

1 A bill to be entitled
 2 An act relating to residential picketing; creating s.
 3 810.15, F.S.; prohibiting a person from picketing or
 4 protesting before or about the dwelling of a person
 5 with specified intent; providing an exception;
 6 providing for noncriminal infractions and criminal
 7 penalties; providing an effective date.

8
 9 WHEREAS, the state has a significant interest in protecting
 10 the tranquility and privacy of the home and protecting citizens
 11 from the detrimental effect of targeted picketing, and

12 WHEREAS, the Supreme Court of the United States recognized
 13 this interest in upholding a challenged ordinance restricting
 14 residential picketing in *Frisby v. Schultz*, 487 U.S. 474 (1988),
 15 NOW, THEREFORE,

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 Section 1. Section 810.15, Florida Statutes, is created to
 20 read:

21 810.15 Residential picketing.—
 22 (1) It is unlawful for a person to picket or protest
 23 before or about the dwelling of a person with the intent to
 24 harass or disturb a person, unless the picketing or protest is
 25 in compliance with an ordinance of the governing body of the

26 | county or municipality that allows residential picketing or
 27 | protesting.

28 | (2) A person who violates subsection (1) commits:

29 | (a)1. For a first offense, a noncriminal violation and
 30 | shall be sentenced to perform 16 hours of community service or,
 31 | instead of community service, pay a \$25 fine. A person charged
 32 | with a noncriminal violation under this paragraph shall receive
 33 | a civil citation and must appear before the county court or
 34 | comply with the requirement for paying the fine. The court,
 35 | after a hearing, shall make a determination as to whether the
 36 | noncriminal violation was committed. If the court finds the
 37 | violation was committed, it shall impose the appropriate penalty
 38 | as specified in this paragraph.

39 | 2. A person who participates in community service shall be
 40 | considered an employee of the state for the purpose of chapter
 41 | 440 for the duration of such service.

42 | (b) For a second or subsequent offense, a misdemeanor of
 43 | the second degree, punishable as provided in s. 775.082 or s.
 44 | 775.083.

45 | Section 2. This act shall take effect October 1, 2022.