

1                                   A bill to be entitled  
 2           An act relating to terroristic threats; creating s.  
 3           836.12, F.S.; providing definitions; providing that a  
 4           person commits the crime of terroristic threats if he  
 5           or she threatens to commit a crime of violence under  
 6           certain circumstances; providing criminal penalties;  
 7           requiring payment of restitution; providing an  
 8           effective date.

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

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 12           Section 1. Section 836.12, Florida Statutes, is created to  
 13 read:

14           836.12 Terroristic threats.-

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

16           (a) "Facility of public transportation" means a public  
 17 conveyance and any area, structure, or device which is used to  
 18 support, guide, control, permit, or facilitate the movement,  
 19 starting, stopping, takeoff, landing, or servicing of a public  
 20 conveyance, or the loading or unloading of passengers, freight,  
 21 or goods. For purposes of this paragraph, the term "public  
 22 conveyance" includes a passenger or freight train, airplane,  
 23 bus, truck, car, boat, tramway, gondola, lift, elevator,  
 24 escalator, or other device used for the public carriage of  
 25 persons or property.

26           (b) "Family member of a person" means:

- 27        1. An individual related to the person by blood or  
 28 marriage;
- 29        2. An individual living in the person's household or  
 30 having the same legal residence as the person;
- 31        3. An individual who is engaged to be married to the  
 32 person, or who holds himself or herself out as, or is generally  
 33 known as, an individual whom the person intends to marry; or
- 34        4. An individual to whom the person stands in loco  
 35 parentis.
- 36        (c) "Instructional personnel" has the same meaning as  
 37 provided in s. 1012.01.
- 38        (d) "Law enforcement officer" means a current or former:
- 39        1. Law enforcement officer, correctional officer,  
 40 correctional probation officer, part-time law enforcement  
 41 officer, part-time correctional officer, part-time correctional  
 42 probation officer, auxiliary law enforcement officer, auxiliary  
 43 correctional officer, or auxiliary correctional probation  
 44 officer, as those terms are respectively defined in s. 943.10,  
 45 or county probation officer;
- 46        2. Employee or agent of the Department of Corrections who  
 47 supervises or provides services to inmates;
- 48        3. Officer of the Florida Commission on Offender Review;
- 49        4. Federal law enforcement officer as defined in s.  
 50 901.1505; or
- 51        5. Law enforcement personnel of the Fish and Wildlife  
 52 Conservation Commission or the Department of Law Enforcement.

53 (2) It is unlawful for a person to threaten to commit a  
54 crime of violence with the intent to cause, or with reckless  
55 disregard for the risk of causing:

56 (a) Terror; or

57 (b) The evacuation of a building, place of assembly, or  
58 facility of public transportation.

59 (3) Except as provided in subsection (4), a person who  
60 violates subsection (2) commits a felony of the third degree,  
61 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

62 (4) A person who violates subsection (2) commits a felony  
63 of the second degree, punishable as provided in s. 775.082, s.  
64 775.083, or s. 775.084, if the violation:

65 (a) Causes the occupants of a building, place of assembly,  
66 or facility of public transportation to be diverted from their  
67 normal or customary operations;

68 (b) Involves a threat against instructional personnel, a  
69 school administrator, school bus driver, law enforcement  
70 officer, state attorney, public defender, statewide prosecutor,  
71 criminal conflict and civil regional counsel, firefighter,  
72 judge, the Attorney General, or other elected official; or

73 (c) Involves a threat against a family member of a person  
74 identified in paragraph (b).

75 (5) A person convicted of violating subsection (2) shall,  
76 in addition to any other restitution or penalty provided by law,  
77 pay restitution for all costs and damages caused by an  
78 evacuation resulting from the criminal conduct.

CS/CS/HB 257

2016

79 |           Section 2.   This act shall take effect July 1, 2016. |