

By Senator Oelrich

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1 A bill to be entitled
 2 An act relating to threats; amending s. 836.10, F.S.;
 3 prohibiting the communication of a threat to
 4 unlawfully do physical harm to the person or property
 5 of another in the course of committing an act of
 6 domestic violence; providing criminal penalties;
 7 revising provisions relating to the sending of or
 8 procuring the sending of letters or inscribed
 9 communications containing certain threats of death or
 10 bodily injury; providing an effective date.

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

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 14 Section 1. Section 836.10, Florida Statutes, is amended to
 15 read:

16 836.10 ~~Written Threats to kill or do bodily injury;~~
 17 ~~punishment.-~~

18 (1) Except as provided in subsection (2), any person who
 19 communicates or causes to be communicated orally, in writing, or
 20 through the use of electronic or other means a threat to
 21 unlawfully do physical harm to the person or property of another
 22 in the course of committing an act of domestic violence, as
 23 defined in s. 741.28, commits a misdemeanor of the second
 24 degree, punishable as provided in s. 775.082 or s. 775.083.

25 (2) If Any person who writes or composes and also sends or
 26 procures the sending of any letter or inscribed communication in
 27 writing, or using electronic or other means, so written or
 28 ~~composed,~~ whether such letter or communication be signed or
 29 anonymous, to any person, containing a threat to kill or to

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30 unlawfully do bodily injury to the person to whom such letter or
31 communication is sent, or a threat to kill or unlawfully do
32 bodily injury to any member of the family of the person to whom
33 such letter or communication is sent commits, ~~the person so~~
34 ~~writing or composing and so sending or procuring the sending of~~
35 ~~such letter or communication, shall be guilty of a felony of the~~
36 second degree, punishable as provided in s. 775.082, s. 775.083,
37 or s. 775.084.

38 Section 2. This act shall take effect October 1, 2010.