

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Fernandez-Barquin offered the following:

Amendment (with title amendment)

Remove lines 447-502 and insert:

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

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13 ~~(9)(8)~~ A minor whose driver license or driving privilege
14 is revoked, suspended, or withheld under subsection ~~(8)(7)~~ may
15 elect to reduce the period of revocation, suspension, or
16 withholding by performing community service at the rate of 1 day
17 for each hour of community service performed. In addition, if
18 the court determines that due to a family hardship, the minor's
19 driver license or driving privilege is necessary for employment
20 or medical purposes of the minor or a member of the minor's
21 family, the court shall order the minor to perform community
22 service and reduce the period of revocation, suspension, or
23 withholding at the rate of 1 day for each hour of community
24 service performed. As used in this subsection, the term
25 "community service" means cleaning graffiti from public
26 property.

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

29 806.135 Destroying or demolishing a memorial or historic
30 property.-

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

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

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

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

59 (2) It is unlawful for any person to willfully and
60 maliciously destroy or demolish any memorial or historic
61 property, or willfully and maliciously pull down a memorial or

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62 historic property, unless authorized by the owner of the
63 memorial or historic property. A person who violates this
64 section commits a felony of the second degree, punishable as
65 provided in s. 775.082, s. 775.083, or s. 775.084.

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

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72 **T I T L E A M E N D M E N T**

73 Remove lines 51-56 and insert:

74 defacing, injuring, or damaging a memorial or historic
75 property; providing a penalty; requiring a court to order
76 restitution for such a violation; creating s. 806.135,
77 F.S.; defining the terms "historic property" and
78 "memorial"; prohibiting a person from destroying or
79 demolishing a memorial or historic property; providing a
80 penalty; requiring a court to order restitution for such a
81 violation;

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