

1
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.