolo
35	contendere is entered.
36	(3) A person who commits a battery in furtherance of a riot
37	or an aggravated riot commits a felony of the third degree,
38	punishable as provided in s. 775.082, s. 775.083, or 775.084.
39	Section 7. Section 784.045, Florida Statutes, is amended to
	1



40	read:
41	784.045 Aggravated battery
42	(1)(a) A person commits aggravated battery who, in
43	committing battery:
44	1. Intentionally or knowingly causes great bodily harm,
45	permanent disability, or permanent disfigurement; or
46	2. Uses a deadly weapon.
47	(b) A person commits aggravated battery if the person who
48	was the victim of the battery was pregnant at the time of the
49	offense and the offender knew or should have known that the
50	victim was pregnant.
51	(2) <u>A person who violates subsection (1) commits</u> Whoever
52	commits aggravated battery shall be guilty of a felony of the
53	second degree, punishable as provided in s. 775.082, s. 775.083,
54	or s. 775.084.
55	(3) For the purposes of sentencing under chapter 921, a
56	violation of this section committed by a person acting in
57	furtherance of a riot or an aggravated riot is ranked one level
58	above the ranking under s. 921.0022 for the offense committed.
59	Section 8. Section 784.0495, Florida Statutes, is created
60	to read:
61	784.0495 Mob intimidation
62	(1) It is unlawful for a person, assembled with two or more
63	other persons and acting with a common intent, to use force or
64	threaten to use imminent force, to compel or induce, or attempt
65	to compel or induce, another person to do or refrain from doing
66	any act or to assume, abandon, or maintain a particular
67	viewpoint against his or her will.
68	(2) A person who violates subsection (1) commits a

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69 misdemeanor of the first degree, punishable as provided in s. 70 775.082 or s. 775.083. (3) A person arrested for a violation of this section shall 71 72 be held in custody until brought before the court for admittance 73 to bail in accordance with chapter 903. 74 Section 9. Subsection (2) of section 784.07, Florida 75 Statutes, is amended and subsection (4) is added to that 76 section, to read: 77 784.07 Assault or battery of law enforcement officers, 78 firefighters, emergency medical care providers, public transit 79 employees or agents, or other specified officers; 80 reclassification of offenses; minimum sentences.-81 (2) Whenever any person is charged with knowingly 82 committing an assault or battery upon a law enforcement officer, 83 a firefighter, an emergency medical care provider, a railroad 84 special officer, a traffic accident investigation officer as 85 described in s. 316.640, a nonsworn law enforcement agency 86 employee who is certified as an agency inspector, a blood 87 alcohol analyst, or a breath test operator while such employee is in uniform and engaged in processing, testing, evaluating, 88 89 analyzing, or transporting a person who is detained or under 90 arrest for DUI, a law enforcement explorer, a traffic infraction 91 enforcement officer as described in s. 316.640, a parking enforcement specialist as defined in s. 316.640, a person 92 93 licensed as a security officer as defined in s. 493.6101 and 94 wearing a uniform that bears at least one patch or emblem that 95 is visible at all times that clearly identifies the employing 96 agency and that clearly identifies the person as a licensed security officer, or a security officer employed by the board of 97

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98 trustees of a community college, while the officer, firefighter, 99 emergency medical care provider, railroad special officer, 100 traffic accident investigation officer, traffic infraction 101 enforcement officer, inspector, analyst, operator, law 102 enforcement explorer, parking enforcement specialist, public 103 transit employee or agent, or security officer is engaged in the 104 lawful performance of his or her duties, the offense for which 105 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. <u>Notwithstanding any</u> <u>other provision of law, a person convicted of battery upon a law</u> <u>enforcement officer committed in furtherance of a riot or an</u> <u>aggravated riot shall be sentenced to a minimum term of</u> <u>imprisonment of 6 months.</u>

(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.

124 <u>(4) For purposes of sentencing under chapter 921, a felony</u> 125 violation of this section committed by a person acting in 126 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. 127 128 Section 10. Subsections (3) through (9) of section 806.13, 129 Florida Statutes, are renumbered as subsections (4) through 130 (10), respectively, a new subsection (3) is added to that 131 section, and present subsection (8) of that section is amended, 132 to read: 133 806.13 Criminal mischief; penalties; penalty for minor.-134 (3) Any person who, without the consent of the owner 135 thereof, willfully and maliciously defaces, injures, or 136 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 137 memorial or historic property is greater than \$200, commits a 138 139 felony of the third degree, punishable as provided in s. 140 775.082, s. 775.083, or s. 775.084. A court shall order any 141 person convicted of violating this subsection to pay 142 restitution, which shall include the full cost of repair or 143 replacement of such memorial or historic property. 144 (9) (8) A minor whose driver license or driving privilege is 145 revoked, suspended, or withheld under subsection (8) (7) may 146 elect to reduce the period of revocation, suspension, or 147 withholding by performing community service at the rate of 1 day for each hour of community service performed. In addition, if 148 149 the court determines that due to a family hardship, the minor's 150 driver license or driving privilege is necessary for employment

150 driver ficense of driving privilege is necessary for employmen 151 or medical purposes of the minor or a member of the minor's 152 family, the court shall order the minor to perform community 153 service and reduce the period of revocation, suspension, or 154 withholding at the rate of 1 day for each hour of community 155 service performed. As used in this subsection, the term

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156	"community service" means cleaning graffiti from public
157	property.
158	Section 11. Section 806.135, Florida Statutes, is created
159	to read:
160	806.135 Destroying or demolishing a memorial or historic
161	property
162	(1) As used in this section, the term:
163	(a) "Historic property" means any building, structure,
164	site, or object that has been officially designated as a
165	historic building, historic structure, historic site, or
166	historic object through a federal, state, or local designation
167	program.
168	(b) "Memorial" means a plaque, statue, marker, flag,
169	banner, cenotaph, religious symbol, painting, seal, tombstone,
170	structure name, or display that is constructed and located with
171	the intent of being permanently displayed or perpetually
172	maintained; is dedicated to a historical person, an entity, an
173	event, or a series of events; and honors or recounts the
174	military service of any past or present United States Armed
175	Forces military personnel, or the past or present public service
176	of a resident of the geographical area comprising the state or
177	the United States. The term includes, but is not limited to, the
178	following memorials established under chapter 265:
179	1. Florida Women's Hall of Fame.
180	2. Florida Medal of Honor Wall.
181	3. Florida Veterans' Hall of Fame.
182	4. POW-MIA Chair of Honor Memorial.
183	5. Florida Veterans' Walk of Honor and Florida Veterans'
184	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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214 (c) Structure, and there is another person in the structure 215 at the time the offender enters or remains; 216 (d) Conveyance, and there is another person in the 217 conveyance at the time the offender enters or remains; 218 (e) Authorized emergency vehicle, as defined in s. 316.003; 219 or 220 (f) Structure or conveyance when the offense intended to be 221 committed therein is theft of a controlled substance as defined 222 in s. 893.02. Notwithstanding any other law, separate judgments 223 and sentences for burglary with the intent to commit theft of a 224 controlled substance under this paragraph and for any applicable 225 possession of controlled substance offense under s. 893.13 or 226 trafficking in controlled substance offense under s. 893.135 may 227 be imposed when all such offenses involve the same amount or 228 amounts of a controlled substance. 229 230 However, if the burglary is committed during a riot or an 231 aggravated riot and the perpetration of the burglary is 232 facilitated by conditions arising from the riot; or within a 233 county that is subject to a state of emergency declared by the 234 Governor under chapter 252 after the declaration of emergency is 235 made and the perpetration of the burglary is facilitated by 236 conditions arising from the emergency, the burglary is a felony 2.37 of the first degree, punishable as provided in s. 775.082, s. 238 775.083, or s. 775.084. As used in this subsection, the term 239 "conditions arising from the riot" means civil unrest, power outages, curfews, or a reduction in the presence of or response 240 241 time for first responders or homeland security personnel and the term "conditions arising from the emergency" means civil unrest, 242

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243 power outages, curfews, voluntary or mandatory evacuations, or a 244 reduction in the presence of or response time for first 245 responders or homeland security personnel. A person arrested for 246 committing a burglary during a riot or an aggravated riot or 247 within a county that is subject to such a state of emergency may 248 not be released until the person appears before a committing 249 magistrate at a first appearance hearing. For purposes of 250 sentencing under chapter 921, a felony offense that is reclassified under this subsection is ranked one level above the 251 252 ranking under s. 921.0022 or s. 921.0023 of the offense 253 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 <u>during a riot or an</u> 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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272 of the second degree, punishable as provided in s. 775.082, s. 273 775.083, or s. 775.084. As used in this subsection, the terms 274 "conditions arising from the riot" and term "conditions arising 275 from the emergency" have the same meanings as provided in 276 subsection (3) means civil unrest, power outages, curfews, 277 voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland 278 security personnel. A person arrested for committing a burglary 279 280 during a riot or an aggravated riot or within a county that is 281 subject to such a state of emergency may not be released until 282 the person appears before a committing magistrate at a first 283 appearance hearing. For purposes of sentencing under chapter 284 921, a felony offense that is reclassified under this subsection 285 is ranked one level above the ranking under s. 921.0022 or s. 286 921.0023 of the offense committed. 287 Section 13. Paragraphs (b) and (c) of subsection (2) of 288 section 812.014, Florida Statutes, are amended to read: 289 812.014 Theft.-290 (2) 291 (b)1. If the property stolen is valued at \$20,000 or more, 292 but less than \$100,000; 293 2. The property stolen is cargo valued at less than \$50,000 294 that has entered the stream of interstate or intrastate commerce 295 from the shipper's loading platform to the consignee's receiving

297 3. The property stolen is emergency medical equipment, 298 valued at \$300 or more, that is taken from a facility licensed 299 under chapter 395 or from an aircraft or vehicle permitted under 300 chapter 401; or

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301 4. The property stolen is law enforcement equipment, valued 302 at \$300 or more, that is taken from an authorized emergency 303 vehicle, as defined in s. 316.003, 304 305 the offender commits grand theft in the second degree, 306 punishable as a felony of the second degree, as provided in s. 307 775.082, s. 775.083, or s. 775.084. Emergency medical equipment 308 means mechanical or electronic apparatus used to provide emergency services and care as defined in s. 395.002(9) or to 309 310 treat medical emergencies. Law enforcement equipment means any 311 property, device, or apparatus used by any law enforcement 312 officer as defined in s. 943.10 in the officer's official 313 business. However, if the property is stolen during a riot or an 314 aggravated riot and the perpetration of the theft is facilitated 315 by conditions arising from the riot; or within a county that is 316 subject to a state of emergency declared by the Governor under 317 chapter 252, the theft is committed after the declaration of 318 emergency is made, and the perpetration of the theft is 319 facilitated by conditions arising from the emergency, the theft 320 is a felony of the first degree, punishable as provided in s. 321 775.082, s. 775.083, or s. 775.084. As used in this paragraph, 322 the term "conditions arising from the riot" means civil unrest, 323 power outages, curfews, or a reduction in the presence of or 324 response time for first responders or homeland security 325 personnel and the term "conditions arising from the emergency" 326 means civil unrest, power outages, curfews, voluntary or 327 mandatory evacuations, or a reduction in the presence of or 328 response time for first responders or homeland security 329 personnel. A person arrested for committing a theft during a

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330	riot or an aggravated riot or within a county that is subject to
331	a state of emergency may not be released until the person
332	appears before a committing magistrate at a first appearance
333	hearing. For purposes of sentencing under chapter 921, a felony
334	offense that is reclassified under this paragraph is ranked one
335	level above the ranking under s. 921.0022 or s. 921.0023 of the
336	offense committed.
337	(c) It is grand theft of the third degree and a felony of
338	the third degree, punishable as provided in s. 775.082, s.
339	775.083, or s. 775.084, if the property stolen is:
340	1. Valued at \$750 or more, but less than \$5,000.
341	2. Valued at \$5,000 or more, but less than \$10,000.
342	3. Valued at \$10,000 or more, but less than \$20,000.
343	4. A will, codicil, or other testamentary instrument.
344	5. A firearm.
345	6. A motor vehicle, except as provided in paragraph (a).
346	7. Any commercially farmed animal, including any animal of
347	the equine, avian, bovine, or swine class or other grazing
348	animal; a bee colony of a registered beekeeper; and aquaculture
349	species raised at a certified aquaculture facility. If the
350	property stolen is a commercially farmed animal, including an
351	animal of the equine, avian, bovine, or swine class or other
352	grazing animal; a bee colony of a registered beekeeper; or an
353	aquaculture species raised at a certified aquaculture facility,
354	a \$10,000 fine shall be imposed.
355	8. Any fire extinguisher that, at the time of the taking,
356	was installed in any building for the purpose of fire prevention

356 was installed in any building for the purpose of fire prevention 357 and control. This subparagraph does not apply to a fire 358 extinguisher taken from the inventory at a point-of-sale

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359 business. 9. Any amount of citrus fruit consisting of 2,000 or more 360 361 individual pieces of fruit. 362 10. Taken from a designated construction site identified by 363 the posting of a sign as provided for in s. 810.09(2)(d). 364 11. Any stop sign. 365 12. Anhydrous ammonia. 366 13. Any amount of a controlled substance as defined in s. 367 893.02. Notwithstanding any other law, separate judgments and 368 sentences for theft of a controlled substance under this 369 subparagraph and for any applicable possession of controlled 370 substance offense under s. 893.13 or trafficking in controlled 371 substance offense under s. 893.135 may be imposed when all such 372 offenses involve the same amount or amounts of a controlled 373 substance. 374 However, if the property is stolen during a riot or an 375 376 aggravated riot and the perpetration of the theft is facilitated 377 by conditions arising from the riot; or within a county that is 378 subject to a state of emergency declared by the Governor under 379 chapter 252, the property is stolen after the declaration of 380 emergency is made, and the perpetration of the theft is 381 facilitated by conditions arising from the emergency, the 382 offender commits a felony of the second degree, punishable as 383 provided in s. 775.082, s. 775.083, or s. 775.084, if the 384 property is valued at \$5,000 or more, but less than \$10,000, as 385 provided under subparagraph 2., or if the property is valued at 386 \$10,000 or more, but less than \$20,000, as provided under 387 subparagraph 3. As used in this paragraph, the terms "conditions

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388	arising from a riot" and term "conditions arising from the
389	emergency" have the same meanings as provided in paragraph (b).
390	A person arrested for committing a theft during a riot or an
391	aggravated riot or within a county that is subject to a state of
392	emergency may not be released until the person appears before a
393	committing magistrate at a first appearance hearing means civil
394	unrest, power outages, curfews, voluntary or mandatory
395	evacuations, or a reduction in the presence of or the response
396	time for first responders or homeland security personnel. For
397	purposes of sentencing under chapter 921, a felony offense that
398	is reclassified under this paragraph is ranked one level above
399	the ranking under s. 921.0022 or s. 921.0023 of the offense
400	committed.
401	Section 14. Section 836.115, Florida Statutes, is created
402	to read:
403	836.115 Cyberintimidation by publication
404	(1) As used in this section, the term:
405	(a) "Electronically publish" means to disseminate, post, or
406	otherwise disclose information to an Internet site or forum.
407	(b) "Harass" has the same meaning as provided in s.
408	817.568(1)(c).
409	(c) "Personal identification information" has the same
410	meaning as provided in s. 817.568(1)(f).
411	(2) It is unlawful for a person to electronically publish
412	another person's personal identification information with the
413	intent to, or with the intent that a third party will use the
414	information to:
415	(a) Incite violence or commit a crime against the person;
416	or

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417	(b) Threaten or harass the person, placing such person in
418	reasonable fear of bodily harm.
419	
420	A person who violates this subsection commits a misdemeanor of a
421	first degree, punishable as provided in s. 775.082 or s.
422	775.083.
423	Section 15. Section 870.02, Florida Statutes, is amended to
424	read:
425	870.02 Unlawful assemblies
426	(1) If three or more persons meet together to commit a
427	breach of the peace, or to do any other unlawful act, each of
428	them <u>commits</u> shall be guilty of a misdemeanor of the second
429	degree, punishable as provided in s. 775.082 or s. 775.083.
430	(2) A person arrested for a violation of this section shall
431	be held in custody until brought before the court for admittance
432	to bail in accordance with chapter 903.
433	Section 16. Section 870.03, Florida Statutes, is repealed.
434	Section 17. Section 870.07, Florida Statutes, is created to
435	read:
436	870.07 Affirmative defense in civil action; party convicted
437	<u>of riot</u>
438	(1) In a civil action for damages for personal injury,
439	wrongful death, or property damage, it is an affirmative defense
440	that such action arose from an injury or damage sustained by a
441	participant acting in furtherance of a riot. The affirmative
442	defense authorized by this section shall be established by
443	evidence that the participant has been convicted of a riot or an
444	aggravated riot, or by proof of the commission of such crime by
445	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:

462 (a) Willfully and knowingly destroys, mutilates, defaces, 463 injures, or removes any tomb, monument, gravestone, burial 464 mound, earthen or shell monument containing human skeletal 465 remains or associated burial artifacts, or other structure or 466 thing placed or designed for a memorial of the dead, or any fence, railing, curb, or other thing intended for the protection 467 468 or ornamentation of any tomb, monument, gravestone, burial mound, earthen or shell monument containing human skeletal 469 470 remains or associated burial artifacts, or other structure 471 before mentioned, or for any enclosure for the burial of the dead; or 472

473 (b) Willfully destroys, mutilates, removes, cuts, breaks,
474 or injures any tree, shrub, or plant placed or being within any
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475	such enclosure, except for a person performing routine					
476	maintenance and upkeep.					
477	(2) A person who willfully and knowingly excavates,					
478	exposes, moves, removes, or otherwise disturbs the contents of a					
479	grave or tomb commits a felony of the second degree, punishable					
480	as provided in s. 775.082, s. 775.083, or s. 775.084.					
481	(3) For purposes of sentencing under chapter 921, a					
482	violation of this section, committed by a person in furtherance					
483	of a riot or an aggravated riot is ranked one level above the					
484	ranking under s. 921.0022 or s. 921.0023 for the offense					
485	committed.					
486	<u>(7)</u> If a legally authorized person refuses to sign a					
487	written authorization, as provided in paragraph (6)(a)(5)(a), or					
488	if a legally authorized person objects, as provided in paragraph					
489	(6)(b) $(5)(b)$, a public hearing shall be held before the county					
490	commission of the county where the cemetery is located, or the					
491	city council, if the cemetery is located in a municipality, and					
492	the county commission or the city council shall have the					
493	authority to grant a request for relocation of the contents of					
494	such graves or tombs.					
495	Section 19. Paragraphs (b), (c), and (d) of subsection (3)					
496	of section 921.0022, Florida Statutes, are amended to read:					
497	921.0022 Criminal Punishment Code; offense severity ranking					
498	chart					
499	(3) OFFENSE SEVERITY RANKING CHART					
500	(b) LEVEL 2					
501						
502						
	Florida Felony Description					

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	Statute	Degree	
503	379.2431 (1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
504	379.2431 (1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
505	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.
507 508	590.28(1)	3rd	Intentional burning of lands.
-	784.03(3)	<u>3rd</u>	Battery during a riot or an aggravated riot.
509	784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury

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510			of doddi.
510	787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
511			
	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
512			
513			
514			
515			
	806.13(3)	<u>3rd</u>	<u>Criminal mischief; damage of</u> <u>\$200 or more to a memorial or</u> historic property.
516			
517	810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
517	810.09(2)(e)	3rd	Trespassing on posted
- 1 0	810.09(2)(e)	SIU	commercial horticulture property.
518	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
FOO			insurance claim.
522	817.481(3)(a)	3rd	Obtain andit on purchase with
	o1/.4o1(3)(a)	310	Obtain credit or purchase with false, expired, counterfeit,
			etc., credit card, value over
			\$300.
523			
020	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			
	I		

527	817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
J2 1	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
528	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
529			
	831.01	3rd	Forgery.
530	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
531			with intent to defidud.
	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
532			
	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
533	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
534	831.11	3rd	Bringing into the state forged
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			bank bills, checks, drafts, or notes.
535			
	832.05(3)(a)	3rd	Cashing or depositing item with
			intent to defraud.
536			
	843.08	3rd	False personation.
537			
	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.
538			
	893.147(2)	3rd	Manufacture or delivery of drug
			paraphernalia.
539			
540			
541			
542	(c) LEVEL 3		
543			
544			
	Florida	Felony	Description
	Statute	Degree	
545			
	119.10(2)(b)	3rd	Unlawful use of confidential
			information from police
			reports.
	l		

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546			
	316.066	3rd	Unlawfully obtaining or using confidential crash reports.
547	(3) (b) – (d)		confidential crash reports.
548	316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
549	316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
550	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
551	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
	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.
554	327.35(2)(b)	3rd	Felony BUI.

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555	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
556	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the
557			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) or (b)	3rd	Operating a clinic, or offering services requiring licensure,
			without a license.
561			
	400.9935(4)(e)	3rd	Filing a false license application or other required
			information or failing to
562			report information.
	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
564			information.
504	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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566			certificate of authority; premium collected less than \$20,000.
	626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
567 568	697.08	3rd	Equity skimming.
	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
570	806.10(2)	3rd	equipment used in firefighting. Interferes with or assaults firefighter in performance of
571	810.09(2)(c)	3rd	duty. Trespass on property other than structure or conveyance armed
572			with firearm or dangerous weapon.
573	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.



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.
	815.04(5)(b)	2nd	Computer offense devised to defraud or obtain property.
576	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
577			
	817.233	3rd	Burning to defraud insurer.
578	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.
	817.236	3rd	Filing a false motor vehicle insurance application.
581	817.2361	3rd	Creating, marketing, or presenting a false or
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582			fraudulent motor vehicle insurance card.
	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.
589	870.01(2)	3rd	Riot; inciting or encouraging.
	893.13(1)(a)2.	3rd	Sell, manufacture, or deliver

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590			<pre>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).</pre>
591	893.13(1)(d)2.	2nd	<pre>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.</pre>
591	893.13(1)(f)2.	2nd	<pre>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.</pre>
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. Page 30 of 40

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594			
595	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
	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.
600			
	893.13(8)(a)3.	3rd	Knowingly write a prescription
			for a controlled substance for
			a fictitious person.
601			
	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
602			practitioner.
602	918.13(1)(a)	3rd	Alter destroy or conceal
	910.13(1)(a)	310	Alter, destroy, or conceal investigation evidence.
603			investigation evidence.
005	944.47	3rd	Introduce contraband to
	(1) (a) 1. & 2.	JIU	correctional facility.
604	(1)(a)1. a 2.		correctional facility.
001	944.47(1)(c)	2nd	Possess contraband while upon
		21104	the grounds of a correctional
			institution.
605			

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606	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
607			
608	(d) LEVEL 4		
609			
610			Decembration
	Florida Statute	Felony	Description
611	Statute	Degree	
	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.
612	499.0051(1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.
613			clansaction statements.
614	499.0051(5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
<u> </u>	517.07(1)	3rd	Failure to register securities.
	•	т	Page 33 of 10

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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.
619	784.075	3rd	Battery on detention or commitment facility staff.
	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.
622	784.081(3)	3rd	Battery on specified official or employee.
623	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
624	784.083(3)	3rd	Battery on code inspector.

