

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 that a person may be convicted and sentenced
15 separately for the voyeurism offense and for
16 any other criminal offense; providing for
17 criminal penalties; providing an effective
18 date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Subsections (1), (2), and (3) of section
23 806.13, Florida Statutes, are reenacted and subsection (4) of
24 that section is amended, to read:

25 806.13 Criminal mischief; penalties; penalty for
26 minor.--

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

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 may be convicted of and sentenced
18 separately for a violation of this section and for any other
19 criminal offense, including, but not limited to, burglary,
20 trespass, or loitering.

21 (3) A person who violates this section commits:

22 (a) A misdemeanor of the first degree for the first
23 violation, punishable as provided in s. 775.082 or s. 775.083.

24 (b) A felony of the third degree for a second or
25 subsequent violation, punishable as provided in s. 775.082, s.
26 775.083, or s. 775.084.

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