Florida Senate - 2006

By the Committee on Community Affairs; and Senator Bennett

578-2041-06

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| 1 | A bill to be entitled |
| 2 | An act relating to the disturbance of |
| 3 | assemblies; amending s. 871.01, F.S.; providing |
| 4 | a penalty for willfully interrupting or |
| 5 | disturbing an assembly of people met for the |
| 6 | purpose of acknowledging the death of an |
| 7 | individual with a military funeral honors |
| 8 | detail; reenacting s. 871.02, F.S., relating to |
| 9 | indictments or informations for disturbing |
| 10 | assembly, for the purpose of incorporating the |
| 11 | amendment to s. 871.01, F.S., in a reference |
| 12 | thereto; providing an effective date |
| 13 | |
| 14 | Be It Enacted by the Legislature of the State of Florida: |
| 15 | |
| 16 | Section 1. Section 871.01, Florida Statutes, is |
| 17 | amended to read: |
| 18 | 871.01 Disturbing schools and religious and other |
| 19 | assemblies |
| 20 | (1) Whoever willfully interrupts or disturbs any |
| 21 | school or any assembly of people met for the worship of God or |
| 22 | for any lawful purpose <u>commits</u> shall be guilty of a |
| 23 | misdemeanor of the second degree, punishable as provided in s. |
| 24 | 775.082 or s. 775.083. |
| 25 | (2) Whoever willfully interrupts or disturbs any |
| 26 | assembly of people met for the purpose of acknowledging the |
| 27 | death of an individual with a military funeral honors detail |
| 28 | pursuant to 10 U.S.C. s. 1491 commits a misdemeanor of the |
| 29 | first degree, punishable as provided in s. 775.082 or s. |
| 30 | <u>775.083.</u> |
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CODING: Words stricken are deletions; words <u>underlined</u> are additions.

| 1 | Section 2. For the purpose of incorporating the |
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| 2 | amendment made by this act to section 871.01, Florida |
| 3 | Statutes, in a reference thereto, section 871.02, Florida |
| 4 | Statutes, is reenacted to read: |
| 5 | 871.02 Indictments or informations for disturbing |
| 6 | assemblyThe several grand juries of this state in their |
| 7 | respective counties may return indictments or the several |
| 8 | state attorneys of the state in their respective circuits may |
| 9 | file information against all persons violating s. 871.01, and |
| 10 | such indictments or informations, when filed with the clerk of |
| 11 | the circuit court in the county where such offense is alleged |
| 12 | to have been committed, shall be forthwith certified by the |
| 13 | clerk to some court in the county having jurisdiction to try |
| 14 | and determine such charge, and said court to which such |
| 15 | indictment or information is certified shall proceed to try |
| 16 | and determine such charge upon such indictment or information, |
| 17 | the same as if affidavit had been made before such court |
| 18 | charging the said offense. |
| 19 | Section 3. This act shall take effect upon becoming a |
| 20 | law. |
| 21 | |
| 22 | STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR |
| 23 | Senate Bill 218 |
| 24 | |
| 25 | The CS deletes the previous bill (relating to impact fees) in |
| 26 | its entirety and amends Florida's current prohibition against disturbing lawful assemblies by providing an enhanced penalty for disturbing the assembly of individuals gathered to give |
| 27 | military honors to a deceased veteran. |
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