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625	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.
626	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
027	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
628	787.07	3rd	Human smuggling.
629 630	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.
		P	age 35 of 40

631	700 115 (2) (2)	Sind	Deccessing finearm on acheel
632	790.115(2)(c)	3rd	Possessing firearm on school property.
032	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
633			
	806.135	<u>2nd</u>	<u>Destroying or demolishing a</u> memorial or historic property.
634			
635			
636			
637			
	810.02(4)(a)	3rd	Burglary, or attempted
			burglary, of an unoccupied
			<pre>structure; unarmed; no assault or battory</pre>
638			or battery.
000	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
641			weapon.



640	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
642	812.014 (2)(c)410.	3rd	Grand theft, 3rd degree; specified items.
643	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
644			
645	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.
646			000.00 (0) arago.
	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
647			
	817.625(2)(a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
648			
	817.625(2)(c)	3rd	Possess, sell, or deliver skimming device.
649	828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent
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650			breeding disability to any registered horse or cattle.
	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
654			custody of a state agency.
655	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Families.
000	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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658			for felony (bond estreature or bond jumping).
	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
659	874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.
660	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).
661			5,
6.6.0	914.14(2)	3rd	Witnesses accepting bribes.
662	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
663	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
664			
	916.1085	3rd	Introduction of specified
	(2)(c)1.		contraband into certain DCF facilities.
665			LaC1110103.

666	918.12	3rd	Tampering with jurors.
000	934.215	3rd	Use of two-way communications
			device to facilitate commission
			of a crime.
667			
	944.47(1)(a)6.	3rd	Introduction of contraband
			(cellular telephone or other
			portable communication device)
			into correctional institution.
668			
	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.
669			
670			
671			
672	====== T	ITLI	E A M E N D M E N T ================
673	And the title is ame	ended as	s follows:
674	Delete lines 74	4 - 84.	

House

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LEGISLATIVE ACTION

Senate Comm: UNFAV 04/12/2021

The Committee on Appropriations (Farmer) recommended the following:

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

3

and insert:

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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:

a riot commits a misdemeanor of the first degree, punishable as

Delete lines 316 - 1040

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11	784.021 Aggravated assault
12	(2) <u>A person who</u> Whoever commits an aggravated assault
13	commits shall be guilty of a felony of the third degree,
14	punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
15	(3) For the purposes of sentencing under chapter 921, a
16	violation of this section committed by a person acting in
17	furtherance of a riot is ranked one level above the ranking
18	under s. 921.0022 for the offense committed.
19	Section 6. Section 784.03, Florida Statutes, is amended to
20	read:
21	784.03 Battery; felony battery
22	(1)(a) The offense of battery occurs when a person:
23	1. Actually and intentionally touches or strikes another
24	person against the will of the other; or
25	2. Intentionally causes bodily harm to another person.
26	(b) Except as provided in subsection (2) or subsection (3),
27	a person who commits battery commits a misdemeanor of the first
28	degree, punishable as provided in s. 775.082 or s. 775.083.
29	(2) A person who has one prior conviction for battery,
30	aggravated battery, or felony battery and who commits any second
31	or subsequent battery commits a felony of the third degree,
32	punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
33	For purposes of this subsection, "conviction" means a
34	determination of guilt that is the result of a plea or a trial,
35	regardless of whether adjudication is withheld or a plea of nolo
36	contendere is entered.
37	(3) A person who commits a battery in furtherance of a riot
38	commits a felony of the third degree, punishable as provided in
39	<u>s. 775.082, s. 775.083, or 775.084.</u>

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40	Section 7. Section 784.045, Florida Statutes, is amended to
41	read:
42	784.045 Aggravated battery
43	(1)(a) A person commits aggravated battery who, in
44	committing battery:
45	1. Intentionally or knowingly causes great bodily harm,
46	permanent disability, or permanent disfigurement; or
47	2. Uses a deadly weapon.
48	(b) A person commits aggravated battery if the person who
49	was the victim of the battery was pregnant at the time of the
50	offense and the offender knew or should have known that the
51	victim was pregnant.
52	(2) <u>A person who violates subsection (1) commits</u> Whoever
53	commits aggravated battery shall be guilty of a felony of the
54	second degree, punishable as provided in s. 775.082, s. 775.083,
55	or s. 775.084.
56	(3) For the purposes of sentencing under chapter 921, a
57	violation of this section committed by a person acting in
58	furtherance of a riot is ranked one level above the ranking
59	under s. 921.0022 for the offense committed.
60	Section 8. Section 784.0495, Florida Statutes, is created
61	to read:
62	784.0495 Mob intimidation
63	(1) It is unlawful for a person, assembled with two or more
64	other persons and acting with a common intent, to use force or
65	threaten to use imminent force, to compel or induce, or attempt
66	to compel or induce, another person to do or refrain from doing
67	any act or to assume, abandon, or maintain a particular
68	viewpoint against his or her will.

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69 (2) A person who violates subsection (1) commits a 70 misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. 71 72 (3) A person arrested for a violation of this section shall 73 be held in custody until brought before the court for admittance 74 to bail in accordance with chapter 903. 75 Section 9. Subsection (2) of section 784.07, Florida 76 Statutes, is amended, and subsection (4) is added to that 77 section, to read: 78 784.07 Assault or battery of law enforcement officers, firefighters, emergency medical care providers, public transit 79 80 employees or agents, or other specified officers; 81 reclassification of offenses; minimum sentences.-82 (2) Whenever any person is charged with knowingly committing an assault or battery upon a law enforcement officer, 83 84 a firefighter, an emergency medical care provider, a railroad 85 special officer, a traffic accident investigation officer as 86 described in s. 316.640, a nonsworn law enforcement agency 87 employee who is certified as an agency inspector, a blood alcohol analyst, or a breath test operator while such employee 88 89 is in uniform and engaged in processing, testing, evaluating, analyzing, or transporting a person who is detained or under 90 91 arrest for DUI, a law enforcement explorer, a traffic infraction 92 enforcement officer as described in s. 316.640, a parking 93 enforcement specialist as defined in s. 316.640, a person 94 licensed as a security officer as defined in s. 493.6101 and 95 wearing a uniform that bears at least one patch or emblem that 96 is visible at all times that clearly identifies the employing agency and that clearly identifies the person as a licensed 97

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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, emergency medical care provider, railroad special officer, 100 101 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:

(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. <u>Notwithstanding any</u> <u>other provision of law, a person convicted of battery upon a law</u> <u>enforcement officer committed in furtherance of a riot shall be</u> <u>sentenced to a minimum term of imprisonment of 6 months.</u>

(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.

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

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under s. 921.0022 for the offense committed.

128 Section 10. Subsections (3) through (9) of section 806.13, 129 Florida Statutes, are renumbered as subsections (4) through 130 (10), respectively, a new subsection (3) is added to that 131 section, and present subsection (8) of that section is amended, 132 to read: 133 806.13 Criminal mischief; penalties; penalty for minor.-134 (3) Any person who, without the consent of the owner 135 thereof, willfully and maliciously defaces, injures, or 136 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 137 138 memorial or historic property is greater than \$200, commits a 139 felony of the third degree, punishable as provided in s. 140 775.082, s. 775.083, or s. 775.084. A court shall order any 141 person convicted of violating this subsection to pay 142 restitution, which shall include the full cost of repair or 143 replacement of such memorial or historic property. 144 (9) (8) A minor whose driver license or driving privilege is 145 revoked, suspended, or withheld under subsection (8) (7) may 146 elect to reduce the period of revocation, suspension, or 147 withholding by performing community service at the rate of 1 day for each hour of community service performed. In addition, if 148 149 the court determines that due to a family hardship, the minor's driver license or driving privilege is necessary for employment 150 151 or medical purposes of the minor or a member of the minor's 152 family, the court shall order the minor to perform community 153 service and reduce the period of revocation, suspension, or 154 withholding at the rate of 1 day for each hour of community 155 service performed. As used in this subsection, the term

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156	"community service" means cleaning graffiti from public
157	property.
158	Section 11. Section 806.135, Florida Statutes, is created
159	to read:
160	806.135 Destroying or demolishing a memorial or historic
161	property
162	(1) As used in this section, the term:
163	(a) "Historic property" means any building, structure,
164	site, or object that has been officially designated as a
165	historic building, historic structure, historic site, or
166	historic object through a federal, state, or local designation
167	program.
168	(b) "Memorial" means a plaque, statue, marker, flag,
169	banner, cenotaph, religious symbol, painting, seal, tombstone,
170	structure name, or display that is constructed and located with
171	the intent of being permanently displayed or perpetually
172	maintained; is dedicated to a historical person, an entity, an
173	event, or a series of events; and honors or recounts the
174	military service of any past or present United States Armed
175	Forces military personnel, or the past or present public service
176	of a resident of the geographical area comprising the state or
177	the United States. The term includes, but is not limited to, the
178	following memorials established under chapter 265:
179	1. Florida Women's Hall of Fame.
180	2. Florida Medal of Honor Wall.
181	3. Florida Veterans' Hall of Fame.
182	4. POW-MIA Chair of Honor Memorial.
183	5. Florida Veterans' Walk of Honor and Florida Veterans'
184	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;



214 (c) Structure, and there is another person in the structure 215 at the time the offender enters or remains; 216 (d) Conveyance, and there is another person in the 217 conveyance at the time the offender enters or remains; 218 (e) Authorized emergency vehicle, as defined in s. 316.003; 219 or 220 (f) Structure or conveyance when the offense intended to be 221 committed therein is theft of a controlled substance as defined 222 in s. 893.02. Notwithstanding any other law, separate judgments 223 and sentences for burglary with the intent to commit theft of a 224 controlled substance under this paragraph and for any applicable 225 possession of controlled substance offense under s. 893.13 or 226 trafficking in controlled substance offense under s. 893.135 may 227 be imposed when all such offenses involve the same amount or 228 amounts of a controlled substance. 229 230 However, if the burglary is committed during a riot and the 231 perpetration of the burglary is facilitated by conditions 232 arising from the riot; or within a county that is subject to a 233 state of emergency declared by the Governor under chapter 252 234 after the declaration of emergency is made and the perpetration 235 of the burglary is facilitated by conditions arising from the 236 emergency, the burglary is a felony of the first degree, 2.37 punishable as provided in s. 775.082, s. 775.083, or s. 775.084. 238 As used in this subsection, the term "conditions arising from the riot" means civil unrest, power outages, curfews, or a 239 240 reduction in the presence of or response time for first 241 responders or homeland security personnel and the term "conditions arising from the emergency" means civil unrest, 242

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243 power outages, curfews, voluntary or mandatory evacuations, or a 244 reduction in the presence of or response time for first 245 responders or homeland security personnel. A person arrested for 246 committing a burglary during a riot or within a county that is 247 subject to such a state of emergency may not be released until 248 the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 249 250 921, a felony offense that is reclassified under this subsection 251 is ranked one level above the ranking under s. 921.0022 or s. 252 921.0023 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.

264 However, if the burglary is committed during a riot and the 265 perpetration of the burglary is facilitated by conditions 266 arising from the riot; or within a county that is subject to a 267 state of emergency declared by the Governor under chapter 252 268 after the declaration of emergency is made and the perpetration 269 of the burglary is facilitated by conditions arising from the 270 emergency, the burglary is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. 271

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272 As used in this subsection, the terms "conditions arising from 273 the riot" and term "conditions arising from the emergency" have 274 the same meanings as provided in subsection (3) means civil 275 unrest, power outages, curfews, voluntary or mandatory 276 evacuations, or a reduction in the presence of or response time 277 for first responders or homeland security personnel. A person 278 arrested for committing a burglary during a riot or within a 279 county that is subject to such a state of emergency may not be 280 released until the person appears before a committing magistrate 281 at a first appearance hearing. For purposes of sentencing under 282 chapter 921, a felony offense that is reclassified under this 283 subsection is ranked one level above the ranking under s. 284 921.0022 or s. 921.0023 of the offense committed. 285 Section 13. Paragraphs (b) and (c) of subsection (2) of 286 section 812.014, Florida Statutes, are amended to read: 287 812.014 Theft.-288 (2)289 (b)1. If the property stolen is valued at \$20,000 or more, 290 but less than \$100,000; 291 2. The property stolen is cargo valued at less than \$50,000 292 that has entered the stream of interstate or intrastate commerce 293 from the shipper's loading platform to the consignee's receiving 294 dock; 295 3. The property stolen is emergency medical equipment, 296 valued at \$300 or more, that is taken from a facility licensed 297 under chapter 395 or from an aircraft or vehicle permitted under 298 chapter 401; or

4. The property stolen is law enforcement equipment, valuedat \$300 or more, that is taken from an authorized emergency

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vehicle, as defined in s. 316.003, 302 303 the offender commits grand theft in the second degree, 304 punishable as a felony of the second degree, as provided in s. 305 775.082, s. 775.083, or s. 775.084. Emergency medical equipment 306 means mechanical or electronic apparatus used to provide 307 emergency services and care as defined in s. 395.002(9) or to 308 treat medical emergencies. Law enforcement equipment means any 309 property, device, or apparatus used by any law enforcement 310 officer as defined in s. 943.10 in the officer's official 311 business. However, if the property is stolen during a riot and 312 the perpetration of the theft is facilitated by conditions 313 arising from the riot; or within a county that is subject to a 314 state of emergency declared by the Governor under chapter 252, 315 the theft is committed after the declaration of emergency is 316 made, and the perpetration of the theft is facilitated by 317 conditions arising from the emergency, the theft is a felony of 318 the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this paragraph, the term 319 320 "conditions arising from the riot" means civil unrest, power outages, curfews, or a reduction in the presence of or response 321 322 time for first responders or homeland security personnel and the 323 term "conditions arising from the emergency" means civil unrest, 324 power outages, curfews, voluntary or mandatory evacuations, or a 325 reduction in the presence of or response time for first 326 responders or homeland security personnel. A person arrested for 327 committing a theft during a riot or within a county that is 328 subject to a state of emergency may not be released until the 329 person appears before a committing magistrate at a first

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330	appearance hearing. For purposes of sentencing under chapter
331	921, a felony offense that is reclassified under this paragraph
332	is ranked one level above the ranking under s. 921.0022 or s.
333	921.0023 of the offense committed.
334	(c) It is grand theft of the third degree and a felony of
335	the third degree, punishable as provided in s. 775.082, s.
336	775.083, or s. 775.084, if the property stolen is:
337	1. Valued at \$750 or more, but less than \$5,000.
338	2. Valued at \$5,000 or more, but less than \$10,000.
339	3. Valued at \$10,000 or more, but less than \$20,000.
340	4. A will, codicil, or other testamentary instrument.
341	5. A firearm.
342	6. A motor vehicle, except as provided in paragraph (a).
343	7. Any commercially farmed animal, including any animal of
344	the equine, avian, bovine, or swine class or other grazing
345	animal; a bee colony of a registered beekeeper; and aquaculture
346	species raised at a certified aquaculture facility. If the
347	property stolen is a commercially farmed animal, including an
348	animal of the equine, avian, bovine, or swine class or other
349	grazing animal; a bee colony of a registered beekeeper; or an
350	aquaculture species raised at a certified aquaculture facility,
351	a \$10,000 fine shall be imposed.
352	8. Any fire extinguisher that, at the time of the taking,
353	was installed in any building for the purpose of fire prevention
354	and control. This subparagraph does not apply to a fire
355	extinguisher taken from the inventory at a point-of-sale
356	business.
357	9. Any amount of citrus fruit consisting of 2,000 or more
358	individual pieces of fruit.


359 10. Taken from a designated construction site identified by 360 the posting of a sign as provided for in s. 810.09(2)(d). 361 11. Any stop sign. 362 12. Anhydrous ammonia. 363 13. Any amount of a controlled substance as defined in s. 364 893.02. Notwithstanding any other law, separate judgments and 365 sentences for theft of a controlled substance under this 366 subparagraph and for any applicable possession of controlled substance offense under s. 893.13 or trafficking in controlled 367 368 substance offense under s. 893.135 may be imposed when all such 369 offenses involve the same amount or amounts of a controlled 370 substance. 371 372 However, if the property is stolen during a riot and the 373 perpetration of the theft is facilitated by conditions arising from the riot; or within a county that is subject to a state of 374 375 emergency declared by the Governor under chapter 252, the 376 property is stolen after the declaration of emergency is made, 377 and the perpetration of the theft is facilitated by conditions 378 arising from the emergency, the offender commits a felony of the 379 second degree, punishable as provided in s. 775.082, s. 775.083, 380 or s. 775.084, if the property is valued at \$5,000 or more, but 381 less than \$10,000, as provided under subparagraph 2., or if the 382 property is valued at \$10,000 or more, but less than \$20,000, as 383 provided under subparagraph 3. As used in this paragraph, the 384 terms "conditions arising from a riot" and term "conditions arising from the emergency" <u>have the same meanings as provided</u> 385 386 in paragraph (b). A person arrested for committing a theft 387 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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417	first degree, punishable as provided in s. 775.082 or s.
418	775.083.
419	Section 15. Section 870.02, Florida Statutes, is amended to
420	read:
421	870.02 Unlawful assemblies
422	(1) If three or more persons meet together to commit a
423	breach of the peace, or to do any other unlawful act, each of
424	them <u>commits</u> shall be guilty of a misdemeanor of the second
425	degree, punishable as provided in s. 775.082 or s. 775.083.
426	(2) A person arrested for a violation of this section shall
427	be held in custody until brought before the court for admittance
428	to bail in accordance with chapter 903.
429	Section 16. Section 870.03, Florida Statutes, is repealed.
430	Section 17. Section 870.07, Florida Statutes, is created to
431	read:
432	870.07 Affirmative defense in civil action; party convicted
433	<u>of riot</u>
434	(1) In a civil action for damages for personal injury,
435	wrongful death, or property damage, it is an affirmative defense
436	that such action arose from an injury or damage sustained by a
437	participant acting in furtherance of a riot. The affirmative
438	defense authorized by this section shall be established by
439	evidence that the participant has been convicted of rioting, or
440	by proof of the commission of such crime by a preponderance of
441	the evidence.
442	(2) In a civil action in which a defendant raises an
443	affirmative defense under this section, the court must, on
444	motion by the defendant, stay the action during the pendency of
445	a criminal action that forms the basis for the defense, unless

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446 <u>the court finds that a conviction in the criminal action would</u> 447 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:

458 (a) Willfully and knowingly destroys, mutilates, defaces, 459 injures, or removes any tomb, monument, gravestone, burial 460 mound, earthen or shell monument containing human skeletal 461 remains or associated burial artifacts, or other structure or 462 thing placed or designed for a memorial of the dead, or any 463 fence, railing, curb, or other thing intended for the protection 464 or ornamentation of any tomb, monument, gravestone, burial 465 mound, earthen or shell monument containing human skeletal 466 remains or associated burial artifacts, or other structure 467 before mentioned, or for any enclosure for the burial of the 468 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.

473 (2) A person who willfully and knowingly excavates,
474 exposes, moves, removes, or otherwise disturbs the contents of a

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475	grave or tomb commi	ts a fel	ony of the second degree, punishable	
476	as provided in s. 775.082, s. 775.083, or s. 775.084.			
477	(3) For purposes of sentencing under chapter 921, a			
478	violation of this s	section,	committed by a person in furtherance	
479	of a riot is ranked one level above the ranking under s.			
480	921.0022 or s. 921.	0023 for	the offense committed.	
481	<u>(7)(6)</u> If a le	gally au	thorized person refuses to sign a	
482	written authorizati	.on, as p	provided in paragraph <u>(6)(a)</u> (5)(a), or	
483	if a legally author	ized per	son objects, as provided in paragraph	
484	<u>(6)(b)</u> (5)(b) , a pu	ublic hea	aring shall be held before the county	
485	commission of the c	county wh	here the cemetery is located, or the	
486	city council, if th	ne cemete	ery is located in a municipality, and	
487	the county commissi	on or th	ne city council shall have the	
488	authority to grant	a reques	st for relocation of the contents of	
489	such graves or tombs.			
490	Section 19. Paragraphs (b), (c), and (d) of subsection (3)			
491	of section 921.0022, Florida Statutes, are amended to read:			
492	921.0022 Crimi	.nal Puni	shment Code; offense severity ranking	
493	chart			
494	(3) OFFENSE SE	VERITY F	RANKING CHART	
495	(b) LEVEL 2			
496				
	Florida	Felony	Description	
	Statute	Degree		
497				
	379.2431	3rd	Possession of 11 or fewer	
	(1)(e)3.		marine turtle eggs in violation	
			of the Marine Turtle Protection	
			Act.	
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498			
499	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.
500	517.07(2)	3rd	Failure to furnish a prospectus meeting requirements.
501	590.28(1)	3rd	Intentional burning of lands.
502 503	784.03(3)	<u>3rd</u>	Battery during a riot.
504	784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
	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 Page 19 of 40
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			\$1,000 or more to public
			communication or any other
			public service.
506			
	806.13(3)	<u>3rd</u>	Criminal mischief; damage of
			\$200 or more to a memorial or
			historic property.
507			
	810.061(2)	3rd	Impairing or impeding telephone
			or power to a dwelling;
			facilitating or furthering
			burglary.
508			
	810.09(2)(e)	3rd	Trespassing on posted
			commercial horticulture
			property.
509			
	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$750
			or more but less than \$5,000.
510			
	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100
			or more but less than \$750,
			taken from unenclosed curtilage
			of dwelling.
511			-
	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.
515	817.52(3)	3rd	Failure to redeliver hired vehicle.
516	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
	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			
E 0 1	831.01	3rd	Forgery.
521	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
523	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
524	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
525	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
526 527	832.05(3)(a)	3rd	Cashing or depositing item with intent to defraud.
528	843.08	3rd	False personation.
	893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c), (2)(c)1.,
			Page 22 of 40

529			<pre>(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.</pre>
	893.147(2)	3rd	Manufacture or delivery of drug
			paraphernalia.
530			
531			
532	(c) LEVEL 3		
533			
	Florida	Felony	Description
	Statute	Degree	
534			
	119.10(2)(b)	3rd	Unlawful use of confidential
			information from police
535			reports.
555	316.066	3rd	Unlawfully obtaining or using
	(3) (b) - (d)	SIG	confidential crash reports.
536			confidencial class reports.
	316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
537			- ·
	316.1935(2)	3rd	Fleeing or attempting to elude
			law enforcement officer in
			patrol vehicle with siren and
EDO			lights activated.
538	210 20 (4)	2 - a al	Descession by implement of motor
	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) Possess, sell, or counterfeit 3rd 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.

