

By Senator Wright

8-00837-24

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1 A bill to be entitled
2 An act relating to code enforcement officers; amending
3 s. 784.07, F.S.; defining the term "code enforcement
4 officer"; requiring the reclassification of certain
5 offenses committed against code enforcement officers
6 while engaged in the performance of their duties;
7 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. Present paragraphs (a) through (g) of subsection
12 (1) of section 784.07, Florida Statutes, are redesignated as
13 paragraphs (b) through (h), respectively, a new paragraph (a) is
14 added to that subsection, and subsection (2) of that section is
15 amended, to read:

16 784.07 Assault or battery of law enforcement officers and
17 other specified personnel; reclassification of offenses; minimum
18 sentences.—

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

20 (a) "Code enforcement officer" has the same meaning as in
21 s. 162.21 and includes a code inspector as defined in s. 162.04.

22 (2) Whenever any person is charged with knowingly
23 committing an assault or battery upon a law enforcement officer,
24 a firefighter, an emergency medical care provider, hospital
25 personnel, a railroad special officer, a traffic accident
26 investigation officer as described in s. 316.640, a nonsworn law
27 enforcement agency employee who is certified as an agency
28 inspector, a blood alcohol analyst, or a breath test operator
29 while such employee is in uniform and engaged in processing,

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30 testing, evaluating, analyzing, or transporting a person who is
31 detained or under arrest for DUI, a law enforcement explorer, a
32 code enforcement officer, a traffic infraction enforcement
33 officer as described in s. 316.640, a parking enforcement
34 specialist as defined in s. 316.640, a person licensed as a
35 security officer as defined in s. 493.6101 and wearing a uniform
36 that bears at least one patch or emblem that is visible at all
37 times that clearly identifies the employing agency and that
38 clearly identifies the person as a licensed security officer, or
39 a security officer employed by the board of trustees of a
40 community college, while the officer, firefighter, emergency
41 medical care provider, hospital personnel, railroad special
42 officer, traffic accident investigation officer, traffic
43 infraction enforcement officer, inspector, analyst, operator,
44 law enforcement explorer, code enforcement officer, parking
45 enforcement specialist, public transit employee or agent, or
46 security officer is engaged in the lawful performance of his or
47 her duties, the offense for which the person is charged shall be
48 reclassified as follows:

49 (a) In the case of assault, from a misdemeanor of the
50 second degree to a misdemeanor of the first degree.

51 (b) In the case of battery, from a misdemeanor of the first
52 degree to a felony of the third degree. Notwithstanding any
53 other provision of law, a person convicted of battery upon a law
54 enforcement officer committed in furtherance of a riot or an
55 aggravated riot prohibited under s. 870.01 shall be sentenced to
56 a minimum term of imprisonment of 6 months.

57 (c) In the case of aggravated assault, from a felony of the
58 third degree to a felony of the second degree. Notwithstanding

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59 any other provision of law, any person convicted of aggravated
60 assault upon a law enforcement officer shall be sentenced to a
61 minimum term of imprisonment of 3 years.

62 (d) In the case of aggravated battery, from a felony of the
63 second degree to a felony of the first degree. Notwithstanding
64 any other provision of law, any person convicted of aggravated
65 battery of a law enforcement officer shall be sentenced to a
66 minimum term of imprisonment of 5 years.

67 Section 2. This act shall take effect July 1, 2024.