

By the Committee on Criminal Justice; and Senators Smith and Wise

307-1291-02

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A bill to be entitled
An act relating to manslaughter; amending s.
782.07, F.S.; providing that a person who
causes the death, through culpable negligence,
of a law enforcement officer, a firefighter, an
emergency medical technician, or a paramedic
while the law enforcement officer, firefighter,
emergency medical technician, or paramedic is
performing duties of employment commits the
offense of aggravated manslaughter; providing
an enhanced penalty; providing an effective
date.

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

Section 1. This act may be cited as the "Officer Scott Baird Act."

Section 2. Section 782.07, Florida Statutes, is amended to read:

782.07 Manslaughter; aggravated manslaughter of an elderly person or disabled adult; aggravated manslaughter of a child; aggravated manslaughter of a law enforcement officer, a firefighter, an emergency medical technician, or a paramedic.--

(1) The killing of a human being by the act, procurement, or culpable negligence of another, without lawful justification according to the provisions of chapter 776 and in cases in which such killing shall not be excusable homicide or murder, according to the provisions of this chapter, is manslaughter, a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1 (2) A person who causes the death of any elderly
2 person or disabled adult by culpable negligence under s.
3 825.102(3) commits aggravated manslaughter of an elderly
4 person or disabled adult, a felony of the first degree,
5 punishable as provided in s. 775.082, s. 775.083, or s.
6 775.084.

7 (3) A person who causes the death of any person under
8 the age of 18 by culpable negligence under s. 827.03(3)
9 commits aggravated manslaughter of a child, a felony of the
10 first degree, punishable as provided in s. 775.082, s.
11 775.083, or s. 775.084.

12 (4) A person who causes the death, through culpable
13 negligence, of a law enforcement officer as defined in s.
14 943.10(14), a firefighter as defined in s. 112.191, an
15 emergency medical technician as defined in s. 401.23, or a
16 paramedic as defined in s. 401.23, while the law enforcement
17 officer, firefighter, emergency medical technician, or
18 paramedic is performing duties that are within the course of
19 his or her employment, commits aggravated manslaughter of a
20 law enforcement officer, a firefighter, an emergency medical
21 technician, or a paramedic, a felony of the first degree,
22 punishable as provided in s. 775.082, s. 775.083, or s.
23 775.084.

24 Section 3. This act shall take effect July 1, 2002.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 188

- Clarifies that the potential victims of the crime of aggravated manslaughter of a law enforcement officer, firefighter, emergency medical technician or paramedic, should be performing duties that are within the course of his or her employment in order for the statute to apply.
- Incorporates by reference statutory definitions of "officer," "firefighter," "emergency medical technician" and "paramedic."
- Provides that the act may be cited as the "Officer Scott Baird Act."