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546			
	379.2431	3rd	Taking, disturbing, mutilating,
	(1)(e)5.		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.
547			
	379.2431	3rd	Possessing any marine turtle
	(1)(e)6.		species or hatchling, or parts
			thereof, or the nest of any
			marine turtle species described
			in the Marine Turtle Protection
- 10			Act.
548	250 0401		
	379.2431	3rd	Soliciting to commit or
	(1)(e)7.		conspiring to commit a violation of the Marine Turtle
			Protection Act.
549			I LOCECCION ACC.
545	400.9935(4)(a)	3rd	Operating a clinic, or offering
	or (b)	514	services requiring licensure,
			without a license.
550			
	400.9935(4)(e)	3rd	Filing a false license
			application or other required
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551			information or failing to report information.
552	440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
553	501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
554	624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.
551	624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
555			
	626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
556	697.08	3rd	Equity skimming.
557		0 - 0	- <u>-</u>
	790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.

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558	806.10(1)	3rd	Maliciously injure, destroy, or
		014	interfere with vehicles or equipment used in firefighting.
559			
	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
560		Q]	
	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	015 04(5)(5)	Que el	
	815.04(5)(b)	2nd	Computer offense devised to defraud or obtain property.
565	917 024 (4) (-) 2	224	Engagos in scheme to defraud
	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud

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Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.

			Act), property valued at less than \$20,000.
566		. .	
567	817.233	3rd	Burning to defraud insurer.
201	817.234	3rd	Unlawful solicitation of
	(8) (b) & (c)	SIU	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			insulance cara.
• · -	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			

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574	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
574	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
	843.19	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
576 577	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	<pre>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).</pre>
	893.13(1)(d)2.	2nd	<pre>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</pre>

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university.

580			
5.0.1	893.13(1)(f)2.	2nd	<pre>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.</pre>
581	893.13(4)(c)	3rd	Use or hire of minor; deliver
	093.13(4)(C)	510	to minor other controlled substances.
582			
	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
583			
584	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
585	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
505	893.13(7)(a)10.	3rd	Affix false or forged label to
		т	20 sf 10

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Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.

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package of controlled substance.

586			substance.
	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any
			document or record required by
			chapter 893.
587			chapter 055.
007	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

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Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.

	l		
			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	(1) (0) 10 0 10		
555	944.47(1)(c)	2nd	Possess contraband while upon
	Jiiii (1) (C)	2110	the grounds of a correctional
			institution.
594			
594	005 701		
	985.721	3rd	Escapes from a juvenile
			facility (secure detention or
			residential commitment
			facility).
595			
596			
597	(d) LEVEL 4		
598			
	Florida	Felony	Description
	Statute	Degree	
599			
	316.1935(3)(a)	2nd	Driving at high speed or with

627558

600			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.
601			
	499.0051(5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
602			
603	517.07(1)	3rd	Failure to register securities.
003	517.12(1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
604			
	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
605	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
606	784.075	3rd	Battery on detention or commitment facility staff.
		I	Page 33 of 40

Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.

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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.
610	784.081(3)	3rd	Battery on specified official or employee.
611	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
612	784.083(3)	3rd	Battery on code inspector.
	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.
01.1	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
			Page 34 of 40

Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.



615			
	787.04(3)	3rd	Carrying child beyond state
			lines with criminal intent to
			avoid producing child at
			custody hearing or delivering
616			to designated person.
010	787.07	3rd	Human smuggling.
617		514	numun omaggiing.
	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
619			property.
619	790.115(2)(c)	3rd	Possessing firearm on school
	/ 50.115(2)(0)	JIU	property.
620			
	800.04(7)(c)	3rd	Lewd or lascivious exhibition;
			offender less than 18 years.
621			
	806.135	2nd	Destroying or demolishing a
			memorial or historic property.
622			
	810.02(4)(a)	3rd	Burglary, or attempted
			<pre>burglary, of an unoccupied structure; unarmed; no assault</pre>
			Structure, unarmed, no assault
			$D_{2} = 25$ of 10

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Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.

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or battery.

623			
	810.02(4)(b)	3rd	Burglary, or attempted
			burglary, of an unoccupied
			conveyance; unarmed; no assault
			or battery.
624			
	810.06	3rd	Burglary; possession of tools.
625			
	810.08(2)(c)	3rd	Trespass on property, armed
			with firearm or dangerous
			weapon.
626			
	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000
			or more but less than \$20,000.
627		. .	
	812.014	3rd	Grand theft, 3rd degree;
C 0 0	(2)(c)410.		specified items.
628	010 0105 (2)	Sind	Dealing in stelen property by
	812.0195(2)	3rd	Dealing in stolen property by
			use of the Internet; property stolen \$300 or more.
629			Storen 9300 or more.
029	817.505(4)(a)	3rd	Patient brokering.
630	017.000(1)(4)	SIG	racient brokering.
000	817.563(1)	3rd	Sell or deliver substance other
			than controlled substance
			agreed upon, excluding s.
			893.03(5) drugs.

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Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.

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631			
	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
632	817.625(2)(a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
633	817.625(2)(c)	3rd	Possess, sell, or deliver skimming device.
634			Skinding device.
	828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
635		. .	
	837.02(1)	3rd	Perjury in official proceedings.
636			1 5
	837.021(1)	3rd	Make contradictory statements
637			in official proceedings.
	838.022	3rd	Official misconduct.
638	839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
009	839.13(2)(c)	3rd	Falsifying records of the
	1		Page 37 of 40

640			Department of Children and Families.
	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
641	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
642	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
643	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
044	874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.
645	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).
646			drugs).

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647	914.14(2)	3rd	Witnesses accepting bribes.
047	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
648			
	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
649			
	916.1085	3rd	Introduction of specified
	(2)(c)1.		contraband into certain DCF
			facilities.
650	918.12	3rd	Tampering with jurors.
651	910.12	JIU	Tampering with jutors.
	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
652			
	944.47(1)(a)6.	3rd	Introduction of contraband (cellular telephone or other portable communication device) into correctional institution.
653			
	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

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654

6	27558
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into county detention facility.

House

Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.



LEGISLATIVE ACTION

Senate Comm: UNFAV 04/12/2021

The Committee on Appropriations (Farmer) recommended the following:

Senate Amendment (with title amendment)

Delete lines 375 - 389.

1 2 3

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7 8

House

Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.



LEGISLATIVE ACTION

Senate Comm: UNFAV 04/12/2021

The Committee on Appropriations (Farmer) recommended the following:

Senate Amendment (with title amendment)

Delete lines 518 - 718.

1 2 3

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House

Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.



LEGISLATIVE ACTION

Senate Comm: UNFAV 04/12/2021

The Committee on Appropriations (Stewart) recommended the following:

Senate Amendment (with title amendment)

Delete lines 803 - 812.

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House

Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.



LEGISLATIVE ACTION

Senate Comm: UNFAV 04/12/2021

The Committee on Appropriations (Farmer) recommended the following:

Senate Amendment (with title amendment)

Delete lines 814 - 831.

1 2 3

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LEGISLATIVE ACTION

Senate Comm: WD 04/12/2021 House

The Committee on Appropriations (Powell) recommended the following:

Senate Amendment (with title amendment)

Between lines 1040 and 1041

insert:

Section 21. <u>Racial and ethnic impact study.-</u> (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

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Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.



11	three or more people directed against a political entity, a
12	government institution, a policy group, an individual, a
13	tradition or event, a business, or any other private
14	institution. The term includes demonstrations affiliated with an
15	organization, such as the National Association for the
16	Advancement of Colored People; a movement, such as Black Lives
17	Matter; a political party, such as the Republican Party;
18	identity groups, such as lesbian, gay, bisexual, and transgender
19	groups, women, and Native Americans; or a topic, such as climate
20	change, opposition to vaccinations, or COVID-19 restrictions.
21	Examples of demonstrations include, but are not limited to:
22	1. Permitted and nonpermitted gatherings, peaceful
23	protests, unlawful assemblies, and counter-protests;
24	2. Demonstrations that involve engagement in violence,
25	vandalism, looting, road-blocking using barricades, and burning
26	tires or other materials; and
27	3. Riots, extremist violence, mob attacks, and nonstate
28	militia activity.
29	(c) "Juvenile offender population" means persons who are
30	found to be within the jurisdiction of the juvenile court under
31	chapter 985, Florida Statutes.
32	(d) "Office" means the Office of Program Policy Analysis
33	and Government Accountability.
34	(2) By July 1, 2022, the office shall prepare a racial and
35	ethnic impact study for the provisions adopted under this act.
36	The racial and ethnic impact study must be impartial, simple,
37	and understandable and, for racial and ethnic groups for which
38	data are available, must include all the following:
39	(a) Data showing the number of demonstrations between the

Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.



40	effective date of the act and December 31, 2021, the ideologies
41	and primary goals of each demonstration, and the racial and
42	ethnic makeup of the participants in each demonstration.
43	(b) Data showing the level of law enforcement or military
44	intervention at each demonstration, including, but not limited
45	to, all instances of use of lethal and nonlethal force,
46	excessive force, and any other forms of intervention.
47	(c) Data showing the number of arrests, the racial and
48	ethnic identification of each individual arrested, and the
49	disposition of each case pursued under the provisions adopted
50	under this act.
51	(d) A summary of the effects, if any, of this act on the
52	racial and ethnic criminal offender population or juvenile
53	offender population.
54	(e) A summary of whether or not this act has changed the
55	racial and ethnic composition of the criminal offender
56	population or juvenile offender population.
57	(f) A statement of the methodologies used in collecting the
58	data under paragraphs (a)-(e).
59	(3) The office shall make the racial and ethnic impact
60	study publicly available on its website.
61	
62	=========== T I T L E A M E N D M E N T ===============
63	And the title is amended as follows:
64	Between lines 97 and 98
65	insert:
66	defining terms; requiring that by a specified date the
67	Office of Program Policy Analysis and Government
68	Accountability prepare a certain racial and ethnic

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69 impact study; providing study requirements; requiring 70 the office to make the racial and ethnic impact study 71 publicly available on its website;

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House

Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.



LEGISLATIVE ACTION

Senate 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: <u>Racial Impact Statement.-The College of Criminology and</u> <u>Criminal Justice at the Florida State University shall review</u> <u>each criminal offense created or amended by this act and submit</u> <u>a racial impact statement to the President of the Senate and the</u> Speaker of the House of Representatives by September 30, 2021.

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Florida Senate - 2021 Bill No. CS/HB 1, 1st Eng.



11	The racial impact statement must estimate the anticipated
12	effects that criminal offenses amended or created by this act
13	may have on racial inequality among the residents of this state
14	and must indicate whether the changes would increase, decrease,
15	or have no impact on racial inequality or whether the impact is
16	indeterminable. To the extent feasible, the impact statement
17	should include quantifiable data. The impact statement must
18	specify the methodologies and assumptions used in its
19	preparation.
20	Section 22. Except as otherwise expressly provided in this
21	act, and except for this section, which shall take effect upon
22	this act becoming a law, this act shall take effect October 1,
23	2021.
24	
25	=========== T I T L E A M E N D M E N T =================================
25 26	========== T I T L E A M E N D M E N T =================================
26	And the title is amended as follows:
26 27	And the title is amended as follows: Delete line 98
26 27 28	And the title is amended as follows: Delete line 98 and insert:
26 27 28 29	And the title is amended as follows: Delete line 98 and insert: requiring the College of Criminology and Criminal
26 27 28 29 30	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
26 27 28 29 30 31	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
26 27 28 29 30 31 32	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;
26 27 28 29 30 31 32	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;
26 27 28 29 30 31 32	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;
26 27 28 29 30 31 32	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;

CS/HB1, Engrossed 1

2021

1 A bill to be entitled 2 An act relating to combating public disorder; amending s. 166.241, F.S.; authorizing specified elected 3 officials to file an appeal to the Administration 5 Commission if the governing body of a municipality makes a specified reduction to the operating budget of the municipal law enforcement agency; requiring the 8 petition to contain specified information; requiring С 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 2.2 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/HB1, Engrossed 1

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riot or an aggravated riot; amending s. 784.021, F.S.; 26 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.; reclassifying the penalty for a battery committed in furtherance of a riot or an aggravated riot; amending 33 s. 784.045, F.S.; increasing the offense severity 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 against another person to do or refrain from doing any act or to assume, abandon, or maintain a particular 40 viewpoint under certain circumstances; providing a penalty; requiring a person arrested for a violation 42 to be held in custody until first appearance; amending s. 784.07, F.S.; requiring a minimum term of imprisonment for a person convicted of battery on a 46 law enforcement officer committed in furtherance of a 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 Punishment Code if committed in furtherance of a riot 50

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CODING: Words stricken are deletions; words underlined are additions.

hb0001-02-e1

CS/HB1, 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 "historic property" and "memorial"; prohibiting a 56 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

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hb0001-02-e1

CS/HB1, Engrossed 1

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participating in a specified violent public disturbance resulting in specified damage or injury; providing an increased penalty for rioting under specified circumstances; prohibiting a person from inciting a riot; providing an increased penalty for inciting a riot under specified circumstances; providing definitions; requiring a person arrested for such a violation to be held in custody until first appearance; providing an exception; amending s. 870.02, F.S.; requiring a person arrested for an unlawful assembly to be held in custody until first appearance; repealing s. 870.03, F.S.; relating to riots or routs; creating s. 870.07, F.S.; creating an affirmative defense to a civil action where the plaintiff participated in a riot; amending s. 872.02, F.S.; increasing the offense severity ranking of specified offenses involving graves and tombs for the purposes of the Criminal Punishment Code if committed in furtherance of a riot or an aggravated riot; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; ranking offenses created by the act on the offense severity ranking chart; providing an effective date. 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

FLORIDA HOUSE OF REPRESENTATIVES

CS/HB1, 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), respectively, new subsections (4) and (5) are added to that 104 105 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.

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CS/HB1, Engrossed 1

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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
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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 \underline{a}
159	any public street, highway, or road by <u>:</u>
160	 Impeding, hindering, stifling, retarding, or
161	restraining traffic or passage thereon <u>;</u> , by
162	2. Standing on or remaining in the street, highway, or
163	<u>road;</u> 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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6	in order to solicit. Any person who violates the provisions of
7	this subsection is guilty of a misdemeanor of the second degree,
8	punishable as provided in s. 775.082 or s. 775.083.
9	Organizations qualified under s. 501(c)(3) of the Internal
0	Revenue Code and registered pursuant to chapter 496, or persons
1	or organizations acting on their behalf are exempted from the
2	provisions of this subsection for activitics on streets or roads
3	not maintained by the state. Permits for the use of any portion
4	of a state maintained road or right of way shall be required
5	only for those purposes and in the manner set out in s. 337.406.
6	(3) Permits for the use of any street, road, or right-of-
7	way not maintained by the state may be issued by the appropriate
8	local government. An organization that is qualified under s.
9	501(c)(3) of the Internal Revenue Code and registered under
0	chapter 496, or a person or organization acting on behalf of
1	that organization, is exempt from local requirements for a
2	permit issued under this subsection for charitable solicitation
3	activities on or along streets or roads that are not maintained
4	by the state under the following conditions:
5	(a) The organization, or the person or organization acting
6	on behalf of the organization, must provide all of the following
7	to the local government:
8	1. No fewer than 14 calendar days prior to the proposed
9	solicitation, the name and address of the person or organization
0	that will perform the solicitation and the name and address of
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201	the organization that will receive funds from the solic	sitation.	226	(c) All solicitation shall occur during daylight hour	5
202	2. For review and comment, a plan for the safety	of all	227	only.	
203	persons participating in the solicitation, as well as t	:he	228	(d) Solicitation activities shall not interfere with	the
204	motoring public, at the locations where the solicitatio	n will	229	safe and efficient movement of traffic and shall not cause	
205	take place.		230	danger to the participants or the public.	
206	3. Specific details of the location or locations	of the	231	(c) No person engaging in solicitation activities sha	11
207	proposed solicitation and the hours during which the		232	persist after solicitation has been denied, act in a demand	ing
208	solicitation activitics will occur.		233	or harassing manner, or use any sound or voice-amplifying	
209	4. Proof of commercial general liability insuranc	ce against	234	apparatus or device.	
210	claims for bodily injury and property damage occurring	-on	235	(f) All persons participating in the solicitation sha	ll be
211	streets, roads, or rights-of-way or arising from the so	licitor's	236	at least 18 years of age and shall possess picture	
212	activities or use of the streets, roads, or rights-of-w	vay by the	237	identification.	
213	solicitor or the solicitor's agents, contractors, or em	ployees.	238	(g) Signage providing notice of the solicitation shall	l-be
214	The insurance shall have a limit of not less than \$1 mi	llion per	239	posted at least 500 feet before the site of the solicitation	n.
215	occurrence for the general aggregate. The certificate o)f	240	(h) The local government may stop solicitation activi	ties
216	insurance shall name the local government as an additio	onal	241	if any conditions or requirements of this subsection are no	t
217	insured and shall be filed with the local government no	later	242	met.	
218	than 72 hours before the date of the solicitation.		243	(4) Nothing in this section shall be construed to inh	ibit
219	5. Proof of registration with the Department of		244	political campaigning on the public right-of-way or to requ	ire a
220	Agriculture and Consumer Services pursuant to s. 496.40) 5_or	245	permit for such activity.	
221	proof that the soliciting organization is exempt from t	the last last last last last last last last	246	(2) (5) Notwithstanding the provisions of subsection (1),
222	registration requirement.		247	any commercial vehicle used solely for the purpose of college	cting
223	(b) Organizations or persons meeting the requirem	aents of	248	solid waste or recyclable or recovered materials may stop of	r
224	subparagraphs (a)15. may solicit for a period not to	exceed 10	249	stand on any public street, highway, or road for the sole	
225	cumulative days within 1 calendar year.		250	purpose of collecting solid waste or recyclable or recovered	d
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materials. However, such solid waste or recyclable or recovered 251 252 materials collection vehicle shall show or display amber 253 flashing hazard lights at all times that it is engaged in stopping or standing for the purpose of collecting solid waste 254 255 or recyclable or recovered materials. Local governments may establish reasonable regulations governing the standing and 256 257 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; recovery limits; civil liability for damages caused during a 263 riot; limitation on attorney fees; statute of limitations; 264 265 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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exceeds the sum of \$300,000. However, a judgment or judgments 276 277 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 278 \$300,000, as the case may be; and that portion of the judgment 279 280 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 Legislature. Notwithstanding the limited waiver of sovereign 282 283 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 limits of its liability as a result of its obtaining insurance 289 290 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 Page 12 of 61

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2021 CS/HB1, Engrossed 1 governing body of the municipality breaches that duty, the 301 302 municipality is civilly liable for any damages including damages 303 arising from personal injury, wrongful death, or property damages proximately caused by the municipality's breach of duty. 304 305 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. 775.082 or s. 775.083. 318 319 Section 5. Subsection (2) of section 784.021, Florida Statutes, is amended and subsection (3) is added to that 320 321 section, to read: 322 784.021 Aggravated assault.-323 (2) A person who Whoever commits an aggravated assault 324 commits shall be quilty of a felony of the third degree, 325 punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Page 13 of 61

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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) <u>A person who violates subsection (1) commits</u> 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 is in uniform and engaged in processing, testing, evaluating, 404 405 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 Page 17 of 61

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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
42.9	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
437	
	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, as defined in s. 806.135(1), and the value of the damage to the 454 455 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 withholding by performing community service at the rate of 1 day 464 465 for each hour of community service performed. In addition, if 466 the court determines that due to a family hardship, the minor's driver license or driving privilege is necessary for employment 467 468 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, site, or object that has been officially designated as a 481 482 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, structure name, or display that is constructed and located with 487 the intent of being permanently displayed or perpetually 488 489 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. Page 20 of 61

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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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riot; or within a county that is subject to a state of emergency 550 551 declared by the Governor under chapter 252 after the declaration 552 of emergency is made and the perpetration of the burglary is facilitated by conditions arising from the emergency, the 553 554 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 555 556 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 riot or an aggravated riot or within a county that is subject to 564 565 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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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

- 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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magistrate at a first appearance hearing. For purposes of 600 601 sentencing under chapter 921, a felony offense that is 602 reclassified under this subsection is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense 603 604 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 \$50,000 that has entered the stream of interstate or intrastate 612 commerce from the shipper's loading platform to the consignee's 613 614 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, 62.0 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, 62.4 punishable as a felony of the second degree, as provided in s. Page 25 of 61

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775.082, s. 775.083, or s. 775.084. Emergency medical equipment 625 626 means mechanical or electronic apparatus used to provide 627 emergency services and care as defined in s. 395.002(9) or to treat medical emergencies. Law enforcement equipment means any 628 629 property, device, or apparatus used by any law enforcement officer as defined in s. 943.10 in the officer's official 630 business. However, if the property is stolen during a riot or an 631 632 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 perpetration of the theft is facilitated by conditions arising 637 from the emergency, the theft is a felony of the first degree, 638 punishable as provided in s. 775.082, s. 775.083, or s. 775.084. 639 As used in this paragraph, the term "conditions arising from the 640 641 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 from the emergency" means civil unrest, power outages, curfews, 644 645 voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland 646 647 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 Page 26 of 61

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person appears before a committing magistrate at a first 650 651 appearance hearing. For purposes of sentencing under chapter 652 921, a felony offense that is reclassified under this paragraph is ranked one level above the ranking under s. 921.0022 or s. 653 654 921.0023 of the offense committed. (c) It is grand theft of the third degree and a felony of 655 the third degree, punishable as provided in s. 775.082, s. 656 657 775.083, 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. 5. A firearm. 662 6. A motor vehicle, except as provided in paragraph (a). 663 7. Any commercially farmed animal, including any animal of 664 665 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 Page 27 of 61

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and control. This subparagraph does not apply to a fire 675 676 extinguisher taken from the inventory at a point-of-sale 677 business. 9. Any amount of citrus fruit consisting of 2,000 or more 678 679 individual pieces of fruit. 10. Taken from a designated construction site identified 680 by the posting of a sign as provided for in s. 810.09(2)(d). 681 682 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 substance offense under s. 893.13 or trafficking in controlled 688 substance offense under s. 893.135 may be imposed when all such 689 690 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 aggravated riot prohibited under s. 870.01 and the perpetration 694 695 of the theft is facilitated by conditions arising from the riot; or within a county that is subject to a state of emergency 696 697 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 Page 28 of 61

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from the emergency, the offender commits a felony of the second 700 701 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 than \$10,000, as provided under subparagraph 2., or if the 703 704 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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749	775.082 or s. 775.083.
748	misdemeanor of the first degree, punishable as provided in s.
747	persons guilty of an affray commits shall be guilty of a
746	place to the terror of the people. A person who commits $\frac{1}{2}$
745	mutual consent, in fighting with another person in a public
744	(1) A person commits an affray if he or she engages, by
743	870.01 Affrays and riots
742	to read:
741	Section 15. Section 870.01, Florida Statutes, is amended
740	775.083.
739	first degree, punishable as provided in s. 775.082 or s.
738	$\underline{\textbf{A}}$ person who violates this subsection commits a misdemeanor of a
737	
736	reasonable fear of bodily harm.
735	(b) Threaten or harass the person, placing such person in
734	or
733	(a) Incite violence or commit a crime against the person;
732	information to:
731	intent to, or with the intent that a third party will use the
730	another person's personal identification information with the
729	(2) It is unlawful for a person to electronically publish
728	meaning as provided in s. 817.568(1)(f).
727	(c) "Personal identification information" has the same
726	<u>817.568(1)(c)</u>
725	(b) "Harass" has the same meaning as provided in s.

