

By the Committee on Criminal Justice; and Senators Wise, Smith, Sebesta, Pruitt, Sullivan and Mitchell

307-1990-02

1 A bill to be entitled
2 An act relating to assault or battery on
3 specified officials; amending s. 784.081, F.S.;
4 providing enhanced penalties for the offenses
5 of assault, battery, aggravated assault, and
6 aggravated battery if the offense is committed
7 on the Governor, the Lieutenant Governor, an
8 elected Cabinet officer, a member of the
9 Legislature, the mayor or chief head of a
10 municipality, a member of a city council or
11 city commission, a member of a county
12 commission, a public defender, an elected
13 constitutional officer, or an interscholastic
14 sports official; providing an effective date.

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

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18 Section 1. Section 784.081, Florida Statutes, is
19 amended to read:

20 784.081 Assault or battery on specified officials or
21 employees; reclassification of offenses.--Whenever a person is
22 charged with committing an assault or aggravated assault or a
23 battery or aggravated battery upon the Governor, the
24 Lieutenant Governor, an elected Cabinet officer, a member of
25 the Legislature, the mayor or chief head of a municipality, a
26 member of a city council or city commission, a member of a
27 county commission, a public defender, an elected
28 constitutional officer, or an ~~any~~ elected official or employee
29 of: a school district; a private school; the Florida School
30 for the Deaf and the Blind; a university developmental
31 research school; a state university or any other entity of the

1 state system of public education, as defined in s. 228.041; an
2 interscholastic sports official as defined in s.

3 440.02(14)(d)11.; an employee or protective investigator of
4 the Department of Children and Family Services; or an employee
5 of a lead community-based provider and its direct service
6 contract providers, when the person committing the offense
7 knows or has reason to know the identity or position or
8 employment of the victim, the offense for which the person is
9 charged shall be reclassified as follows:

10 (1) In the case of aggravated battery, from a felony
11 of the second degree to a felony of the first degree.

12 (2) In the case of aggravated assault, from a felony
13 of the third degree to a felony of the second degree.

14 (3) In the case of battery, from a misdemeanor of the
15 first degree to a felony of the third degree.

16 (4) In the case of assault, from a misdemeanor of the
17 second degree to a misdemeanor of the first degree.

18 Section 2. This act shall take effect July 1, 2002.

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20 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
21 COMMITTEE SUBSTITUTE FOR
22 Senate Bill 1486

23 Reclassifies the felony or misdemeanor degree (as applicable)
24 of assault, aggravated assault, battery, and aggravated
25 battery if the victim is the Governor, the Lieutenant
26 Governor, an elected Cabinet officer, a member of the
27 Legislature, the mayor or chief head of a municipality, a
28 member of a city council or city commission, a member of a
29 county commission, a public defender, an elected
30 constitutional officer, or an interscholastic sports official
31 as defined in s. 440.02(14)(d)11.