

1 A bill to be entitled
 2 An act relating to offenses committed on real estate
 3 agents; creating s. 775.0863, F.S.; providing
 4 definitions; providing applicability; providing for
 5 reclassification of specified offenses committed on
 6 real estate brokers, broker associates, or sales
 7 associates; providing an effective date.

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

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 11 Section 1. Section 775.0863, Florida Statutes, is created
 12 to read:

13 775.0863 Assault or battery on a real estate broker,
 14 broker associate, or sales associate; reclassification of
 15 offenses.-

16 (1) For purposes of this section, the terms "broker,"
 17 "broker associate," and "sales associate" shall have the same
 18 meanings as provided in s. 475.01. This section applies to a
 19 broker, broker associate, or sales associate while he or she is
 20 engaged in the act of showing or holding an open house of real
 21 property.

22 (2) Whenever a person is charged with knowingly committing
 23 an assault, a battery, or a sexual battery in violation of s.
 24 794.011 on a broker, broker associate, or sales associate, the
 25 offense for which the person is charged shall be reclassified as
 26 follows:

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

27 (a) A misdemeanor of the second degree shall be
28 reclassified as a misdemeanor of the first degree.

29 (b) A misdemeanor of the first degree shall be
30 reclassified as a felony of the third degree.

31 (c) A felony of the third degree shall be reclassified as
32 a felony of the second degree.

33 (d) A felony of the second degree shall be reclassified as
34 a felony of the first degree.

35 (e) A felony of the first degree shall be reclassified as
36 a life felony.

37 (f) For purposes of sentencing under chapter 921 and
38 determining incentive gain-time eligibility under chapter 944, a
39 felony offense that is reclassified under this subsection is
40 ranked one level above the ranking under s. 921.0022 or s.
41 921.0023 of the offense committed.

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