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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 the third degree, punishable as provided in s. 775.082, s. 762 763 775.083, 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 movement of a vehicle traveling on a public street, highway, or 773 774 road. Page 31 of 61

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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	<u>or s. 775.084.</u>						
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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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 the court finds that a conviction in the criminal action would not form a valid defense under this section. Section 19. 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 Page 34 of 61 CODING: Words stricken are deletions; words underlined are additions. hb0001-02-e1

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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.	Paragrap	whs (b), (c), and (d) of subsection (3)
876	of section 921.002	2, Flori	da Statutes, are amended to read:
877	921.0022 Cri	minal Pu	nishment Code; offense severity
878	ranking chart		
879	(3) OFFENSE	SEVERITY	RANKING CHART
880	(b) LEVEL 2		
881			
	Florida	Felony	
	Statute	Degree	Description
882			
	379.2431	3rd	Possession of 11 or fewer
	(1)(e)3.		marine turtle eggs in violation
			of the Marine Turtle Protection
			Act.
883			
	379.2431	3rd	Possession of more than 11
	(1) (e) 4.		marine turtle eggs in violation
			of the Marine Turtle Protection
			Act.
884			
	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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. – 1				I
85	517.07(2)	3rd	Failure to furnish a prospectus	
			meeting requirements.	
86	590.28(1)	3rd	Intentional burning of lands.	
87				
	784.03(3)	<u>3rd</u>	Battery during a riot or an	
88			aggravated riot.	
	784.05(3)	3rd	Storing or leaving a loaded	
			firearm within reach of minor	
			who uses it to inflict injury	
			or death.	
89	787.04(1)	3rd	In violation of court order,	
			take, entice, etc., minor	
			beyond state limits.	
90				
	806.13(1)(b)3.	3rd	Criminal mischief; damage	
			\$1,000 or more to public	
			communication or any other	
91			public service.	
	806.13(3)	<u>3rd</u>	Criminal mischief; damage of	
			\$200 or more to a memorial or	
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92			historic property.
92	810.061(2)	3rd	Impairing or impeding telephone
			or power to a dwelling;
			facilitating or furthering
			burglary.
93			
	810.09(2)(e)	3rd	Trespassing on posted
			commercial horticulture
			property.
94			
	812.014(2)(c)1.	3rd	, , , ,
			or more but less than \$5,000.
95	010 014(0)(1)	2 1	
	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100
			or more but less than \$750, taken from unenclosed curtilage
			of dwelling.
96			or awerring.
50	812.015(7)	3rd	Possession, use, or attempted
			use of an antishoplifting or
			inventory control device
			countermeasure.
97			
	817.234(1)(a)2.	3rd	False statement in support of

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898	817.481(3)(a)	3rd	insurance claim. Obtain credit or purchase with		905			intercourse with person to whom related.	
	oi/.4oi(3)(d)	510	false, expired, counterfeit, etc., credit card, value over		905	831.01	3rd	Forgery.	
899			\$300.			831.02	3rd	Uttering forged instrument; utters or publishes alteration	
	817.52(3)	3rd	Failure to redeliver hired vehicle.		907			with intent to defraud.	
900	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false		908	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.	
901			representation.		500	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or	
	817.60(5)	3rd	Dealing in credit cards of another.		909			drafts.	
902	817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.			831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.	
903	817.61	3rd	Fraudulent use of credit cards		910	831.11	3rd	Bringing into the state forged	
			over \$100 or more within 6 months.					bank bills, checks, drafts, or notes.	
904	826.04	3rd	Knowingly marries or has sexual		911	832.05(3)(a)	3rd	Cashing or depositing item with	
ļ			Page 39 of 61			l		Page 40 of 61	ļ
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			intent to defraud.	
2	843.08	3rd	False personation.	
.3	893.13(2)(a)2.	3rd	<pre>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</pre>	
14			other than cannabis.	
	893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.	
15				
16 17	(c) LEVEL 3			
	Florida	Felony		
	Statute	Degree	Description	
18				
	119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.	
19				
	316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.	
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920			
	316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
921			
	316.1935(2)	3rd	
			law enforcement officer in
			patrol vehicle with siren and
922			lights activated.
522	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			venicle.
923	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				1		(1)(e)6.		species or hatchling, or parts
	328.05(2)	3rd	Possess, sell, or counterfeit					thereof, or the nest of any
			fictitious, stolen, or					marine turtle species described
			fraudulent titles or bills of					in the Marine Turtle Protection
			sale of vessels.					Act.
928					93	2		
	328.07(4)	3rd	Manufacture, exchange, or			379.2431	3rd	Soliciting to commit or
			possess vessel with counterfeit			(1)(e)7.		conspiring to commit a
			or wrong ID number.					violation of the Marine Turtle
929								Protection Act.
	376.302(5)	3rd	Fraud related to reimbursement		93	3		
			for cleanup expenses under the			400.9935(4)(a)	3rd	Operating a clinic, or offering
			Inland Protection Trust Fund.			or (b)		services requiring licensure,
930								without a license.
	379.2431	3rd	Taking, disturbing, mutilating,		93	4		
	(1)(e)5.		destroying, causing to be			400.9935(4)(e)	3rd	Filing a false license
			destroyed, transferring,					application or other required
			selling, offering to sell,					information or failing to
			molesting, or harassing marine					report information.
			turtles, marine turtle eggs, or		93	5		
			marine turtle nests in			440.1051(3)	3rd	False report of workers'
			violation of the Marine Turtle					compensation fraud or
			Protection Act.					retaliation for making such a
931								report.
	379.2431	3rd	Possessing any marine turtle		93	6		
ļ			Page 43 of 61					Page 44 of 61
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	CS/HB1, Engrossed 1			2021
	501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.	
937	624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.	
938	624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.	
939 940	626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.	
941	697.08	3rd	Equity skimming.	
942	790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.	
942	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
945			weapon.
940	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but
	012.011(2)(0)2.	014	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
949			defraud or obtain property.
949	817.034(4)(a)3.	3rd	Engages in scheme to defraud
	01/.U34(4)(d)3.	JIU	(Florida Communications Fraud
			,
			Page 46 of 61

CODING: Words stricken are deletions; words underlined are additions.

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FLORIDA HOUSE OF REPRESENTATIVES

	CS/HB1, Engrossed 1		:	2021	CS/HB1, Engrossed	1		2021
950			Act), property valued at less than \$20,000.				defraud or possessing a counterfeit payment instrument with intent to defraud.	
951	817.233	3rd	Burning to defraud insurer.	957	831.29	2nd	Possession of instruments for	
991	817.234 (8)(b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.	958		2110	counterfeiting driver licenses or identification cards.	
952	817.234(11)(a)	3rd	Insurance fraud; property value		838.021(3)(b)	3rd	Threatens unlawful harm to public servant.	
0.5.0	017.201(117(d)	JIG	less than \$20,000.	959		0.1	*	
953	817.236	3rd	Filing a false motor vehicle insurance application.		843.19	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.	
954	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle	960	860.15(3)	3rd	Overcharging for repairs and parts.	
			insurance card.		870.01(2)	3rd	Riot; inciting or encouraging.	
955	817.413(2)	3rd	Sale of used goods of \$1,000 or more as new.	962	870.01(4)	<u>3rd</u>	Inciting a riot.	
956	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to		893.13(1)(a)2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1.,	
ļ			Page 47 of 61		I .		Page 48 of 61	Ţ
(CODING: Words <mark>stricken</mark> are del	etions; word)01-02-e1	CODING: Words <mark>stricken</mark> are de	eletions; word	is <u>underlined</u> are additions.	hb0001-02-e1

FLORIDA HOUSE OF REPRESENTATIVES

	CS/HB1, Engrossed 1			2021		CS/HB1, Engrossed 2	1		2021
964	893.13(1)(d)2.	2nd	<pre>(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).</pre> Sell, manufacture, or deliver		968	893.13(7)(a)8.	3rd	substance other than felony possession of cannabis. Withhold information from practitioner regarding previous	
			 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., 		969			receipt of or prescription for a controlled substance.	
965			<pre>(2)(c)10., (3), or (4) drugs within 1,000 feet of university.</pre>			893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.	
	893.13(1)(f)2.	2nd	<pre>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</pre>		970	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.	
966			within 1,000 feet of public housing facility.			893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by	
967	893.13(4)(c)	3rd	Use or hire of minor; deliver to minor other controlled substances.		972	893.13(8)(a)1.	3rd	chapter 893. Knowingly assist a patient,	
967	893.13(6)(a)	3rd	Possession of any controlled Page 49 of 61					other person, or owner of an animal in obtaining a Page 50 of 61	
C	CODING: Words stricken are dele	etions; word:	-	hb0001-02-e1		CODING: Words stricken are de	letions; word	ls <u>underlined</u> are additions.	hb0001-02-e1

FLORIDA HOUSE OF REPRESENTATIVES

CC	DDING: Words <mark>stricken</mark> are dele	tions; word	s <u>underlined</u> are additions.		CODING: Words <mark>stricken</mark> are d	leletions; words	
			Page 51 of 61				Page 52 of 61
976							who is in a patrol vehicle with
			practitioner.				elude law enforcement officer
			monetary benefit for the				while fleeing or attempting to
			writing the prescription is a				wanton disregard for safety
			animal if the sole purpose of		316.1935(3)(a)	2nd	Driving at high speed or with
			patient, other person, or an	983		<u> </u>	-
			controlled substance for a		Statute	Degree	Description
	893.13(8)(a)4.	3rd	Write a prescription for a	502	Florida	Felony	
975			a fictitious person.	981	(a) LEVEL 4	±	
			a fictitious person.	980	(d) LEVEL 4	1	
	893.13(8)(a)3.	3rd	Knowingly write a prescription	980			facility).
974	000 10 (0) () 0	2 1					residential commitment
			substance.				facility (secure detention or
			obtaining a controlled		985.721	3rd	Escapes from a juvenile
			or owner of an animal in	979			
			assist a patient, other person,				institution.
			practitioner's practice to				the grounds of a correctional
	893.13(8)(a)2.	3rd	Employ a trick or scheme in the		944.47(1)(c)	2nd	Possess contraband while upon
973				978			
			practitioner's practice.		(1)(a)1. & 2.		correctional facility.
			or related to the		944.47	3rd	Introduce contraband to
			fraudulent representations in	977			2
			deceptive, untrue, or		() (-)		investigation evidence.
1			controlled substance through		918.13(1)(a)	3rd	Alter, destroy, or conceal

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2021

FLORIDA HOUSE OF REPRESENTATIVES

	CS/HB1, Engrossed 1			2021
984			siren and lights activated.	
904	499.0051(1)	3rd	Failure to maintain or deliver	
			transaction history,	
			transaction information, or	
			transaction statements.	
985				
	499.0051(5)	2nd	Knowing sale or delivery, or	
			possession with intent to sell,	
			contraband prescription drugs.	
986				
	517.07(1)	3rd	Failure to register securities.	
987				
	517.12(1)	3rd	· · · · · · · , · · · · · · ·	
			person, or issuer of securities	
988			to register.	
900	784.07(2)(b)	3rd	Battery of law enforcement	
	、 / 、 - /		officer, firefighter, etc.	
989				
	784.074(1)(c)	3rd	Battery of sexually violent	
			predators facility staff.	
990				
	784.075	3rd	Battery on detention or	
			commitment facility staff.	
			Page 53 of 61	
C	CODING: Words stricken are del	etions; word		
			ł	1b0001-02-

	CS/HB1, 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			1 1	
	784.082(3)	3rd	Battery by detained person on visitor or other detainee.	
995				
996	784.083(3)	3rd	Battery on code inspector.	
550	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.	
997	787.03(1)	3rd	Tataufamanaa with awatadu.	
	/8/.03(1)	3ra	Interference with custody; wrongly takes minor from appointed guardian.	
998				
			Page 54 of 61	
С	ODING: Words <mark>stricken</mark> are delet	ions; words	s <u>underlined</u> are additions.	
				hb0001-02-

FLORIDA HOUSE OF REPRESENTATIVES

787.04(2)	3rd	Take, entice, or remove child beyond state limits with	1005			offender less than 18 years.	
		criminal intent pending custody		806.135	2nd	Destroying or demolishing a	
		proceedings.				memorial or historic property.	
999			1006				
787.04(3)	3rd	Carrying child beyond state		810.02(4)(a)	3rd	Burglary, or attempted	
		lines with criminal intent to				burglary, of an unoccupied	
		avoid producing child at				structure; unarmed; no assault	
		custody hearing or delivering				or battery.	
		to designated person.	1007				
000				810.02(4)(b)	3rd	Burglary, or attempted	
787.07	3rd	Human smuggling.				burglary, of an unoccupied	
.001						conveyance; unarmed; no assault	
790.115(1)	3rd	Exhibiting firearm or weapon				or battery.	
		within 1,000 feet of a school.	1008				
002				810.06	3rd	Burglary; possession of tools.	
790.115(2)(b)	3rd	Possessing electric weapon or	1009				
		device, destructive device, or		810.08(2)(c)	3rd	Trespass on property, armed	
		other weapon on school				with firearm or dangerous	
		property.				weapon.	
003			1010				
790.115(2)(c)	3rd	Possessing firearm on school		812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000	
		property.				or more but less than \$20,000.	
004			1011				
800.04(7)(c)	3rd	Lewd or lascivious exhibition;		812.014	3rd	Grand theft, 3rd degree;	
		Page 55 of 61				Page 56 of 61	
CODING: Words stricken	are deletions; word	ds <u>underlined</u> are additions.		CODING: Words <mark>stricken</mark> are de	eletions; word	Is <u>underlined</u> are additions.	
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2021

hb0001-02-e1

FLORIDA HOUSE OF REPRESENTATIVES

	CS/HB1, Engrossed 1	1	20	21		CS/HB1, Engrossed	ed 1	
	(2)(c)410.		specified items.					
1012	812.0195(2)	3rd	Dealing in stolen property by		1019			
	012.0193(2)	510	use of the Internet; property		1019	837.02(1)	3rd	
			stolen \$300 or more.			037.02(1)	510	
1013			Storen 9300 of more.		1020			
1010	817.505(4)(a)	3rd	Patient brokering.		1020	837.021(1)	3rd	
1014	01,000(1)(0)	010	racione sconcling.			00,021(1)	010	
	817.563(1)	3rd	Sell or deliver substance other		1021			
			than controlled substance			838.022	3rd	
			agreed upon, excluding s.		1022			
			893.03(5) drugs.			839.13(2)(a)	3rd	
1015								
	817.568(2)(a)	3rd	Fraudulent use of personal					
			identification information.		1023			
1016						839.13(2)(c)	3rd	
	817.625(2)(a)	3rd	Fraudulent use of scanning					
			device, skimming device, or					
			reencoder.		1024			
1017						843.021	3rd	
	817.625(2)(c)	3rd	Possess, sell, or deliver					
			skimming device.					
1018					1025			
	828.125(1)	2nd	Kill, maim, or cause great			843.025	3rd	
			bodily harm or permanent					
			Page 57 of 61					
	CODING: Words <mark>stricken</mark> are de	letions: word	s underlined are additions			CODING: Words <mark>stricken</mark> are	deletions: w	
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		breeding disability to any registered horse or cattle.	
837.02(1)	3rd	Perjury in official proceedings.	
837.021(1)	3rd	Make contradictory statements in official proceedings.	
838.022	3rd	Official misconduct.	
839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.	
839.13(2)(c)	3rd	Falsifying records of the 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	

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words underlined are additions.

hb0001-02-e1

FLORIDA HOUSE OF REPRESENTATIVES

	CS/HB1, Engrossed 1	L		2021		CS/HB1, Engrossed	1		2021
1026	843.15(1)(a)	3rd	probation officer of means of protection or communication. Failure to appear while on bail for felony (bond estreature or bond jumping).		1033 1034	914.22(1) 914.23(2)	3rd 3rd	Force, threaten, etc., witness, victim, or informant. Retaliation against a witness, victim, or informant, no bodily	
1027	847.0135(5)(c)	3rd	Lewd or lascivious exhibition		1035			injury.	
1028			using computer; offender less than 18 years.			916.1085 (2)(c)1.	3rd	Introduction of specified contraband into certain DCF facilities.	
1029	870.01(3)	2nd	Aggravated rioting.		1036	918.12	3rd	Tampering with jurors.	
1030	870.01(5)	<u>2nd</u>	Aggravated inciting a riot.		1037	934.215	3rd	Use of two-way communications	
	874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.		1038			device to facilitate commission of a crime.	
1031	893.13(2)(a)1.	2nd	<pre>Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)5. drugs).</pre>		1039	944.47(1)(a)6.	3rd	Introduction of contraband (cellular telephone or other portable communication device) into correctional institution.	
1032	914.14(2)	3rd	Witnesses accepting bribes.			951.22(1)(h), (j) & (k)	3rd	Intoxicating drug, instrumentality or other device	
C	CODING: Words <mark>stricken</mark> are de	letions; word)001-02-e1		CODING: Words stricken are de	eletions; word		nb0001-02-e1

	CS/HB1, Engrossed 1	2021				
1040	to aid escape, or cellular telephone or other portable communication device introduced into county detention facility.					
1041 1042	Section 21. This act shall take effect upon becoming a law.					
Page 61 of 61 CODING: Words stricken are deletions; words <u>underlined</u> are additions.						
	ł	b0001-02-e1				

THE FLORIDA SENATE
APPEARANCE RECORD
4/9/21 (Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)
Meeting Date Bill Number (if applicable)
opic COMBATTING PUBLIC DISORDER Amendment Barcode (if applicable)
lame TRISH NEELY
ob Title BOARD NEMBER
Address 2024 SHANGRI LA LANG Phone 850 322 3317
Street 32303 Email
City State Zip Speaking: For Against Information Waive Speaking: In Support Against Speaking: For Against Information (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 RECO	RD
4/9/24 (Deliver BOTH copies of this form to the Senator or Senate Professional S	Staff conducting the meeting)
Meeting Date	Bill Number (if applicable) タロインタク
TOPIC MMENDMENT TO HBI (ROVSION)	Amendment Barcode (if applicable)
Name REV DR RUSSell Meyer	_
Job Title Erec Dir	
Address 1308 WINDSOR PLACE	Phone 813 4355335
JACKSONVILLE K 32205	_ Email Ymeyer @ Horidachorchel
City State Zip	0 - 1 - 03
	peaking: In Support Against air will read this information into the record.)
Representing FLORIDA COUNCIL OF CHURCH	RS
Appearing at request of Chair: Yes No Lobbyist regist	tered 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 SI	ENATE
4 - 9 - 7 (Deliver BOTH copies of this form to the Senator or Senator	
Meeting Date	Bill Number (if applicable)
Topic Anti-Protest Bill amende	$\frac{901508}{\text{Amendment Barcode (if applicable)}}$
Name David Kodier	
Job Title <u>Small buciness OWNER</u> Address 1237 almond type Ct.	Phone 706-761-3169
Street Oslando FL	Email depdier Chaights. VCF. rol
City State	Zip
Speaking: 🚺 For 🗌 Against 🔄 Information	Waive Speaking: In Support Against (The Chair will read this information into the record.)
Representing March for Ove L	-ives
Appearing at request of Chair: Yes No Lob	oyist registered with Legislature: Yes Yo

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

4/9/2021 Meeting Date		(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)			CS/HB 1	
		-				<i>Bill Number (if applicable)</i> 901508
Topic .	Combating Pu	blic Disorder			Amena	lment Barcode (if applicable)
Name	Amber Hughe	S				
Job Tit	le Senior Legi	slative Advoc	ate			
Address 301 S. Bronough Street			Phone <u>850-701-</u>	-3621		
	_{Street} Tallahassee)	FL	32301	Email ahughes@	oflcities.com
Speakir	<i>City</i> ng: For [Against	State		peaking: In Su <i>ir will read this inform</i>	
Rep	presenting Flo	orida League	of Cities			
Appea	ring at request	of Chair:	Yes 🖌 No	Lobbyist regist	ered with Legislat	ure: 🖌 Yes 🗌 No
While it	is a Senate tradit	ion to encourag		e may not permit al ks so that as many	l persons wishing to s persons as possible	peak to be heard at this can be heard.
This for	rm is part of the	public record	for this meeting.			S-001 (10/14/14)
THE FLORIDA SENATE						
-------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------					
APPEARANCE RECO	RD					
$\frac{4 4 2}{Meeting Date}$ (Deliver BOTH copies of this form to the Senator or Senate Professional St Meeting Date	taff conducting the meeting) <u>HBL</u> Bill Number (if applicable)					
Topic LOMBATTING PUBLIC DISCRI	Amendment Barcode (if applicable)					
Name_TRISH NEEU/						
Job Title BOARD MEMBER						
Address 2024 SHANGRI LA LANE	Phone 850 322 337					
Street TALLY FL 32805 City State Zip	Email					
Speaking: For Against Information Waive Sp (The Chai	peaking: In Support Against ir will read this information into the record.)					
Representing LEAGDE WOMEN VOTE	RS					
Appearing at request of Chair: 🔄 Yes 🏹 No 🛛 Lobbyist registe	ered with Legislature: 🗌 Yes 🔀 No					

This form is part of the public record for this meeting.

