

By the Committee on Criminal Justice; and Senators Baker and Bennett

591-1750-06

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

A bill to be entitled

An act relating to assault or battery on security officers; amending s. 784.07, F.S.; providing for reclassification of an assault or battery on a licensed security officer; providing applicability; providing an effective date.

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

Section 1. Subsection (2) of section 784.07, Florida Statutes, is amended to read:

784.07 Assault or battery of law enforcement officers, firefighters, emergency medical care providers, public transit employees or agents, or other specified officers; reclassification of offenses; minimum sentences.--

(2) Whenever any person is charged with knowingly committing an assault or battery upon a law enforcement officer, a firefighter, an emergency medical care provider, a traffic accident investigation officer as described in s. 316.640, a traffic infraction enforcement officer as described in s. 316.640, a parking enforcement specialist as defined in s. 316.640, a person licensed as a security officer as defined in s. 493.6101 and wearing a uniform that bears at least one patch or emblem that is visible at all times clearly identifying the employing agency and the employee as a licensed security officer, or a security officer employed by the board of trustees of a community college, while the officer, firefighter, emergency medical care provider, intake officer, traffic accident investigation officer, traffic infraction enforcement officer, parking enforcement

1 specialist, public transit employee or agent, or security  
2 officer is engaged in the lawful performance of his or her  
3 duties, the offense for which the person is charged shall be  
4 reclassified as follows:

5 (a) In the case of assault, from a misdemeanor of the  
6 second degree to a misdemeanor of the first degree.

7 (b) In the case of battery, from a misdemeanor of the  
8 first degree to a felony of the third degree.

9 (c) In the case of aggravated assault, from a felony  
10 of the third degree to a felony of the second degree.  
11 Notwithstanding any other provision of law, any person  
12 convicted of aggravated assault upon a law enforcement officer  
13 shall be sentenced to a minimum term of imprisonment of 3  
14 years.

15 (d) In the case of aggravated battery, from a felony  
16 of the second degree to a felony of the first degree.  
17 Notwithstanding any other provision of law, any person  
18 convicted of aggravated battery of a law enforcement officer  
19 shall be sentenced to a minimum term of imprisonment of 5  
20 years.

21 Section 2. This act shall take effect July 1, 2006,  
22 and shall apply to offenses committed on or after that date.

23  
24 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
25 COMMITTEE SUBSTITUTE FOR  
26 Senate Bill 212

27 Requires the licensed security officer to be wearing a uniform  
28 that has at least one visible patch or emblem identifying the  
29 employing agency and the employee as a licensed security  
30 officer before the enhanced penalties can apply.  
31