

1                   A bill to be entitled  
2           An act relating to criminal justice; amending  
3           s. 806.13, F.S.; authorizing the aggregation of  
4           the value of damage to separate properties in  
5           determining the grade of the offense for  
6           criminal mischief in which the damage occurred  
7           during one scheme or course of conduct;  
8           creating s. 810.14, F.S.; prohibiting a person  
9           from secretly observing or committing other  
10          acts against another person with lewd,  
11          lascivious, or indecent intent when the other  
12          person is in a location that provides a  
13          reasonable expectation of privacy; providing  
14          for criminal penalties; defining a previous  
15          conviction or adjudication of delinquency;  
16          providing an effective date.

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

19  
20           Section 1. Subsections (1), (2), and (3) of section  
21   806.13, Florida Statutes, are reenacted and subsection (4) of  
22   that section is amended, to read:

23           806.13 Criminal mischief; penalties; penalty for  
24   minor.--

25           (1)(a) A person commits the offense of criminal  
26   mischief if he or she willfully and maliciously injures or  
27   damages by any means any real or personal property belonging  
28   to another, including, but not limited to, the placement of  
29   graffiti thereon or other acts of vandalism thereto.

30  
31

1 (b)1. If the damage to such property is \$200 or less,  
2 it is a misdemeanor of the second degree, punishable as  
3 provided in s. 775.082 or s. 775.083.

4 2. If the damage to such property is greater than \$200  
5 but less than \$1,000, it is a misdemeanor of the first degree,  
6 punishable as provided in s. 775.082 or s. 775.083.

7 3. If the damage is \$1,000 or greater, or if there is  
8 interruption or impairment of a business operation or public  
9 communication, transportation, supply of water, gas or power,  
10 or other public service which costs \$1,000 or more in labor  
11 and supplies to restore, it is a felony of the third degree,  
12 punishable as provided in s. 775.082, s. 775.083, or s.  
13 775.084.

14 (2) Any person who willfully and maliciously defaces,  
15 injures, or damages by any means any church, synagogue,  
16 mosque, or other place of worship, or any religious article  
17 contained therein, is guilty of a felony of the third degree,  
18 punishable as provided in s. 775.082, s. 775.083, or s.  
19 775.084, if the damage to the property is greater than \$200.

20 (3) Whoever, without the consent of the owner thereof,  
21 willfully destroys or substantially damages any public  
22 telephone, or telephone cables, wires, fixtures, antennas,  
23 amplifiers, or any other apparatus, equipment, or appliances,  
24 which destruction or damage renders a public telephone  
25 inoperative or which opens the body of a public telephone, is  
26 guilty of a felony of the third degree, punishable as provided  
27 in s. 775.082, s. 775.083, or s. 775.084; provided, however,  
28 that a conspicuous notice of the provisions of this subsection  
29 and the penalties provided is posted on or near the destroyed  
30 or damaged instrument and visible to the public at the time of  
31 the commission of the offense.

1           (4)(a) The amounts of value of damage to property  
2 owned by separate persons, if the property was damaged during  
3 one scheme or course or conduct, may be aggregated in  
4 determining the grade of the offense under this section.

5           (b) Any person who violates this section may, in  
6 addition to any other criminal penalty, be required to pay for  
7 the damages caused by such offense.

8           Section 2. Section 810.14, Florida Statutes, is  
9 created to read:

10           810.14 Voyeurism prohibited; penalties.--

11           (1) A person commits the offense of voyeurism when he  
12 or she, with lewd, lascivious, or indecent intent, secretly  
13 observes, photographs, films, videotapes, or records another  
14 person when such other person is located in a dwelling,  
15 structure, or conveyance and such location provides a  
16 reasonable expectation of privacy.

17           (2) A person who violates this section commits a  
18 misdemeanor of the first degree for the first violation,  
19 punishable as provided in s. 775.082, s. 775.083, or s.  
20 775.084.

21           (3) A person who violates this section and who has  
22 been previously convicted or adjudicated delinquent two or  
23 more times of any violation of this section commits a felony  
24 of the third degree, punishable as provided in s. 775.082, s.  
25 775.083, or s. 775.084.

26           (4) For purposes of this section, a person has been  
27 previously convicted or adjudicated delinquent of a violation  
28 of this section if the violation resulted in a conviction  
29 sentenced separately, or an adjudication of delinquency  
30 entered separately, prior to the current offense.

31           Section 3. This act shall take effect July 1, 1998.