THE FLORIDA SENATE	
APPEARANCE RECOR	D
$\frac{2f/9}{ZOZ}$ (Deliver BOTH copies of this form to the Senator or Senate Professional Staff Meeting Date	
TOPIC COMBATTING PUBLIC DISORDE	Amendment Barcode (if applicable)
Name_TRISH NEEU	
Job Title BOARD MEMBER	
Address 2024 SHANGRI / A LANG F	Phone 850 322 3317
	Email
City State Zip	
	aking: In Support Against will read this information into the record.)
Representing <u>LEAGUE WOMEN VOTER</u>	\sim
Appearing at request of Chair: Yes Xo Lobbyist registere	ed with Legislature: 🗌 Yes 🔀 No
While it is a Sanata tradition to ancourage public testimony, time may not permit all pe	arsons wishing to speak to be beard at this

This form is part of the public record for this meeting.	S-001 (10/14/14)
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THE FLORIDA SENATE	
APPEARANCE RECOI	RD
4/9/2/ (Deliver BOTH copies of this form to the Senator or Senate Professional Sta	aff conducting the meeting)
Mee ⁱ ting Date	Bill Number (if applicable)
Topic COMBAT DISORIER,	Amendment Barcode (if applicable)
NameRISA NEELY	-
Job Title	
Address 2024 SHANGRILA	Phone 850 322.3319
TALLY FC 32303 City State Zip	Email
Speaking: For Against Information Waive Sp (The Chai	peaking: In Support Against Against ir will read this information into the record.)
Representing	
Appearing at request of Chair: Yes No Lobbyist registe	ered with Legislature: 🗌 Yes 🙀 No

This form is part of the public record for this meeting.

THE FLORIDA SENATE	
APPEARANCE RECO	RD
$\frac{4/9/24}{MeetIng Date}$ (Deliver BOTH copies of this form to the Senator or Senate Professional St	taff conducting the meeting) $\frac{HB-7}{Bill Number (if applicable)}$ 895456
TOPIC COMBAT DISORDER	Amendment Barcode (if applicable)
NameNEELU	-
Job Title	_
Address 2024 SHANGRI LA	Phone 850 322 3317
TACLY FL 32.83 City State Zip	Email
	peaking: In Support Against ir will read this information into the record.)
Appearing at request of Chair: Yes No Lobbyist register	ered with Legislature: 🗌 Yes 🙀 No

This form is part of the public record for this meeting.

The Florida Senate

APPEARANCE RECORD

21	(Deliver BOTH co	pies of this form to the Senator of	or Senate Professional S	Staff conducting the meeting)	CS/HB 1
eeting Date	-				Bill Number (if applicable) 895456
Topic Combating Public Disorder			Ameno	dment Barcode (if applicable)	
Amber Hughes	3	Anna 14 2 4 2 5 4 2 5 4 2 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5		-	
le Senior Legis	slative Advo	cate		_	
· · · · · · · · · · · · · · · · · · ·	ough Street			Phone 850-701	-3621
Tallahassee		FL	32301	Email ahughes@	flcities.com
City		State	Zip		
ng: For	Against	Information			
presenting Flo	rida League	of Cities			
ing at request	of Chair:	Yes 🖌 No	Lobbyist regis	tered with Legislat	ure: 🖌 Yes 🗌 No
m is part of the p	oublic record	for this meeting.			S-001 (10/14/14)
	Amber Hughes Amber Hughes Amber Hughes Senior Legis 301 S. Bron Street Tallahassee City Ang: For For for Street For For for Street Street Tallahassee City Ang: For for Street For for Street Street Tallahassee City Street Tallahassee Street Street Street Tallahassee Street Str	21 peting Date Combating Public Disorder Amber Hughes Ie Senior Legislative Advort Is 301 S. Bronough Street Street Tallahassee City For Against oresenting Florida League ring at request of Chair: Image: Im	21 beting Date Combating Public Disorder Amber Hughes Amber Hughes Ie Senior Legislative Advocate Is 301 S. Bronough Street Street FL City State Ig: For Against Information oresenting Florida League of Cities ring at request of Chair: Yes Is a Senate tradition to encourage public testimony, time	21 peeting Date Combating Public Disorder Amber Hughes le Senior Legislative Advocate ls 301 S. Bronough Street Street Tallahassee City State le For Against Information Waive S (The Chair) presenting Florida League of Cities ting at request of Chair: Yes Yes No Lobbyist regis is a Senate tradition to encourage public testimony, time may not permit at Those who do speak may be asked to limit their remarks so that as many	Date Amend Combating Public Disorder Amend Amber Hughes Amend le Senior Legislative Advocate ls 301 S. Bronough Street Phone 850-701 Tallahassee FL 32301 City State Zip ng: For Against Information Vaive Speaking: In State City In State orresenting Florida League of Cities In State State ring at request of Chair: Yes No Lobbyist registered with Legislate is a Senate tradition to encourage public testimony, time may not permit all persons wishing to s Those who do speak may be asked to limit their remarks so that as many persons as possible

THE FLORIDA SENATE	
APPEARANCE RECO	RD
$\frac{492}{Meeting Date}$ (Deliver BOTH copies of this form to the Senator or Senate Professional S	Staff conducting the meeting)
	622-818
Topic CUM/3717 DISORDER	_ Amendment Barcode (if applicable)
NameRISH_NEELM	-
Job Title	_
Address 2024 SHANGRILA	Phone <u>850 322 3377-</u>
$\frac{1}{City} + C = \frac{3233}{State}$	Email
Speaking: For Against Information Waive S	speaking: In Support Against air will read this information into the record.)
Representing	
Appearing at request of Chair: Yes 🖄 No Lobbyist regis	tered with Legislature: 🗌 Yes 📈 No

This form is part of the public record for this meeting.

THE FLORIDA SENATE	
APPEARANCE RECO	RD
4924 (Deliver BOTH copies of this form to the Senator or Senate Professional S	taff conducting the meeting)
Meeting Date	Bill Number (if applicable) 기호역 24 용
Topic COMBAT DISORDER	Amendment Barcode (if applicable)
Name TRISH NEEU	_
Job Title	_
Address 2024 SHANGRILAIAUE	Phone <u>950 322 33A</u>
TALLY FL 32308	_ Email
	peaking: In Support Against in will read this information into the record.)
Representing	
Appearing at request of Chair: 🗌 Yes 🔀 No 🛛 Lobbyist regist	tered with Legislature: 🗌 Yes 🦳 No

This form is part of the public record for this meeting.

THE FLORIDA SENATE	
APPEARANCE RECO	RD
UP (Deliver BOTH copies of this form to the Senator or Senate Professional Sta	aff conducting the meeting) $HR - 7$
Meeting Date	Bill Number (if applicable)
Topic COMBAT DISCROCK	Amendment Barcode (if applicable)
Name TRISH NEELY	
Job Title	
Address 2024 SHANGRICALANE	Phone \$603223317
TACLY FL 3233 City State Zip	Email
Speaking: For X Against Information Waive Sp	eaking: In Support Against
Representing	
Appearing at request of Chair: Yes Xo Lobbyist registe	ered with Legislature: 🗌 Yes 💢 No

This form is part of the public record for this meeting.

THE FLORIDA SENATE		
APPEARANCE RECO	RD	
$\frac{4/2}{Meeting Date}$ (Deliver BOTH copies of this form to the Senator or Senate Professional S	taff conducting the	meeting) <u>HB</u> Bill Number (if applicable)
TOPIC COMBAT DISORRER	-	<u>530040</u> Amendment Barcode (if applicable)
Name TRISH NEELY		
Job Title		
Address 2024 SHANGRI LA LAKE	Phone	850322337
TALLY FL 32363 City State Zip	Email	
	peaking:	In Support Against information into the record.)
Representing		
Appearing at request of Chair: Yes 🔀 No Lobbyist regist	ered with Le	gislature: 🔄 Yes 🔀 No

This form is part of the public record for this meeting.

		ORIDA SENATE	DR	
4/9/2021	(Deliver BOTH copies of this form to the Senat	NCE RECO tor or Senate Professional S		HBL
Meeting Date				Bill Number (if applicable)
Торіс				Amendment Barcode (if applicable)
Name_Samant	na McLovghlin		_	
Job Title	V			
Address 5545	Oakworth Place	2	_ Phone	407-247-5487
Street Sanfora	FL	32173	_ Email _	sammalovghlinna
City	` State	Zip		yman.u
Speaking: 🔄 For 🗋	Against Information			In Support Against <i>I this information into the record.</i>
Representing <u>F</u>	SU College Demi	ocrats		
Appearing at request	V /	Lobbyist regist	ered wit	h Legislature: 🗌 Yes 🕅 No

This form is part of the public record for this meeting.

1/./~/~/	r or Senate Professional Staff conducting the meeting)
Meeting Date	Bill Number (if applicable)
Name OdSham Whiched	Amendment Barcode (if applicable)
Job Title Address <i>N = Market St</i> <i>Street</i>	Phone_ <u>904.4153438</u> Email out the Jaguara
City State	Zip
Speaking: TFor Against Information	Waive Speaking: In Support Against (The Chair will read this information into the record.)
Appearing at request of Chair: Yes No	Lobbyist registered with Legislature:YesNo

This form is part of the public record for this meeting.

-	PPEARAN	RIDA SENATE ICE RECORI or Senate Professional Staff c	
Meeting Date	A	I. ak	Bill Number (if applicable)
Topic <u>Anti-Protest</u>	Ameno	Iment	Amendment Barcode (if applicable)
Name David Dodi	21		
Job Title Small DUSINESS	OWNER		-20 $-e(D(e))$
Address 1737 almond to	le ct.	P	hone 706-761-3169
Street Oslando City	FL State	32335 E	mail <u>Arodies & Knights, U.F.Ed</u> u
Speaking: For Against	Information	Waive Spea	king: In Support Against ill read this information into the record.)
Representing <u>MUGEL</u>	t		
Appearing at request of Chair:	es No	Lobbyist registere	ed with Legislature: 🔄 Yes 🗹 No

This form is part of the public record for this meeting.

THE FLORI	ida Senate	
APPEARAN	CE RECO	RD
(Deliver BOTH copies of this form to the Senator o	r Senate Professional St	
Meeting Date		Bill Number (if applicable)
Topic Amenan		Amendment Barcode (if applicable)
Name Courthuy		-
Job Title		_
Address 1519 ERIOLOWOOOL St		Phone 321 505 1580
Orlando FL	32903	Email
City State	Zip	
Speaking: For Against Information		beaking: In Support Against ir will read this information into the record.)
Representing		
Appearing at request of Chair: Yes No	Lobbyist regist	ered with Legislature: 🗌 Yes 🗾 No

This form is part of the public record for this meeting.

The Florida Senate	
APPEARANCE RECO	RD
492 (Deliver BOTH copies of this form to the Senator or Senate Professional S	Staff conducting the meeting)
Meating Date	Bill Number (if applicable)
Topic Amendment For Study	Amendment Barcode (if applicable)
Name Rev. James T. Golden	• • •
Job Title	_
Address 4815 11th Ave Cir E.	_ Phone 941~773~4031
Street Brodution FL 34208	_ Email jamethe peld @ ad. con
City State Zip	
	peaking: In Support Against air will read this information into the record.)
Representing AME Church	·
Appearing at request of Chair: Yes 🖌 No Lobbyist regis	tered with Legislature: 🔄 Yes 🥡 No

This form is part of the public record for this meeting.

THE FLORIDA SENA	TE
APPEARANCE R	ECORD
(Deliver BOTH copies of this form to the Senator or Senate Pro	ofessional Staff conducting the meeting) ガバシ /
Meeting Date	Bill Number (if applicable)
Topic ANTI PROTEST DATA STUDY	FSVBBLTYZAmendment Barcode (if applicable)
Name REV DR RUSSELL MEYER	
Job Title <u>Exec</u> Dire	
Address 309 WINDSOR PLACE	Phone \$13 435 5335
<u>JACKSONNUE FL 32</u> City State Zip	205 Email mayer florda churches
Speaking: For Against Information V	Vaive Speaking: In Support Against The Chair will read this information into the record.)
Representing <u>FL COUNCIL OP CHUR</u>	LHES
Appearing at request of Chair: Yes Ho Lobbyis	st registered with Legislature: Yes No

This form is part of the public record for this meeting.

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) Topic Amendment Barcode (if applicable) Name Job Title Phone Address RS. Street hrisser Email Citv State Zip Against Speaking: For Information Waive Speaking: In Support Against (The Chair will read this information into the record.) Representing Appearing at request of Chair: Lobbyist registered with Legislature: Yes No 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 RECO	RD
040022 (Deliver BOTH copies of this form to the Senator or Senate Professional S	taff conducting the meeting)
Meeting Date	Bill Number (if applicable)
TopicHB1	Amendment Barcode (if applicable)
Name Kristen Torres	
Job Title Community Organizer	
Address 746 Ne 3rd Ave	Phone 454-360-8447
Fort Randerdale FL 33204 City State Zip	Email MTS@ Wantesschange.org
Speaking: For Against Information Waive Speaking	peaking: In Support Against ir will read this information into the record.)
Representing Change	
Appearing at request of Chair: Yes No Lobbyist regist	ered with Legislature:YesNo

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The Florida Senate APPEARANCE RECO Understand (Deliver BOTH copies of this form to the Senator or Senate Professional State) Meeting Date (Deliver BOTH copies of this form to the Senator or Senate Professional State)	
Topic COMBAT DISORDER	Amendment Barcode (if applicable)
NameRISH NEEU	
Job Title DIRECTOR	
Address 2024 SHANGRI LA	Phone <u>750 322 336</u>
TRULY FL 32308 City State Zip	Email
Speaking: For Against Information Waive S	peaking: In Support Against ir will read this information into the record.)
Representing	
Appearing at request of Chair: Yes No Lobbyist regist	ered with Legislature: 🗌 Yes 🔀 No

This form is part of the public record for this meeting.

THE FLORIDA SENATE	
C/G/2/ (Deliver BOTH copies of this form to the Senator or Senate Professional Se	. 4
Meeting Date	Bill Number (if applicable) 822942
Topic	_ Amendment Barcode (if applicable)
Name E. MARQUIS Mitchell	_
Job Title Executive Directer	- -
Address 220 NE 38th SL	Phone 2073079492
<u>FF</u> (anderch' FC <u>3334</u> City State Zip	_ Email
Speaking: For Against Information Waive Speaking:	peaking: In Support Against hir will read this information into the record.)
Representing	
Appearing at request of Chair: Yes No Lobbyist regist	tered with Legislature: Yes No

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	THE FLC	orida Senate		
	APPEARA	NCE RECOI	RD	
(Deliver BOTH cop	pies of this form to the Senate	or or Senate Professional Sta	aff conducting the meeting)	HBA
Meeting Date			86	Bill Number (if applicable)
Topic <u>Combassing</u> public	Disorder		Ameno	Iment Barcode (if applicable)
Name <u>Alyssa</u> Ackbar				
Name <u>Alyssa Ackbor</u> Job Title <u>State Director</u>				
Address			Phone <u>\$13-8</u>	38-0706
017661			Email	
City	State	Zip		
Speaking: For Against	Information	-	-	pport Against ation into the record.)
Representing March For	- our Lidds			
Appearing at request of Chair:	Yes No	Lobbyist registe	ered with Legislat	ure: Yes No
While it is a Senate tradition to encourag	e public testimony. tin	me mav not permit all	persons wishina to s	peak to be heard at this

This form is part of the public record for this meeting.

THE FLORIDA	Senate
APPEARANC	E RECORD
(Deliver BOTH copies of this form to the Senator or Se Meeting Date	enate Professional Staff conducting the meeting) <u>HB</u> Bill Number (if applicable) <u>SISA942</u> Amendment Barcode (if applicable)
Name Kareem Williams	882941
Name <u>hareen withams</u>	
Job Title	
Address	Phone 954830-0577
Street	
City State	Email Kareem PCWilliAnselfelter
Speaking: For Against Information	Waive Speaking: In Support Against (The Chair will read this information into the record.)
Representing <u>MYSelf</u>	
Appearing at request of Chair: Yes No	obbyist registered with Legislature: 🗌 Yes 🗌 No
While it is a Senate tradition to encourage public testimony, time ma meeting. Those who do speak may be asked to limit their remarks s	
This form is part of the public record for this meeting.	S-001 (10/14/14)

	rida Senate	
APPEARAN	ICE RECO	RD
4/9/21 (Deliver BOTH copies of this form to the Senator	or Senate Professional St	aff conducting the meeting)
Meeting Date		Bill Number (if applicable)
Topic		Amendment Barcode (if applicable)
Name Nany metayer		
Job Title <u>Commussioner</u>		-
Address 9833 NW 31th place		Phone 994- 857- 5441
Street <u>Coved Sprugs</u> IC <u>City</u> State	33076 Zip	Email
Speaking: For Against Information	•	eaking: In Support Against ir will read this information into the record.)
Representing		
Appearing at request of Chair: Yes No	Lobbyist regist	ered with Legislature: 🗌 Yes 🏹 No
While it is a Canata tradition to an accuracy public testimony, time	, many material all	neverne wishing to angel to be beard at this

This form is part of the public record for this meeting.

S-001 (10/14/14)

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THE FLORIDA SENATE	
APPEARANCE RECO	RD
$\frac{0469720}{Meeting Date}$ (Deliver BOTH copies of this form to the Senator or Senate Professional S	Staff conducting the meeting) HIS Bill Number (if applicable) R R
Topic	Amendment Barcode (if applicable)
Name Sabrina Javellana	_
Job Title Lammissiones	_
Address 816 NE 27 th Ane	_ Phone_ 505 9 88 5006
Street Mendale Beard FL 32009	Email Sabrine Joe Ognand.
City State Zip	- com
	peaking: In Support Against air will read this information into the record.)
Representing SelF	
Appearing at request of Chair: Yes No Lobbyist regis	tered with Legislature: Yes Avo

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	THE FLO	orida Senate		
OH 109 12021 (Deliver BOTH of Meeting Date	APPEARA sopies of this form to the Senat	NCE RECO for or Senate Professional S		<u>HB</u> Bill Number (if applicable)
			Amend	ment Barcode (if applicable)
Name Anil AVIS	,)		_	
Job Title FL LEAD	ORMANIZER		-	N
Address 9640 Sandpi	zen St.		_ Phone_ (850) 252-2873
Street Pensa(6/A City	FL State	32514	Email JANILO b	pckvotersmattexfund.org
Speaking: For Against	Information	Waive Sp (<i>The Cha</i>	peaking: In Sup ir will read this information	
Representing	in voices	IV HAI TER		
Appearing at request of Chair:	Yes No	Lobbyist regist	ered with Legislatu	ure: Ves Vo

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THE FLORIDA	A SENATE
APPEARANC	ERECORD
(Deliver BOTH copies of this form to the Senator or Sector)	enate Professional Staff conducting the meeting)
Meeting Date	Bill Number (if applicable)
Topic Anewdaent to H.R.T.	Amendment Barcode (if applicable)
Name Rev. Tom Holdcraft	
Job Title Pastor St. Stephen	
Address 2948 Tippersny Dr. Street	Phone 850 303-3218
Tyllaharsen FL	32309 Email the holdward equal to
City State Speaking: For Against Information	Zip Waive Speaking: In Support Against (The Chair will read this information into the record.)
RepresentingSt. Styplen	
Appearing at request of Chair: Yes VNo	obbyist registered with Legislature: Yes VNo

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		THE FLO	rida Senate		
		APPEARA	NCE RECO	RD	
4/9/2021	(Deliver BOTH copies	of this form to the Senato	r or Senate Professional S	itaff conducting the	e meeting) HB-
Meeting Date					Bill Number (if applicable)
					882942
Торіс					Amendment Barcode (if applicable)
Name Nichola	s Carey			_	
Job Title	·			_	
Address 5320 10	0+4 52, NJ			_ Phone	
Street St. Pete	rsburg	and the second s	33703	_ Email	
City	- maria	State	Zip		
Speaking: For	Against	Information			In Support Against is information into the record.)
Representing	bith in Flor	rida			
Appearing at request	of Chair: 🔄 Y	′es 📃 No	Lobbyist regist	tered with L	egislature: Yes No

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THE FLORIDA SENATE	
APPEARANCE RECOR	RD
4/9/24 (Deliver BOTH copies of this form to the Senator or Senate Professional Sta	
Meeting Date	Bill Number (if applicable)
TOPIC COMBAT PUBLIC DISORDER	Amendment Barcode (if applicable)
Name TRISA NEELY	
Job Title DIRECTOR	
Address 2024 SHANGRIZA LANG	Phone 85032233A
TALLY FL 32313	Email
City I State Zip Speaking: For Against Information Waive Speaking: (The Chair	eaking: In Support Against
Representing <u>LEAGUE WOMEN VOT</u>	i clas
Appearing at request of Chair: Yes Xo Lobbyist registe	ered with Legislature: 🔄 Yes 🔀 No

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THE FLORIDA SENATE	
APPEARANCE RECORD	
419124 (Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)	
Meeting Date Bill Number (if applicable	э)
Topic COMBAT PUBLIC DISORDER Amendment Barcode (if applicable)	le)
Name TRISH NEELY	
Job Title	
Address <u>ZOZY SHANGRI (A LANE</u> Phone <u>250322331</u>	7
<u>TALLY FL 32308</u> Email	·
City State Zip	
Speaking: For Against Information Waive Speaking: In Support Against (<i>The Chair will read this information into the record.</i>)	
Representing <u>CEAQUE WOMEN VOTERS</u>	
Appearing at request of Chair: 🗌 Yes 🔍 No Lobbyist registered with Legislature: 🗌 Yes 🔀 No	С

