

By the Committee on Criminal Justice; and Senator Polsky

591-03489-23

2023174c1

1 A bill to be entitled
2 An act relating to protection of specified personnel;
3 amending s. 836.12, F.S.; defining the term "judicial
4 assistant"; providing that threats committed with
5 specified intent are specified violations of the act;
6 prohibiting specified threats against a justice or
7 judicial assistant or a family member of such person;
8 prohibiting specified harassment of certain personnel
9 with the intent to intimidate or coerce such person to
10 perform or refrain from performing a lawful duty;
11 providing criminal penalties; providing an effective
12 date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Section 836.12, Florida Statutes, is amended to
17 read:

18 836.12 Threats or harassment.—

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

20 (a) "Family member" means:

21 1. An individual related to another individual by blood or
22 marriage; or

23 2. An individual who stands in loco parentis to another
24 individual.

25 (b) "Judicial assistant" means a court employee assigned to
26 the office of a specific judge or justice responsible for
27 providing administrative, secretarial, and clerical support to
28 the assigned judge or justice.

29 (c) ~~(b)~~ "Law enforcement officer" means:

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30 1. A law enforcement officer as defined in s. 943.10; or
31 2. A federal law enforcement officer as defined in s.
32 901.1505.

33 (2) (a) Except as provided in paragraph (b), any person who
34 knowingly and willfully threatens a law enforcement officer, a
35 state attorney, an assistant state attorney, a firefighter, a
36 judge, a justice, a judicial assistant, or an elected official,
37 or a family member of any such person persons, with death or
38 serious bodily harm commits a misdemeanor of the first degree,
39 punishable as provided in s. 775.082 or s. 775.083.

40 (b) ~~(3)~~ A person who commits a second or subsequent
41 violation of paragraph (a) subsection ~~(2)~~ commits a felony of
42 the third degree, punishable as provided in s. 775.082, s.
43 775.083, or s. 775.084.

44 (3) Any person who knowingly and willfully harasses a law
45 enforcement officer, a state attorney, an assistant state
46 attorney, a firefighter, a judge, a justice, a judicial
47 assistant, or an elected official, with the intent to intimidate
48 or coerce such a person to perform or refrain from performing a
49 lawful duty, commits a misdemeanor of the first degree,
50 punishable as provided in s. 775.082 or s. 775.083.

51 Section 2. This act shall take effect October 1, 2023.