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A bill to be entitled  
 An act relating to terroristic threats; creating s.  
 775.32, F.S.; providing definitions; providing that a  
 person commits the crime of terroristic threats if he  
 or she communicates, directly or indirectly, a threat  
 to do specified acts; providing criminal penalties;  
 requiring a person convicted of terroristic threats  
 to, in addition to other restitution ordered, pay  
 restitution in an amount equal to the cost of  
 evacuation; providing that a judgment or order of  
 restitution does not preclude relief recovery in a  
 civil action; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 775.32, Florida Statutes, is created to  
 read:

775.32 Terroristic threats.—

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

(a) "Communicate" means to convey in person, in writing,  
or by electronic means to another person or other persons a  
message, including words, images, or language, through the use  
of electronic mail, the Internet, or any other type of  
electronic communication.

(b) "Immediate family member" of a person means:

1. A spouse, parent, brother, sister, child, uncle, aunt,

27 first cousin, nephew, niece, half-brother, half-sister, father-  
 28 in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-  
 29 law, sister-in-law, stepparent, stepbrother, stepsister,  
 30 stepchild, grandparent, great-grandparent, grandchild, great-  
 31 grandchild, step grandparent, step great-grandparent, step  
 32 grandchild, or step great-grandchild of the person; a person who  
 33 is engaged to be married to, or who otherwise holds himself or  
 34 herself out as, or is generally known as, the person whom the  
 35 person intends to marry; or a person to whom the person stands  
 36 in loco parentis; or

37 2. Any other person living in the person's household and  
 38 related to the person by blood or marriage or any other natural  
 39 person having the same legal residence as the person.

40 (c) "Law enforcement officer" includes a law enforcement  
 41 officer, a correctional officer, a correctional probation  
 42 officer, a part-time law enforcement officer, a part-time  
 43 correctional officer, an auxiliary law enforcement officer, and  
 44 an auxiliary correctional officer, as those terms are  
 45 respectively defined in s. 943.10, and a county probation  
 46 officer; an employee or agent of the Department of Corrections  
 47 who supervises or provides services to inmates; an officer of  
 48 the Florida Commission on Offender Review; a federal law  
 49 enforcement officer as defined in s. 901.1505; and law  
 50 enforcement personnel of the Fish and Wildlife Conservation  
 51 Commission or the Department of Law Enforcement.

52 (2) A person commits the crime of terroristic threats if

53 the person communicates, directly or indirectly, a threat to do  
54 any of the following:

55 (a) Commit any violent act or any act dangerous to human  
56 life with the intent to terrorize, intimidate, injure, or coerce  
57 a person or group.

58 (b) Cause the evacuation of a building, place of assembly,  
59 or facility of public transportation.

60 (c) Cause serious public inconvenience or terror, or cause  
61 serious inconvenience with reckless disregard of the risk of  
62 causing such terror or inconvenience.

63 (3) Except as provided in subsection (4), a person who  
64 violates subsection (2) commits a felony of the third degree,  
65 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

66 (4) A person who violates subsection (2) commits a felony  
67 of the second degree, punishable as provided in s. 775.082, s.  
68 775.083, or s. 775.084, if the violation:

69 (a) Causes the occupants of the building, place of  
70 assembly, or facility of public transportation to be diverted  
71 from their normal or customary operations; or

72 (b) Involves a threat against instructional personnel as  
73 defined in s. 1012.01; a law enforcement officer; state attorney  
74 or assistant state attorney; firefighter; judge; elected  
75 official; or an immediate family member of instructional  
76 personnel as defined in s. 1012.01, a law enforcement officer,  
77 state attorney or assistant state attorney, firefighter, judge,  
78 or elected official.

79 | (5) A person convicted of violating subsection (2) shall,  
80 | in addition to any other restitution that may be ordered, pay  
81 | restitution in an amount equal to the cost of the evacuation,  
82 | including, but not limited to, fire and police response;  
83 | emergency medical service or emergency preparedness response;  
84 | and transportation of an individual from the building, place of  
85 | assembly, or facility of public transportation. A judgment or  
86 | order of restitution does not preclude a person from recovering  
87 | from the offender such relief as may be available in a civil  
88 | action authorized by law, provided that a civil award shall be  
89 | reduced by the amount paid under the judgment or order of  
90 | restitution.

91 | Section 2. This act shall take effect October 1, 2016.