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The Florida Senate	
APPEARANCE RECO	RD
GGGZI (Deliver BOTH copies of this form to the Senator or Senate Professional S	Staff conducting the meeting) HRI
Meeting Date	Bill Number (if applicable)
Topic COMBAT PURIR DISORDER	564306 Amendment Barcode (if applicable)
NameRISH_NEEU/	_
Job Title DIRECTOR	
Address 2024 SHANGRI LA LAKE	_ Phone_ 850 32233H7
TALLY FL 32303	_ Email
City / State Zip	
	peaking: In Support Against air will read this information into the record.)
Representing	RS
Appearing at request of Chair: Yes 🔀 No Lobbyist regist	tered with Legislature: 🗌 Yes 🔀 No

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	Тне	Florida Senate		
é s x l	APPEAR	ANCE RECO	RD	
(Deliver BOTH cop	ies of this form to the Se	enator or Senate Professional St	aff conducting	the meeting) HB
Meeting Date				Bill Number (if applicable)
Topic Anti-Placefu	1 Protest	Re.	-	Amendment Barcode (if applicable)
Name Jon Hawis M	laurer		-	
Job Title Public Poli	cy Dir.		-	
Address <u>201 E Pay</u> Street	k Ave,	Ste. 200 A	Phone_	850 681-0980
TLH City	<u>F</u> С State	3230 (Zip	Email _	
Speaking: For Against	Information	Waive Sp	0.	In Support Against In Support In Support In Support Into the record.)
Representing <u>Equali</u>	ty Florid	le		
Appearing at request of Chair:	Yes No	Lobbyist regist	ered with	Legislature: 🔀 Yes 🗌 No

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THE FLORIDA SENATE APPEARANCE REC (Deliver BOTH copies of this form to the Senator or Senate Profession Meeting Date	
Topic Combating Public Disorder	Amendment Barcode (if applicable)
Name Lauren Cephus	
Job Title Vice President of the Black Comm	ission
Address 8025 Baymendoux Cir E St 2105 Street	Phone 4 904 701 2975
JayFL3325"CityStateZip	Email Blackcomm 900/eg mail.
	e Speaking: In Support Against Chair will read this information into the record.)
Representing	
Appearing at request of Chair: Yes No Lobbyist reg	gistered with Legislature: Yes

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THE FLORIDA SENATE	
4/9/2 (Deliver BOTH copies of this form to the Senator or Senate Professional S	Staff conducting the meeting)
Meeting Date	Bill Number (if applicable)
TopicHB1	Amendment Barcode (if applicable)
Name E. Marq MAChell	_
Job Title Executive Director	_
Address 220 NE 38th St. Street	_ Phone
FL Lauderdale, FL 33334 City State Zip	Email Marge Chainless change . of
	peaking: In Support Against air will read this information into the record.)
Representing Chainless Change, Inc.	>
Appearing at request of Chair: Yes No Lobbyist regist	tered with Legislature: 🔄 Yes 🏹 Yo

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THE FLORIDA SENATE APPEARANCE RECORD	
$\frac{4}{4/2021}$ (Deliver BOTH copies of this form to the Senator or Senate Professional Staff conductin Meeting Date	ig the meeting) HBI Bill Number (if applicable)
Topic HB1	Amendment Barcode (if applicable)
Name Kareen Williams	
Job Title President of a non Profit organization	
	954830-0577
Street Email	Kareemrewilliams Valtooco
City State Zip	
Speaking: For Against Information Waive Speaking: (The Chair will read	In Support Against I this information into the record.)
Representing <u>CHan CHainless CHangs and mysel</u>	16
Appearing at request of Chair: Yes No Lobbyist registered with	h Legislature: 🔄 Yes 📃 No

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		THE FLO	drida Senate				
		APPEARA	NCE RECO	RD			
4/9/2021	(Deliver BOTH	copies of this form to the Senat	or or Senate Professional S	taff conducting the mo	^{eeting)} SB	48ey	
Meeting Date	_				Bill I	Number (if applical	ole)
Topic					Amendment	Barcode (if applica	ıble)
Name <u>Leuisha</u>	gibson			_			
Job Title				_			
Address <u>1800 n/</u>	5/St AV	(e		_ Phone <u>95</u>	4-300	-8626	
Street Hollywod	sel	FL	33621	Email Len	ishaoc	ibsonQ	mail
City		State	Zip		U	0	
Speaking: 🔄 For 🗋	Against	Information	•	peaking: I		Against <i>into the record.)</i>	
Representing							
Appearing at request	of Chair:	Yes No	Lobbyist regist	ered with Leg	jislature:	Yes I	٥V

This form is part of the public record for this meeting.

THE FLORIDA SENATE	
APPEARANCE RECO	RD
$\begin{array}{c c} \hline 04 & 169 \\ \hline 04 & 21 \\ \hline Meeting Date \end{array}$ (Deliver BOTH copies of this form to the Senator or Senate Professional State	aff conducting the meeting) <i>HB1</i> <i>Bill Number (if applicable)</i>
Topic	Amendment Barcode (if applicable)
Name Kristen Torres	
Job Title Community Organizer	
Address 746 NE 3rd Are Francis	Phone 954-360 -8447
Street For + Lavderdale FL 33304 City State Zip	Email Krisa Chainless thange.ord
Speaking: For Against Information Waive Sp	eaking: In Support Against
Representing Changes Change	
Appearing at request of Chair: Yes No Lobbyist registe	ered with Legislature: Yes No

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THE FLORIDA SE	NATE
APPEARANCE	RECORD
(Deliver BOTH copies of this form to the Senator or Senate Meeting Date	Professional Staff conducting the meeting) $HB SB UF Bill Number (if applicable)$
Topic ANti- Protust bill	Amendment Barcode (if applicable)
Name Rev. Tom Holdcorph	
Job Title Pastor St. Stephen	
Address 2948 T, pperan Dr. Street	Phone 850 303-3218
Tallahassee FL 3	Zip Email tholdward O Gmail.con
Speaking: For Against Information	Waive Speaking: In Support Against (The Chair will read this information into the record.)
Representing Self & St. Stephen	CLurch
Appearing at request of Chair: Yes Mo Lobby	yist registered with Legislature: 🗌 Yes 🗹 No

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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)

	v
Meeting Date	Bill Number (if applicable)
Topic	Amendment Barcode (if applicable)
NameBush Mester	
Job Title	
Address (39650ld Can Mail Street	Phone 850-666-594
tallahoussee R 32309	Email
	eaking: In Support Against
Representing 1000 County democratic par	will read this information into the record.)
	ered 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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CLUCION (Deliver BOTH copies of this form to the Senator or S	ERECORD
Meeting Date	Bill Number (if applicable)
	Amendment Barcode (if applicable)
Name Madaly Malco Lopez	
Job Title Student and Communi.	ty Organizer
Address 229 S Lipona Rd	Phone <u>184-279-0480</u>
Street Tallahassee FL 3 City State	52304 Email Mataly Ovinted wedream org
Speaking: For Against Information	Waive Speaking: In Support Against (The Chair will read this information into the record.)
Representing United We preak	η
Appearing at request of Chair: Yes X No L	obbyist registered with Legislature: Yes No
14/1-ite it is a Oswarts two slitters to supersonance with the testing and there we	any pathonymit all paragona wighing to appaly to be board at this

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THE FLORIDA SENA	TE
APPEARANCE R	ECORD
04002020 Meeting Date (Deliver BOTH copies of this form to the Senator or Senate Pro-	ofessional Staff conducting the meeting) Bill Number (if applicable)
Topic Opposing (181	Amendment Barcode (if applicable)
Name Maxwell Slafer	
Job Title Student	
Address 229 S Lipona Rd	Phone 239-677-7813
Street Tallahassee PC 3230 City State Zip	<u>4</u> Email <u>Maxrslafer Bymail. Com</u>
	Vaive Speaking: In Support Against The Chair will read this information into the record.)
Representing Myself	
Appearing at request of Chair: Yes Appearing at request of Chair:	st registered with Legislature: 🗌 Yes 🕅 No

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The Florida Senate	
<u>APPEARANCE RECOP</u> (Deliver BOTH copies of this form to the Senator or Senate Professional State) Meeting Date	
Name Octuari Whitfield	Amendment Barcode (if applicable)
Job Title DemoCracy Address 803 DSN Market St.	Phone <u>984, 415, 3438</u>
Sach Sell Ville PC 32202 City State Zip	· · · · · · · · · · · · · · · · · · ·
	eaking: In Support Against r will read this information into the record.)
Appearing at request of Chair: Yes No Lobbyist register	ered with Legislature: Yes 1 No

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THE FLORIDA SENATE APPEARANCE RECOR (Deliver BOTH copies of this form to the Senator or Senate Professional Staf	
Meeting Date	Bill Number (if applicable)
Topic	Amendment Barcode (if applicable)
Name South Carlson	
Job Title Strellm 1850 October Rhall PD	(16) >31, 7 R 50
Address <u>Street</u> A Address <u>Street</u> A	Phone ()) 2) COT 5528
Jullahusee ML 52304	Email Such mc G Slagmen been
City State Zip	
Speaking: For Against Information Waive Speaking: (The Chair	eaking: In Support Against will read this information into the record.)
Representing	
Appearing at request of Chair: Yes No Lobbyist register	red with Legislature: 🗌 Yes 🚺 No

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THE FLOR	RIDA SENATE	
APPEARAN	ICE RECORD	
$\mathcal{A} - \mathcal{Q} - \mathcal{A}$ (Deliver BOTH copies of this form to the Senator	or Senate Professional Staff conducting the meeting) $\mu \beta 1$	
Meeting Date	Bill Number (if applicable))
Topic Anti-Protesting Bill	Amendment Barcode (if applicable	 ?)
Name Kristellys Estanga		
Job Title Aide to City Commission	er	
Address 406 W8th Ave	Phone 9548049010	
City State	32301 Email 16n'stellysegmail.a	<u>2</u> ~
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: Ses 180	ann an

This form is part of the public record for this meeting.

The Florida Senate	
APPEARANCE REC (Deliver BOTH copies of this form to the Senator or Senate Professional Manual Data	al Staff conducting the meeting) $\frac{B}{SB} + \frac{SB}{SB} + \frac{B}{SB} + \frac{B}{SB}$
Meęting Date	Bill Number/(if applicable)
Topic Ant, protect bill Name Rev. Andy Oliver	Amendment Barcode (if applicable)
Job Title Pastor	727 527 6695
Address 1363 42nd Ave M	Phone
St Peters burg FL 33705	3_ Email OFF: celallerolaleuma.
City State Zip	
	Speaking: In Support Against Chair will read this information into the record.)
Representing Allendale United Methodist	Church - St Petersburg
Appearing at request of Chair: 🗌 Yes 🏹 No 🛛 Lobbyist reg	istered with Legislature: 🗌 Yes 🔀 No

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The Florida Senate	
APPEARANCE RECO (Deliver BOTH copies of this form to the Senator or Senate Professional	Staff conducting the meeting)
Meeting Date	Bill Number (if applicable)
Topic Comboling Violence (Disorder	Amendment Barcode (if applicable)
Name Carrie Bond	
Job Title Policy Director	
Address P.D. Box 10788	
Street Tallahassee FL 32303	_ Email <u>Carrie</u> , boylapplicenter
City State Zip	0 0
	Speaking: In Support Against air will read this information into the record.)
Representing	
Appearing at request of Chair: Yes No Lobbyist regis	stered with Legislature: Yes 🗌 No

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	THE F	lorida Senate		
Upeliver	APPEARA BOTH copies of this form to the Sen	ANCE RECOF		HB 1
/ / Meeting Date				Bill Number (if applicable)
Topic Consulting F	ublic Disorder		Amendr	nent Barcode (if applicable)
Name Rick Har	per Ph.D.			
Job Title Economis	<u> </u>			
	Zaragoza St		Phone 850 -	341-5908
Pensacoh	FL	32502	Email RickHe	arper PhD & guail.
City	State	Zip		, ow
Speaking: For Aga	nst 🛛 Information	Waive Spe <i>(The Chair</i>	eaking: In Sup	•
Representing	putie Impact of	HB1, spousor	ed by Acue	SPUC
Appearing at request of Cha	air: 🗌 Yes 🔀 No	Lobbyist registe	red with Legislatu	ire: 🔄 Yes 🔀 No

This form is part of the public record for this meeting.

APPEARANCE RECO		
(Deliver BOTH copies of this form to the Senator or Senate Professional S	Staff conducting the meeting)	HB1
MeetingDate	<i>Ъ</i> с.	Bill Number (if applicable)
Topic HB1	Amend	Iment Barcode (if applicable)
Name Kiva Romero-Craff	_	
Job Title Managing Attorney	_	
Address 523 w Colonial Drive	_ Phone <u>H_07</u>	4430006
Orlando FL 32804 City State Zip	_ Email <u>Krom</u> e	ero@latingiustice
	peaking: In Su	
Representing LatinoJustice PRLDEF		
Appearing at request of Chair: 🗌 Yes 🔀 No Lobbyist regis	tered with Legislat	ure: 🔄 Yes 🕅 No

THE FLORIDA SENATE

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 FLOR	IDA SENATE		
	APPEARAN	CE RECO	RD	
(Deliver BOTH co	pies of this form to the Senator	or Senate Professional St	aff conducting the meetir	ng) /
Meeting Date				Bill Number (if applicable)
Topic Combatin, Public	Disorder		Ame	endment Barcode (if applicable)
Name JONATHAN Webbe	2N			
Job Title Deputy Director				
Address 1700 N. Morr	re 5. #11	-78-6	Phone 959	-593-4449
TALLAMSER	FL	27303	Email JWEBB	EN @ FLUOTENS, 019
City	State	Zip		
Speaking: For Against	Information	-	eaking: In S	Support Against
Representing	CONSERVATEON	VSTERS		
Appearing at request of Chair:	Yes 🔀 No	Lobbyist registe	ered with Legisl	ature: 🖄 Yes 🗌 No

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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) IHB-I 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	Email
City	State	Zip	
Speaking: For Against Info	rmation		eaking: In Support Against ir will read this information into the record.)
Representing <u>Myself</u>			
Appearing at request of Chair: Yes	No	Lobbyist registe	ered with Legislature:YesNo

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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Meeting Date

	ORIDA SENATE
APPEARA	NCE RECORD
09/06/21	or or Senate Professional Staff conducting the meeting)
Meeting Date	Bill Number (if applicable)
Topic <u>MB</u>	Amendment Barcode (if applicable)
Name Sabrina Javellana (ha	-Vey-Yana)
Job Title <u>Lommissioner</u>	
Address <u>Slip NE 27 M Ave</u>	Phone 305983036
<u>Mallandale Beach</u> FL City State	Email Subring ave & Sman ?. Com Zip
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

This form is part of the public record for this meeting.

THE FLORIDA SENATE APPEARANCE RECORD (Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting) 1124 Bill Number (if applicable) Meetina Date Profess Bil Topic Amendment Barcode (if applicable) omissette Name Job Title 入 ACACIA Address Phone Street 32503 Asacola Email Citv State Zip For Information Speaking: X Against Waive Speaking: | In Support Against (The Chair will read this information into the record.) Representing _ Appearing at request of Chair: Lobbyist registered with Legislature: Yes V No 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 EARANCE RECORD (Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting) Meeting Date Bill Number (if applicable) Topic Amendment Barcode (if applicable) Name Job Title OVANIZER Phone_ Address Street Email JAMI <u>32514</u> ensacola State Zip Citv Speaking: Against Waive Speaking: In Support For Information Against (The Chair will read this information into the record.) Representing Appearing at request of Chair: VNo Lobbyist registered with Legislature: Yes Yes 1 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	
	RD
Under BOTH copies of this form to the Senator or Senate Professional Star	ff conducting the meeting) HBI
Meeting Date	Bill Number (if applicable)
TopicANT, PROPEST	Amendment Barcode (if applicable)
Name REV DR RUSSELL MEYER	
Job Title Exec Dir	
Address 1303 WINDSOR PLACE	Phone 813 4355335
	Email Imeyer a) florida churchy
Speaking: For Against Information Waive Speaking: (The Chair	eaking: In Support Against will read this information into the record.)
Representing _ FLORIDA GUNCIL OF CHU	Rettes
Appearing at request of Chair: Yes No Lobbyist registe	red with Legislature: Yes No

This form is part of the public record for this meeting.

THE FLORIDA SENATE	
APPEARANCE REC	CORD
$\frac{202}{1}$ (Deliver BOTH copies of this form to the Senator or Senate Profess	<u> </u> <u> </u> <u> </u>
Meeting Date	Bill Number (if applicable)
Topic HB1	Amendment Barcode (if applicable)
Name Curtis Murphy	
Job Title Refired	
Address 3602 SW 98th Blud	Phone 352 - 240 - 2743
Gainps Ville FL 32608	Email Email Email
City State Zip	
	ve Speaking: In Support Against Chair will read this information into the record.)
Representing Chainess Change	
Appearing at request of Chair: Yes No Lobbyist re	egistered with Legislature: 🗌 Yes 💢 No

This form is part of the public record for this meeting.

THE FLORIDA SENATE	
CU1977 (Deliver BOTH copies of this form to the Senator or Senate Professional S	ar I
Meeting Date	Bill Number (if applicable)
Topic - Combarting Public Disorder	Amendment Barcode (if applicable)
Name Ida V. Eskoman	_
Job Title	_
Address <u>F26 AC Mills</u>	_ Phone <u>4073764807</u>
Street Ondo FC 32001 City State Zip	_ Email <u>Ida, tSKernen Rignel</u>
	peaking: In Support Against air will read this information into the record.)
Representing Florida Rising + Florida	Immgrant Walthon
Appearing at request of Chair: Yes No Lobbyist regist	tered with Legislature: Yes No

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THE FLORIDA SENATE	
APPEARANCE RECORD	
2 9 2 (Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)	
' Meeting Date	Bill Number (if applicable)
Topic Public Disorder Amendr	ment Barcode (if applicable)
Name Ingrid Delgado	
Job Title Associate Difector for Social Concern	5 & Rospect Life
Address _ ZD W Park Av Phone	
Street TALANASSEE FL 3230 Email City State Zip Email	
Speaking: For Against Information Waive Speaking: In Sup (The Chair will read this information)	•
Representing Florida Conference of Catholic	Bishops
Appearing at request of Chair: Yes No Lobbyist registered with Legislatu	ire: Yes No

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THE FLORIDA SENATE

APPEARANCE RECORD

03/09/21	(Deliver BOTH copies of the	is form to the Senator or Se	enate Professional Sta	aff conducting the meeting)	HBL
Meeting Date				-	Bill Number (if applicable)
Topic Ant_{i} -	Protest 1	9,11		Amendr	ment Barcode (if applicable)
Name Mr. Ma	lik Gary	/			
Job Title	egiate (Chair			
Address <u>1341</u>	Blossom	Cir		Phone 850	-519-7092
Street Tenla pass	el	FL	32305	Email <u>melika</u>	Jory 98 @gmail.co
City Speaking: For V	Against 🗌 Inf	<i>State</i> ormation	<i>∠ıp</i> Waive Sp		
Representing	Poor Peon	ple Cam	(The Chai Jaign	r will read this informa OF FLO(tion into the record.) CliCl
Appearing at request of	of Chair: 🗌 Yes	No Lo	obbyist registe	ered with Legislatu	ire: 🗌 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
$\frac{4 \left(9 \left(2021\right)}{Meeting Date}$ (Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting) $\frac{4 \left(9 \left(2021\right)}{Bill Number (if applicable)}\right)$
Topic COMBATTING PUBLIC DISORDER Amendment Barcode (if applicable)
Name_TRISH_NEEL/
Job Title BOARD MEMBER
Address ZOZY SHANGRI LA CANE Phone 850 3223317
TALL FL 32.30% Email City State Zip
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 XNo Lobbyist registered with Legislature: Yes XNo

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	rida Senate	
APPEARAN	ICE RECO	RD
04/84 (Deliver BOTH copies of this form to the Senator Meeting Date	or Senate Professional St	aff conducting the meeting) <u>HB</u> Bill Number (if applicable)
Topic		Amendment Barcode (if applicable)
Name Lawren Brenzel		-
Job Title		-
Address		Phone
Street Tallahassee FL	32301	Email
City State	Zip	
Speaking: For Against Information	Waive Sp <i>(The Cha</i> i	peaking: In Support Against ir will read this information into the record.)
Representing		
Appearing at request of Chair:YesNo	Lobbyist registe	ered with Legislature:YesNo

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THE FLOR	IDA SENATE	
<u>APPEARAN</u> (Deliver BOTH copies of this form to the Senator of Meeting Date		/
Topic <u>anti-protest</u> bill Name <u>Diana Shanks</u>		Amendment Barcode (if applicable)
Job Title Address <u>3539 Margate Drive</u> Street <u>Holiday FL</u> City State Speaking: For Against Information	34691 Zip	Phone <u>7275696729</u> Shanks diàna @ Email <u>gmail com</u> eaking: In Support Against
Representing <i>myself</i> Appearing at request of Chair: Yes X No		will read this information into the record.)

