

CHAMBER ACTION

1 The Domestic Security Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the misuse of laser lighting devices;
7 amending s. 784.062, F.S.; revising the definition of
8 "laser lighting device"; providing that any person who
9 knowingly and willfully aims a laser lighting device at a
10 person operating a motor vehicle, vessel, or aircraft
11 commits a felony of the third degree; providing that any
12 person who causes bodily harm while improperly pointing
13 the laser lighting device at the operator of a motor
14 vehicle, vessel, or aircraft commits a felony of the
15 second degree; providing penalties; providing an effective
16 date.

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

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20 Section 1. Section 784.062, Florida Statutes, is amended
21 to read:

22 784.062 Misuse of laser lighting devices.--

23 (1) As used in subsection (2) ~~this section~~, the term
 24 "laser lighting device" means a hand-held device, not affixed to
 25 a firearm, which emits a laser beam that is designed to be used
 26 by the operator as a pointer or highlighter to indicate, mark,
 27 or identify a specific position, place, item, or object. As used
 28 in subsection (3), the term "laser lighting device" means any
 29 device designed or used to amplify electromagnetic radiation by
 30 stimulated emission.

31 (2) Any person who knowingly and willfully shines, points,
 32 or focuses the beam of a laser lighting device at a law
 33 enforcement officer, engaged in the performance of his or her
 34 official duties, in such a manner that would cause a reasonable
 35 person to believe that a firearm is pointed at him or her
 36 commits a noncriminal violation, punishable as provided in s.
 37 775.083.

38 (3)(a) Any person who knowingly and willfully shines,
 39 points, or focuses the beam of a laser lighting device on an
 40 individual operating a motor vehicle, vessel, or aircraft
 41 commits a felony of the third degree, punishable as provided in
 42 s. 775.082, s. 775.083, or s. 775.084.

43 (b) Any person who knowingly and willfully shines, points,
 44 or focuses the beam of a laser lighting device on an individual
 45 operating a motor vehicle, vessel, or aircraft and such act
 46 results in bodily injury commits a felony of the second degree,
 47 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

48 Section 2. This act shall take effect July 1, 2005.