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Meeting Date Control of the senator of Senate Professional Staff conducting the meeting) Bill Number (if applicable)

Topic Anti-Protect	Sting Bill	Amendment Barcode (if applicable)
Name Courtney Pa	ers	
Job Title		
Address $\frac{1518}{Street}$ E TCi	dgewood St	Phone 321-505-1580
Orlando City	FL State	Zip Email Courtney peterswrites agmailian
Speaking: For Agains	t Information	Waive Speaking: In Support Against (The Chair will read this information into the record.)
Representing Myser-		
Appearing at request of Chair:	Yes No	Lobbyist registered with Legislature:YesNo

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 RECOI	RD
U/9/21 Meeting Date (Deliver BOTH copies of this form to the Senator or Senate Professional State)	aff conducting the meeting) HBI Bill Number (if applicable)
Topic Ant: Riot Bill	Amendment Barcode (if applicable)
Name Epiphany Summers	
Job Title Directer of Non Profit	
Address 231 10th Ave North, Apt E	Phone 267-481-5001
St. Petersburg FL 33701 City State Zip	Email <u>er_Summers@yohoo.com</u>
Speaking: For Against Information Waive Sp	eaking: In Support Against ir will read this information into the record.)
Representing Myself	
Appearing at request of Chair: Yes No Lobbyist registe	ered with Legislature:YesNo

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THE FLORIDA SENATE	
APPEARANCE RECO	RD
04-69-21 (Deliver BOTH copies of this form to the Senator or Senate Professional St	taff conducting the meeting) $SB484$
Meeting Date	Bill Number (if applicable)
Topic Public Safety/SB484	Amendment Barcode (if applicable)
Name Dern-Denice Shewood	_
Job Title Community advocate	
Address 520 15th St North	Phone
St Petersburg FL 33705	_ Email
City U State Zip	
	peaking: In Support Against in will read this information into the record.)
Representing Florida for All	
Appearing at request of Chair: 🔄 Yes 🔀 No 🛛 Lobbyist regist	ered with Legislature: 🔄 Yes 🔀 No

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		THE FL	orida Senate.		
		APPEARA	NCE RECO	RD	
4/9/2	(Deliver BOTH copies	of this form to the Sena	ator or Senate Professional St	aff conducting the r	meeting) <u>HB1</u>
Meeting Date					Bill Number (if applicable)
Topic Combatting		Lev		-	Amendment Barcode (if applicable)
Name Chloe II	ws .				
Job Title	-				
	Woodward Ave)		Phone	
Street Tallahass City	ill	FL	32313 Zip	Email	
Speaking: For	Against] Information	Waive Sp	eaking:	In Support Against information into the record.)
Representing	self				
Appearing at reques	st of Chair: 🗌 \	∕es 🔀 No	Lobbyist registe	ered with Le	gislature: 🦳 Yes 🦳 No
While it is a Senate trad	ition to encourage r	oublic testimony t	ime may not permit all	nersons wishi	ng to speak to be heard at this

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4 Meeting Date		APPEAR	E FLORIDA SENATE RANCE RECO Senator or Senate Professional		ne meeting)	SB 4 Bill Number (if	<u>в</u> Ч applicable)
Topic					Amendi	nent Barcode (if applicable)
Name <u>Sarah</u>	Adams						
Job Title							
Address	472 W	Jefferson	St. apt 308	S_ Phone	8 50	- 284 -	-3063
Street	hassee	FL	32301 Zip				
City		State	Zip				gmail.co
Speaking: Speaking:	Against	Information		Speaking: [air will read th		port A	gainst <i>ecord.)</i>
Representing _	seif						
Appearing at reque	est of Chair: [Yes No	Lobbyist regis	stered with l	_egislatı	ıre: 🗌 Yes	s 🔄 No
While it is a Senate tra	dition to encour	age public testimon	ly, time may not permit a	ll persons wis	shing to sr	beak to be hea	ard at this

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THE FLORIDA SENATE	
A - 1 - 2 Meeting Date Meeting Date Meeting Date	
Topic <u>Anti-Protest</u> bill Name David Rodier	Amendment Barcode (if applicable)
Job Title <u>Small business</u> <u>DUNES</u> Address 1237 almond tree ct.	
Street Octando FL 3287 City State Zip	5 Email diedier@knights.vcf.
(The C	e Speaking: In Support Against Chair will read this information into the record.)
Representing	gistered with Legislature: 🗌 Yes √ No

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		THE FLC	RIDA SENATE		
4/9/21			NCE RECO		neeting) HB1
Meeting Date					Bill Number (if applicable)
Topic Pr	otest Bill		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	-	Amendment Barcode (if applicable)
Name <u>Emily</u>	Richeson			-	
Job Title				-	
Address <u>1433 Br</u>	anch St.			Phone	
Street Tallahi	ASSER	FL	32303	Email	
City		State	Zip		
Speaking: 🔄 For 📐	JAgainst DI Solf	nformation		beaking:	In Support Against information into the record.)
Representing	2011				
Appearing at request of	of Chair: 📃 Ye	es 📃 No	Lobbyist regist	ered with Le	gislature: Yes No

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THE FLORIDA SENATE APPEARANCE RECORD

4 9 20 (Deliver BOTH of	copies of this form to the Sena	ator or Senate Professional	Staff conducting the meeting)
Meeting Date			Bill Number (if applicable)
Topic HBI SB484			Amendment Barcode (if applicable)
Name <u>Nushrat</u> Nur			
Job Title			
Address <u>424</u> Highbrooke	Biva		_ Phone 407 192 7424
Street J City	FL State	3476 \ Zip	Email
Speaking: For Against		Waive S	Speaking: In Support Against air will read this information into the record.)
Representing $Drearn T$	Defenders		
Appearing at request of Chair:	Yes No	Lobbyist regis	stered 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	
4/9/2021 (Deliver BOTH copies of this form to the Senator or Senate Professional St	aff conducting the meeting) $BHB1$
^I Meėting Date	Bill Number (if applicable)
Торіс	Amendment Barcode (if applicable)
Name <u>Samantha</u> <u>McLoughlin</u>	-
Job Title	-
Address 5545 Dakworth Place	Phone 407-247-9487
San Ford Florida 32773 City State Zip	Email <u>Sammeloughlinne</u>
Speaking: For Against Information Waive Sp	beaking: In Support Against ir will read this information into the record.)
Representing FSU College Democrats	
Appearing at request of Chair: Yes Yes No Lobbyist registe	ered with Legislature: Yes No

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THE FLOR	ida Senate			
APPEARAN	CE RECO	RD		
$\mathcal{U} = 9 - 21$ (Deliver BOTH copies of this form to the Senator of	or Senate Professional S	Staff conducting	the meeting)	HBA
Meeting Date			· -	Bill Number (if applicable)
Topic Combatting Rublic Disorder	~	_	Amendr	nent Barcode (if applicable)
Name AlVSSA ACKbar				
Job Title State Director				
Address TSN woodward Ave		_ Phone_	813-8	38 -0706
Street				
Tampa FC	32/3/3	_ Email _		
City State	Zip			
Speaking: For Against Information		peaking: [air will read t		port Against tion into the record.)
Representing March For our Lives				
Appearing at request of Chair: Yes No	Lobbyist regis	tered with	Legislatu	re: Yes No

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THE FLOP	rida Senate			
APPEARAN 4 - 9 - 2021 (Deliver BOTH copies of this form to the Senator			the meeting)	SB484
Meeting Date			• • •	Bill Number (if applicable)
Topic	· .	-	Amena	ment Barcode (if applicable)
Name SANA HAFEEZ				
Job Title SUF ALUMNI		-		
Address		Phone_	407	-538-3695
Street FL	COLEON	Email _		
City State	Zip			
Speaking: For Against Information A Representing		beaking: [ir will read t		oport Against ation into the record.)
Appearing at request of Chair: Yes 2 No	Lobbyist registe	ered with	Legislati	ure: 🗌 Yes 🖄 No

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THE FLORI	DA SENATE
APPEARAN	
(Deliver BOTH copies of this form to the Senator of $H/9/2$)	Senate Professional Staff conducting the meeting) $SB484$
Meeting Date	Bill Number (if applicable)
Topic <i>SB484</i>	Amendment Barcode (if applicable)
Name Michael McLaughlin	
Job Title	
Address <u>100 Cadey Street</u>	Phone (605) 759 - 6437
<u>Tallahassee</u> <u>FL</u>	32301 Email Michael. McLaughlin 243 29mgil
City State	Zip
Speaking: For Against Information	Waive Speaking: In Support Against (<i>The Chair will read this information into the record.</i>)
Representing	
Appearing at request of Chair: 🗌 Yes 📈 No	Lobbyist registered with Legislature: 🗌 Yes 🔀 No
14/bile it is a Compte two dition to an accuracy with the time of the	

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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) Meeting Date Bill Number (if applicable Topic ______ *HB* = . Amendment Barcode (if applicable) Name _____ Mitchell Allen _____ Job Title Address 1636 Broome street Phone Street Fernandina Beach EL SJ 034 State Zip Email State Against Speaking: Information For Waive Speaking: | In Support | Aqainst (The Chair will read this information into the record.) _____ Representing Appearing at request of Chair: Yes // No Lobbyist registered with Legislature: | Yes $| \sqrt{|}$ 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.
(Deliver BOT Meeting Date	THE FLORI APPEARAN TH copies of this form to the Senator of			$\frac{HB}{B}$	licable)
Topic <u>ABB1</u>			<i>A</i> ,	mendment Barcode (if app	olicable)
Name Patty FAPPlec	1		_		
Job Title Preschent	Democrafic Wor	nen's Chi	boff	· (
Address 173 Coral 1	Nay East		_ Phone_ 32	1-794-1955	
Street			_ Email _ <i></i>	arley-10 Ch	this !
City	State	Zip	V		
Speaking: For Agains	t Information		peaking: Ir air will read this in	Support Again	
Representing <u><i>Remolina</i></u>	tic Nomen				
Appearing at request of Chair:		Lobbyist regist	tered with Legi	slature: 🗌 Yes 💃	No

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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)

Meeting Date	Bill Number (if applicable)
Topic	Amendment Barcode (if applicable)
Name I; Fan Kovankaya	
Job Title N/A	
Address 1211 Oaks edge road	Phone 850-980-1368
Tallahassee Fl City State	32317 Email 11 Fan, Kavanky yo Rightand
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.

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		THE FL	orida Senate		
		APPEARA	NCE RECOI	RD	
04-09-21	(Deliver BOTH copi	es of this form to the Sena	tor or Senate Professional Sta	aff conducting the meeting)	H.B-1
Meeting Date	_				Bill Number (if applicable)
Topic <u>HB-1</u>				Amend	ment Barcode (if applicable)
Name Zachery Li	eslic				
Job Title <u>Restaura</u>	nt				
Address <u>3108 Iro</u>	nwood bri	v l		Phone 954-20	1-4344
TA ISANS City	t e	FL	32309	Email Zachery	alestic Ogna; 1. con
-	Against	<i>State</i>	•	eaking: In Sup	
Representing					
Appearing at request	of Chair:	Yes No	Lobbyist registe	ered with Legislatu	ıre: Yes No
While it is a Senate traditi meeting. Those who do s	-			• • • •	

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THE FLORIDA SENATE	
APPEARANCE RECOI	RD
4/9/21 (Deliver BOTH copies of this form to the Senator or Senate Professional Sta	
(Meeting/Date	Bill Number (if applicable)
Topic Conbatting Pub Disorder	Amendment Barcode (if applicable)
Name Deboral Foot	
Job Title Acting Chapter Director	
Address 200 W College	Phone \$50 - 727 - 4039
Street Talahasser FL 32301	cleborali. foot a Email Sicred club.oug
City State Zip	
	eaking: In Support Against ir will read this information into the record.)
Representing SILVIA CIUB FL	
Appearing at request of Chair: Yes No Lobbyist registe	ered with Legislature:

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		THE FLOR	IDA SENATE		
	ŀ	PPEARAN		RD	
Meeting Date	(Deliver BOTH copies	of this form to the Senator	or Senate Professional Sf	aff conducting the	meeting) <u>HBI SB484</u> Bill Number (if applicable)
Topic <u>HB1</u>				-	Amendment Barcode (if applicable)
Name Irez	F.				
Job Title					
Address				Phone	
Street <u> </u>		State	<u> </u>	Email	
Speaking: DFor	() ^A gainst	Information		eaking:	In Support Against information into the record.)
Representing					
Appearing at request	of Chair: 🔄 Y	es 📃 No	Lobbyist registe	ered with Le	egislature: 🔄 Yes 🔄 No
While it is a Senate tradition	on to encourage p	ublic testimony, time	may not permit all	persons wish	ing to speak to be heard at this

This form is part of the public record for this meeting.	S-001 (10/14/14)
M M M MM	

THE FLOR	rida Senate		
	ICE RECO	RD	
(Deliver BOTH copies of this form to the Senator Meeting Date	or Senate Professional S	taff conducting the meeting) <u>AB / SS 484</u> Bill Number (if applicable)
			Bill Number (II applicable)
Topic Anti Profest Bill		Amer	dment Barcode (if applicable)
Name_Isabel Ruaro			
Job Title Human Services			
Address 2631 Varmouth Lane		Phone	
Street Lallahassee City State	<u>32301</u> Zip	Email	
Speaking: For X Against Information	-	peaking: In Si ir will read this inforr	upport Against nation into the record.)
Representing			
Appearing at request of Chair: 🔄 Yes 💢 No	Lobbyist regist	ered with Legisla	ture: Yes Xo

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THE FLOR	RIDA SENATE
	ICE RECORD or Senate Professional Staff conducting the meeting) $\frac{C574R}{Bill Number (if applicable)}$
Topic <u>Contrating Public disarder</u>	Amendment Barcode (if applicable)
Name Robhen Flibert	
Job Title Self & milard	
Address <u>C121 indian Milloge Truis</u>	Phone <u>305461929</u>
Street Tell (AGS) C-C City State	EmailRachayre I clader
Speaking: For 🖉 Against Information	Waive Speaking: In Support Against (The Chair will read this information into the record.)
Representing My SCK	
Appearing at request of Chair: Yes No	Lobbyist registered with Legislature:YesNo

This form is part of the public record for this meeting.

	RIDA SENATE
a.	ICE RECORD or Senate Professional Staff conducting the meeting) <i>HB</i> <i>J</i> <i>Bill Number (if applicable)</i>
Topic	Amendment Barcode (if applicable
Name Jerry Sola	
Job Title	
Address	Phone
	Email
City State	Zip
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

This form is part of the public record for this meeting. S-001 (10/14/14)

THE FLORIDA SENATE	
1/9/ Meeting Date	
Topic Combating Public Disorder	Amendment Barcode (if applicable)
Name Manuel Paez Teran	
Job TitleStudent	
Address 2525wTennessee	
	_ Email <u>Manueleparte gmail</u> can
	Speaking: In Support Against air will read this information into the record.)
RepresentingS	
Appearing at request of Chair: Yes No Lobbyist regis	etered with Legislature: 🗌 Yes 🗾 No

This form is part of the public record for this meeting.

			RIDA SENATE	85555			
H/9/21 Meeting Date	(Deliver BOTH c	APPEARAN copies of this form to the Senator	ICE RECOR		neeting)	SB46 Bill Number (i	if applicable)
Topic				/	Amendn	nent Barcode	(if applicable)
Name_Mayovo_	AMAMA						
Job Title							
Address <u>1) 48 ne</u> Street	1905		F	Phone <u>1</u> 8	- W	300-0	1621
<u>NMB</u> City		State	33162 E Zip	Email <u>mem-c</u>	ovo Bin	NAVIZO	<u>smal.co</u>
Speaking: For	Against		Waive Spea	aking:			gainst record.)
Representing <u>S</u>	oul si	sters			nin 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
Appearing at request	of Chair: [Yes No	Lobbyist register	ed with Leg	gislatu	re: 🗌 Ye	s 📃 No

This form is part of the public record for this meeting.

	THE FLC	DRIDA SENATE		
	APPEARAI	NCE RECO	RD	
<u>0410912021</u> Meeting Date	(Deliver BOTH copies of this form to the Senato	or or Senate Professional St	aff conducting the meeting) SB484 Bill Number (if applicable)
	Say No To The Bill	l	Amen	dment Barcode (if applicable)
Name	1 Burks			
Job Title <u>Comm</u>	unity Organizer			
Address 10505	8W 18 Th ST		Phone 954	-249-1995
Street Miram City	evr FL State	33025 Zip	· · · · · · · · · · · · · · · · · · ·	y. Burksegmai
Speaking: For	Against Information	, Waive Sp	peaking: In Su ir will read this inform	upport Against nation into the record.)
Representing $\underline{\mathcal{E}}$		1	Southern	Birth Justice Net
Appearing at request	of Chair: Yes No	Lobbyist regist	ered with Legisla	ture: 🦳 Yes 📃 No
While it is a Senate traditi	on to oncourage public testimony tin	ng may not normit all	porsons wishing to	sneak to be beard at this

This form is part of the public record for this meeting.

THE FLORIDA S	ENATE
APPEARANCE	RECORD
(Deliver BOTH copies of this form to the Senator or Senat	e Professional Staff conducting the meeting) HBI/SR484
Meeting Date	Bill Number (if applicable)
TopicHB1/SBYRY	Amendment Barcode (if applicable)
Name Nancy Metayer	
Job Title Commissioner	
Address 9833 NW 54th place	Phone 954-857-5441
	3076 Email Nancy a Nancy metayer.om
City State	Zip
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 Lob	byist registered with Legislature: 🗌 Yes 🕅 No
While it is a Senate tradition to encourage public testimony, time may	not nermit all nersons wishing to speak to be heard at this

This form is part of the public record for this meeting.

THE FLOR	IDA SENATE
	CE RECORD or Senate Professional Staff conducting the meeting)
Meeting Date	Bill Number (if applicable)
Topic Combating Public Disord	Amendment Barcode (if applicable)
NameSheriff Bobby Sci	hu/tz
Job Title President	
Address 9239 South Hwy. 129	Phone (352) 463-3181
	Email <u>Sschultz@qcso.us</u>
City State	Zip
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:
While it is a Senate tradition to encourage public testimony, time meeting. Those who do speak may be asked to limit their remark	

This form is part of the public record for this meeting.

	THE FLO	rida Senate		
	APPEARAM	NCE RECO	RD	
H/9/2021 (Deliver BOTH co	pies of this form to the Senato	r or Senate Professional S	Staff conducting the meeting)	SB484
Meeting Date				Bill Number (if applicable)
Topic <u>SB484 - Say NOTC</u>	Bill		Amen	dment Barcode (if applicable)
Name Netertini Mars	ha //		-	
Job Title			-	
Address 1046 NW Linoln	Rd		Phone (786)	158-9040
Street Miami	Florida	33407	Email Netertin	Marshall (Crimail C
City	State	Zip		
Speaking: For Against	Information			pport Against ation into the record.)
Representing Girls Mi	th Sears In	C		
Appearing at request of Chair:	Yes No	Lobbyist regis	tered with Legislat	ure: Yes No

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

$\frac{04-04-2021}{\text{Meeting Date}}$	$\frac{56984}{Bill Number (if applicable)}$
Topic SB484-Say No JOTTAR Bill	Amendment Barcode (if applicable)
Name True Albertie	
Job Title 10th Organizer	
Address 2325 Opa-locka Blue	Phone <u>786-612-866</u>
Street <u>OPA-IOCKO</u> <u>City</u> State Zip	b Email Tive albertie Oble
Speaking: For (Against) Information Waive	e Speaking: In Support Against Chair will read this information into the record.)
Representing Black Lives Matter/	Southern Birth Justice
Appearing at request of Chair: Yes No Lobbyist reg	gistered 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.

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S-001 (10/14/14)

CVII CON

THE FLORIDA SENATE	
D4109 2001 Weeting Date (Deliver BOTH copies of this form to the Senator or Senate Professional St	
Topic	Amendment Barcode (if applicable)
Name JOI Ada Williams	-
Job Title South Florida Regional Organi	2er
Address 500 SW 145th Ave	Phone 205 587 6407
Street PAMbroke Pines FL 33027 City State Zip	Email <u>joiadade dream defender</u>
	beaking: In Support Against ir will read this information into the record.)
Representing Albert 60 Broward Commu	1 Nitze
Appearing at request of Chair: Yes Ves No Lobbyist regist	ered with Legislature: 🗌 Yes 📈 No

This form is part of the public record for this meeting.

THE FLOR	ida Senate			
Meeting Date (Deliver BOTH copies of this form to the Senator of Meeting Date			e meeting) -	LJ Z L Bill Number (if applicable)
Topic			Amendr	ment Barcode (if applicable)
Name Tyler Stuck				
Job Title				
Address <u>420 E Park Ave</u>		Phone	104	·S14-6533
Street Tallahassee FL	32301	Email		
City State	Zip			
Speaking: For Against Information		eaking:		port Against tion into the record.)
Representing Self				
Appearing at request of Chair: Yes 🕅 No	Lobbyist registe	ered with L	egislatu	ire: Yes No

This form is part of the public record for this meeting.

THE FLORIDA SENATE APPEARANCE RECORD

9 - 9 - 2021 Meeting Date	(Deliver BOTH copies of this form to the Sen	ator or Senate Professional Staff conducting the	ne meeting) HB Z Bill Number (if applicable)
Topic <u>C5/HB</u> Name <u>Bianca</u>	1 Bácz		Amendment Barcode (if applicable)
Job Title			
Address		Phone	
		Email	
City	State	Zip	
Speaking: Speaking	Against Information	Waive Speaking: [(The Chair will read th	In Support
Representing	nyself		
Appearing at request	F	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.

YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM

Reset Form

		THE FLORID	a Senate		
4/9-10	/2021	APPEARANC	CE RECO	RD	1
M	eeting Date				Bill Number (if applicable)
Topic	Combatting Public Disorde)r	and and a second and	n george	Amendment Barcode (if applicable)
Name	Pamela Burch Fort	and and the second s	<u>La composita esta planta site di composita (sen</u> al		
Job Tit	le	legene side by serve sign of several s			
Addres	s 104 South Monroe Stre	ət		Phone	850-425-1344
	Street Tallahassee	FL	32301	Email ^T	cgLobby@aol.com
Speaki	<i>City</i> ng: For Against	State		peaking: ir will read	In Support Against this information into the record.)
Re	presenting ACLU FL and	NAACP Florida State	Conference		
Appea	ring at request of Chair:	Yes No	Lobbyist regis	ered with	Legislature: 🗹 Yes 🗌 No
While it meeting	is a Senate tradition to encoura . Those who do speak may be a	ge public testimony, time r sked to limit their remarks	nay not permit al so that as many	l persons w persons a	vishing to speak to be heard at this s possible can be heard.
This fo	rm is part of the public record	for this meeting.			S-001 (10/14/14)

THE FLORIDA SENATE	
APPEARANCE RECOI	RD
(Deliver BOTH copies of this form to the Senator or Senate Professional State)	aff conducting the meeting) $AB - I$
Meeting Date	Bill Number (if applicable)
Topic Anti - Protest Cesquistion	Amendment Barcode (if applicable)
Name Rev. Januar T. Golden	
Job Title Pastor	
Address 7401 Kissingnee St.S.	Phone 941-773-405/
Street Koondenton, FL City State Zip	Email jametheaptle@aul.com
Speaking: For Against Information Waive Sp (The Chai	eaking: In Support Against r will read this information into the record.)
Representing <u>AME Church</u>	
Appearing at request of Chair: Yes No Lobbyist registe	ered with Legislature: Yes 1 No

This form is part of the public record for this meeting.

THE FLORIDA SENATE	
APPEARANCE RECOI	RD
(Deliver BOTH copies of this form to the Senator or Senate Professional Sta	aff conducting the meeting) HBI
Meeting Date	Bill Number (if applicable)
Topic SB U84	Amendment Barcode (if applicable)
Name Daniele Adams	
Job Title Confunct of ger Zer	
Address	Phone
Street Sanson FL 3775 City State Zip	Email
Speaking: For Against Information Waive Sp	eaking: In Support Against
Representing Community	×
Appearing at request of Chair: Yes No Lobbyist register	ered with Legislature: Yes No

This form is part of the public record for this meeting.

	IE FLORIDA SENATE RANCE RECORD
	e Senator or Senate Professional Staff conducting the meeting) HBL Bill Number (if applicable)
TopicH81	Amendment Barcode (if applicable)
Name Darry 1 Alfred	
Job Title <u>Entreprenver</u>	
Address <u>Street</u> W Theype St	Phone
Tallahassee FL City State	Z2303 Email darwavemaker Qgmail.com Zip
Speaking: For Against Information	MaWe 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

This form is part of the public record for this meeting.

	JENAIE
APPEARANCE	RECORD
$\frac{24 \cdot 5 \cdot 26}{Meeting Date}$ (Deliver BOTH copies of this form to the Senator or Senator of Sena	ate Professional Staff conducting the meeting) $\frac{ABL/SB484}{Bill Namber (if applicable)}$
Topic Comboling Public. Discredies.	Amendment Barcode (if applicable)
Name Trish Brun	
Job Title Organizer Facilitalen	- And stars
Address 1316 Love Muc	Phone (350)688/153
Street Tullahn Stoo City State	<u>22310</u> Email <u>Bur Lep Picpho</u> 4860 Zip 4050
Speaking: For Against Information	Waive Speaking: In Support Against (Magainst (Magainst (Magainst Chair will read this information into the record.)
Representing Thillahasson Community He	Lion Committee / Poor Prophie's Campaign
Appearing at request of Chair: Yes No	byist registered with Legislature:YesNo

THE ELODIDA CENATE

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.

THE FLORIDA SENATE APPEARANCE RECORD

04/09/21 (Deliver BOTH copies of this form to the Senator or Senate	Professional Staff conducting the meeting)
Meeting Date	Bill Number (if applicable)
Topic House Bill 1 Name YUNUS KOVANGANA	Amendment Barcode (if applicable)
Name YUNUS KOVONKAYO	
Job Title	
Address 1211 Oaks Edge Road	Phone <u>850-688-2699</u>
	32317 Email HEARSTER YUNVS, Koronkayon
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 Xo Lobb	yist 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.

CourtSmart Tag Report

Room: KB 412 Caption: Sena	2 Case No.: - ate Appropriations Committee	Type: Judge:	
	2021 8:36:24 AM 2021 4:52:22 PM Length: 08:15:59		
8:36:22 AM 8:36:32 AM 8:36:38 AM 8:37:07 AM 8:38:03 AM 8:39:09 AM 8:39:33 AM 8:48:07 AM 8:48:07 AM 8:48:17 AM 8:48:34 AM 8:49:30 AM 8:49:30 AM 8:50:16 AM 8:51:06 AM 8:52:25 AM 8:52:25 AM 8:52:34 AM 8:53:08 AM 8:53:08 AM	Meeting called to order by Chair Stargel Roll call by CAA Sue Arnold Quorum present Comments from Chair Stargel Explanation of CS/HB 1 by Chair Stargel Introduction of Tab 1, CS/HB 1, 1st Eng. by Chair Explanation of CS/HB 1, 1st Eng., Combating Pub Comments from Chair Stargel Introduction of Amendment Barcode 901508 by CI Explanation of Amendment by Senator Rouson Comments from Chair Stargel Speaker Trish Neely, League of Women Voters in Speaker David Rodies, March for our Lives in supp Speaker Rev. Dr. Russell Meyer, Florida Council of Comments from Chair Stargel Senator Rouson in closure Comments from Chair Stargel Senator Burgess in opposition of Amendment Question from Senator Brandes	lic Disorder by Senator Burgess hair Stargel support port	
8:53:52 AM 8:54:51 AM 8:56:31 AM 8:57:51 AM 8:58:00 AM 8:58:17 AM	Question from Senator Brandes Response from Senator Burgess Senator Rouson in closure Amendment Barcode 901508 is not adopted Introduction of Amendment Barcode 788596 and S Stargel Explanation of Substitute Amendment Barcode 96		by Chair
8:59:55 AM 9:00:07 AM 9:00:28 AM 9:00:33 AM 9:01:25 AM 9:05:49 AM 9:06:06 AM	Comments from Chair Stargel Speaker Trish Neely, League Women Voters in su Comments from Chair Stargel Senator Burgess in opposition of Amendment Senator Gibson in closure on Substitute Amendment Amendment 965052 is not adopted Amendment Barcode 788596 is withdrawn	ipport	
9:06:14 AM 9:06:27 AM 9:07:24 AM 9:07:55 AM 9:09:09 AM 9:09:45 AM 9:10:28 AM 9:10:28 AM 9:10:42 AM 9:11:10 AM 9:11:17 AM 9:11:21 AM	Introduction of Amendment Barcode 646196 by Cl Explanation of Amendment by Senator Powell Comments from Chair Stargel Speaker Trish Neely, League of Women Voters in Senator Burgess in opposition of Amendment Senator Powell in closure of Amendment Amendment 646196 is not adopted Introduction of Amendment Barcode 895456 by Cl Explanation of Amendment by Senator Rouson Comments from Chair Stargel Question from Senator Pizzo Response from Senator Rouson	support	
9:11:47 AM 9:12:24 AM 9:12:46 AM 9:14:14 AM 9:14:19 AM 9:14:31 AM 9:14:42 AM 9:14:47 AM	Response from Senator Burgess Speaker Trish Neely, League of Women Voters in Senator Rouson in closure of Amendment Comments from Chair Stargel Amendment Barcode 895456 is not adopted Introduction of Amendment Barcode 622818 by Cl Explanation of Amendment by Senator Farmer 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 Senator Farmer in closure of Amendment 9:16:34 AM Amendment Barcode 622818 is not adopted 9:19:58 AM 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 Speaker Trish Neely, League of Women Voters in support 9:20:44 AM 9:21:05 AM Comments from Chair Stargel 9:21:13 AM Senator Burgess in opposition of Amendment Senator Farmer in closure of Amendment 9:22:19 AM 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 Comments from Chair Stargel 9:26:38 AM 9:26:46 AM Speaker Trish Neely, League of Women Voters in support **Comments from Chair Stargel** 9:27:07 AM 9:27:17 AM Senator Powell in debate Senator Burgess in opposition of Amendment 9:28:12 AM 9:29:51 AM Senator Stewart in closure of Amendment 9:31:00 AM Amendment Barcode 802470 is not adopted Introduction of Amendment Barcode 530040 by Chair Stargel 9:31:23 AM 9:31:33 AM Explanation of Amendment by Senator Powell 9:33:05 AM Comments from Chair Stargel Speaker Trish Neely, League of Women Voters in support 9:33:14 AM 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 Senator Farmer in debate 9:35:35 AM Senator Pizzo in debate 9:38:26 AM Senator Bracy in debate 9:39:36 AM 9:40:31 AM Chair Stargel in debate Senator Burgess with request to withdraw Amendment 9:41:45 AM 9:44:32 AM Senator Powell in closure of Amendment and withdrawing Amendment Senator Burgess with commitment to have study done 9:45:35 AM Amendment 530040 withdrawn 9:45:54 AM Introduction of Amendment Barcode 882942 by Chair Stargel 9:46:14 AM 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 Speaker Rev. James T. Golden, AME Church in support 9:48:24 AM Speaker Rev. Dr. Russell Meyer, Florida Council of Churches in support 9:51:25 AM Speaker Malix Gary in support 9:53:36 AM 9:54:20 AM Speaker Nancy Metaver 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 Speaker Kareem Williams in support 9:55:17 AM 9:55:28 AM Speaker E. Marguis Mitchell in support 9:55:41 AM Speaker Kristen Torres in support 9:55:53 AM Speaker Alyssa Ackbar in support Speaker Kira Romero-Craft in opposition of Amendment 9:56:03 AM 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 Speaker Rev. Tom Holdcraft, St. Stephens Church in support 9:59:12 AM Speaker Carrie Boyd, SPLC Action Fund in support 9:59:32 AM **Comments from Chair Stargel** 10:00:05 AM

10:00:19 AM Senator Bracy in debate 10:00:36 AM Senator Pizzo in debate 10:03:59 AM Senator Farmer in debate Senator Gibson in debate 10:05:01 AM Senator Burgess in opposition of Amendment 10:07:20 AM Senator Powell in closure of Amendment 10:09:50 AM Amendment Barcode 882942 is not adopted by voice vote, by show of 2 hands roll call 10:12:20 AM Roll call Vote on Amendment by CAA 10:13:21 AM Amendment Barcode 882942 is not adopted 10:13:34 AM Introduction of Late-filed Amendment Barcode 343996 and Late-filed Substitute Amendment 627558 by 10:14:22 AM **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 **Comments from Chair Stargel** 10:15:49 AM Senator Burgess in opposition of Amendment 10:16:21 AM 10:18:38 AM Senator Farmer in closure of Amendment Amendment Barcode 627558 is not adopted 10:21:54 AM Late-filed Amendment Barcode 343996 withdrawn 10:22:06 AM Introduction of Late-filed Amendment Barcode 136990 by Chair Stargel 10:22:19 AM Explanation of Amendment by Senator Farmer 10:22:31 AM **Comments from Chair Stargel** 10:22:49 AM Speaker Trish Neely, League of Women Voters in support 10:22:57 AM 10:23:32 AM **Comments from Chair Stargel** 10:23:36 AM Senator Burgess in opposition of Amendment Senator Farmer in closure of Amendment 10:25:27 AM 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 **Comments from Chair Stargel** 10:30:24 AM Speaker Trish Neely, League of Women Voters in support 10:30:29 AM **Comments from Chair Stargel** 10:30:52 AM Senator Burgess in opposition of Amendment 10:31:02 AM Senator Gibson in closure of Amendment 10:31:13 AM 10:32:55 AM Amendment Barcode 564306 is not adopted 10:33:08 AM **Comments from Chair Stargel Question from Senator Hutson** 10:33:12 AM Comments from Chair Bean 10:33:20 AM 10:33:58 AM **Response from Senator Burgess** Follow-up guestion from Senator Hutson 10:35:00 AM 10:36:00 AM **Response from Senator Burgess** 10:36:26 AM Comments and follow-up question from Senator Hutson **Response from Senator Burgess** 10:37:26 AM 10:38:19 AM Follow-up question from Senator Hutson **Response from Senator Burgess** 10:38:26 AM 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 **Response from Senator Burgess** 10:40:53 AM Question from Senator Bracy 10:42:06 AM **Response from Senator Burgess** 10:42:10 AM Follow-up question from Senator Bracy 10:43:25 AM **Response from Senator Burgess** 10:45:05 AM Follow-up question from Senator Bracy 10:48:10 AM 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 guestion from Senator Bracy 10:50:41 AM **Response from Senator Burgess** Follow-up question from Senator Bracy 10:50:55 AM **Response from Senator Burgess** 10:51:54 AM Follow-up question from Senator Bracy 10:52:42 AM

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 **Response from Senator Burgess** 10:55:55 AM **Question from Senator Stewart** 10:56:22 AM Response from Senator Burgess 10:56:28 AM Follow-up question from Senator Stewart 10:57:39 AM **Response from Senator Burgess** 10:58:39 AM Follow-up question from Senator Stewart 10:58:46 AM **Response from Senator Burgess** 10:59:43 AM Follow-up question from Senator Stewart 11:00:09 AM 11:01:09 AM **Response from Senator Burgess** 11:02:05 AM Question from Senator Rouson 11:02:32 AM **Response from Senator Burgess** Follow-up question from Senator Rouson 11:05:57 AM **Response from Senator Burgess** 11:06:10 AM 11:07:49 AM Follow-up question from Senator Rouson **Response from Senator Burgess** 11:09:02 AM Follow-up question from Senator Rouson 11:09:18 AM **Response from Senator Burgess** 11:10:14 AM Follow-up question from Senator Rouson 11:11:16 AM **Response from Senator Burgess** 11:12:05 AM Follow-up question from Senator Rouson 11:12:32 AM **Response from Senator Burgess** 11:12:40 AM 11:14:01 AM **Question from Senator Gibson Response from Senator Burgess** 11:14:08 AM Follow-up question from Senator Gibson 11:14:49 AM Response from Senator Burgess 11:15:41 AM 11:16:15 AM Follow-up question from Senator Gibson 11:16:27 AM Response from Senator Burgess Follow-up question from Senator Gibson 11:16:55 AM **Response from Senator Burgess** 11:17:06 AM Follow-up question from Senator Gibson 11:17:14 AM **Response from Senator Burgess** 11:17:22 AM 11:17:38 AM Follow-up question from Senator Gibson 11:17:56 AM **Response from Senator Burgess** Follow-up question from Senator Gibson 11:18:27 AM **Response from Senator Burgess** 11:18:38 AM Follow-up question from Senator Gibson 11:19:17 AM **Response from Senator Burgess** 11:19:38 AM Follow-up question from Senator Gibson 11:20:27 AM 11:20:38 AM **Response from Senator Burgess Response from Chair Stargel** 11:21:08 AM 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 **Response from Senator Burgess** 11:23:06 AM Follow-up question from Senator Gibson 11:23:59 AM **Response from Senator Burgess** 11:24:08 AM **Question from Senator Powell** 11:24:58 AM **Response from Senator Burgess** 11:25:05 AM Follow-up question from Senator Powell 11:25:44 AM 11:26:24 AM Response from Senator Burgess Follow-up question from Senator Powell 11:26:56 AM 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** Follow-up question from Senator Powell 11:28:22 AM **Response from Senator Burgess** 11:29:22 AM 11:30:39 AM Follow-up question from Senator Powell

Response from Senator Burgess 11:31:39 AM 11:32:03 AM Follow-up question from Senator Powell 11:32:31 AM **Response from Senator Powell** Follow-up question from Senator Powell 11:33:25 AM **Response from Senator Burgess** 11:33:38 AM Additional question from Senator Powell 11:34:00 AM Response from Senator Burgess 11:34:39 AM Follow-up question from Senator Powell 11:35:49 AM Response from Senator Burgess 11:36:49 AM 11:37:31 AM Follow-up question from Senator Powell **Response from Senator Burgess** 11:38:00 AM 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 **Question from Senator Book** 11:40:42 AM 11:41:42 AM **Response from Senator Burgess** 11:42:04 AM Follow-up question from Senator Book **Response from Senator Burgess** 11:42:54 AM Follow-up question from Senator Book 11:43:04 AM **Response from Senator Burgess** 11:43:44 AM Follow-up question from Senator Book 11:45:04 AM **Response from Senator Burgess** 11:46:51 AM Comments from Chair Stargel 11:48:11 AM 11:50:05 AM Question from Senator Bracy 11:50:09 AM **Response from Senator Burgess** Follow-up question from Senator Bracy 11:52:53 AM 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 Response from Senator Burgess** 11:56:43 AM Follow-up question from Senator Powell 11:57:04 AM **Response from Senator Burgess** 11:57:39 AM Follow-up question from Senator Powell 11:58:03 AM 11:58:51 AM **Response from Senator Burgess** 11:59:30 AM Follow-up question from Senator Powell **Response from Senator Burgess** 12:00:30 PM Follow-up question from Senator Powell 12:01:13 PM **Response from Senator Burgess** 12:01:43 PM Follow-up question from Senator Powell 12:02:09 PM 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** Follow-up question from Senator Pizzo 12:04:55 PM **Response from Senator Burgess** 12:05:03 PM Follow-up question from Senator Pizzo 12:05:12 PM **Response from Senator Burgess** 12:05:44 PM Follow-up question from Senator Pizzo 12:05:51 PM **Response from Senator Burgess** 12:05:59 PM 12:06:04 PM Follow-up question from Senator Pizzo **Comments from Chair Stargel** 12:06:14 PM 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 **Response from Senator Burgess** 12:07:38 PM Follow-up question from Senator Pizzo 12:08:05 PM 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 **Response from Senator Burgess** 12:08:48 PM Follow-up question from Senator Pizzo 12:08:52 PM **Response from Senator Burgess** 12:09:17 PM 12:09:26 PM Follow-up question from Senator Pizzo **Comments from Chair Stargel** 12:09:32 PM Follow-up question from Senator Pizzo 12:09:56 PM 12:10:09 PM Comments from Chair Stargel Comments from Senator Pizzo 12:10:26 PM 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** Follow-up question from Senator Pizzo 12:11:29 PM **Response from Senator Burgess** 12:11:37 PM 12:11:48 PM Follow-up question from Senator Pizzo **Response from Senator Burgess** 12:11:58 PM Follow-up question from Senator Pizzo 12:12:13 PM **Response from Senator Burgess** 12:12:27 PM 12:12:48 PM Follow-up question from Senator Pizzo **Response from Senator Burgess** 12:13:06 PM 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 **Response from Senator Burgess** 12:13:55 PM 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 Additional guestion from Senator Pizzo 12:14:37 PM **Response from Senator Burgess** 12:14:57 PM Additional question from Senator Pizzo 12:15:13 PM **Response from Senator Burgess** 12:15:32 PM Follow-up question from Senator Pizzo 12:15:48 PM 12:16:03 PM **Response from Senator Burgess** Follow-up question from Senator Pizzo 12:16:08 PM **Response from Senator Burgess** 12:16:23 PM Follow-up question from Senator Pizzo 12:16:46 PM **Response from Senator Burgess** 12:16:54 PM 12:17:10 PM Follow-up question from Senator Pizzo 12:17:25 PM Response from Senator Burgess Follow-up question from Senator Pizzo 12:17:39 PM 12:18:16 PM **Response from Senator Burgess Comments from Chair Stargel** 12:18:43 PM 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** Follow-up question from Senator Pizzo 12:19:51 PM **Response from Senator Burgess** 12:20:01 PM Follow-up question from Senator Pizzo 12:20:10 PM **Response from Senator Burgess** 12:20:22 PM Comments from Senator Pizzo 12:20:51 PM Follow-up question from Senator Pizzo 12:21:06 PM 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** Follow-up question from Senator Pizzo 12:23:01 PM **Response from Senator Burgess** 12:23:13 PM 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** Follow-up question from Senator Pizzo 12:24:35 PM **Response from Senator Burgess** 12:25:05 PM Follow-up question from Senator Pizzo 12:26:05 PM 12:26:22 PM **Response from Senator Burgess** 12:26:34 PM **Comments from Chair Stargel Response from Senator Burgess** 12:26:57 PM 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 **Comments from Chair Stargel** 12:30:12 PM 12:30:33 PM Committee on break for 30 minutes Recording Paused 12:30:47 PM **Recording Resumed** 1:06:10 PM Meeting called back to order 1:06:13 PM Comments from Chair Stargel 1:06:19 PM Speaker Trish Neely, League of Women Voters in opposition 1:07:18 PM Speaker Rick Harper, ACLU/SPLC in opposition 1:08:20 PM Speaker Curtis Murphy in opposition 1:12:16 PM Speaker Rev. James T. Golden, AME Church in opposition 1:13:19 PM Speaker Rev. Andy Oliver in opposition 1:17:45 PM 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 **Question from Senator Powell** 1:29:33 PM Response from Ms. Summers 1:30:33 PM Speaker David Rodies in opposition 1:31:39 PM 1:32:57 PM Speaker Kristellys Estanga in opposition Speaker Diana Shanks in opposition 1:34:51 PM 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 Speaker Jonathan Webber, Florida Conservation Voters in opposition 1:51:39 PM Speaker Lauren Brenzel in opposition 1:53:22 PM Speaker Emily Richeson in opposition 1:56:27 PM Speaker Ida Eskamani, Florida Rising & Florida Immigrant Coalition in opposition 1:57:47 PM 2:00:31 PM Speaker Malix Gary, Poor People Campaign of Florida in opposition 2:02:48 PM Speaker Sadie Carlson in opposition Speaker Sarah Adams in opposition 2:05:19 PM Speaker Chloe Ilcus in opposition 2:07:24 PM Speaker Jol Ada Williams in opposition 2:08:42 PM 2:11:05 PM Speaker Lauren Cephus in opposition Speaker Michael McLoughlin in opposition 2:14:58 PM Speaker Nushrat Nur in opposition 2:16:29 PM 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 Speaker Georgetta Williams in opposition 2:25:10 PM Speaker Carrie Boyd, SPLC Action Fund in opposition 2:27:50 PM 2:30:29 PM Speaker OdJuan Whitfield, Faith in Public Life in opposition

Speaker Lenisha Gibson in opposition 2:32:31 PM 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 Speaker Rodney Elibert in opposition 2:40:19 PM Speaker Kristen Torres in opposition 2:41:58 PM Comments from Chair Stargel 2:44:54 PM Speaker Mark Mitchell in opposition 2:45:55 PM 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 Speaker Zachery Leslie in opposition 3:06:07 PM Speaker Jerry Sola in opposition 3:07:07 PM Speaker Deborah Foote, Sierra Club Florida in opposition 3:08:14 PM Speaker Jon Harris Maurer in opposition 3:10:20 PM Speaker Trish Brown, Tallahassee Community Action, Poor People's Campaign in opposition 3:12:32 PM Speaker (No name given -Tally 19 protestors) 3:16:25 PM 3:19:07 PM Question from Senator Pizzo Response from Speaker 3:20:03 PM 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 Response from Dr. Harper 3:23:52 PM Follow-up question from Senator Powell 3:26:05 PM Response from Dr. Harper 3:26:12 PM **Comments from Chair Stargel** 3:26:59 PM Senator Rouson in debate 3:27:38 PM 3:37:09 PM Senator Gibson in debate 3:48:59 PM Senator Stewart in debate Senator Powell in debate 3:49:59 PM 3:57:38 PM Senator Pizzo in debate Senator Brandes in debate 4:09:42 PM 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 Chair Stargel in debate 4:41:30 PM 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 **Comments from Chair Stargel** 4:51:53 PM Senator Passidomo moves to adjourn 4:51:59 PM 4:52:05 PM Meeting adjourned