

1 A bill to be entitled
 2 An act relating to assault or battery; amending s.
 3 784.081, F.S.; providing for reclassification of specified
 4 assault or battery offenses when committed against persons
 5 licensed, registered, certified, or regulated under
 6 provisions relating to psychological and clinical,
 7 counseling, and psychotherapy services practicing their
 8 professions; providing an effective date.

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

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 12 Section 1. Subsection (2) of section 784.081, Florida
 13 Statutes, is amended to read:

14 784.081 Assault or battery on specified officials or
 15 employees; reclassification of offenses.—

16 (2) Whenever a person is charged with committing an
 17 assault or aggravated assault or a battery or aggravated battery
 18 upon any elected official or employee of: a school district; a
 19 private school; the Florida School for the Deaf and the Blind; a
 20 university lab school; a state university or any other entity of
 21 the state system of public education, as defined in s. 1000.04;
 22 a sports official; an employee or protective investigator of the
 23 Department of Children and Family Services; an employee of a
 24 lead community-based provider and its direct service contract
 25 providers; a person licensed, registered, certified, or
 26 regulated by chapter 490 or chapter 491 while engaged in the
 27 practice of his or her profession; or an employee of the
 28 Department of Health or its direct service contract providers,

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29 | when the person committing the offense knows or has reason to
30 | know the identity or position or employment of the victim, the
31 | offense for which the person is charged shall be reclassified as
32 | follows:

33 | (a) In the case of aggravated battery, from a felony of
34 | the second degree to a felony of the first degree.

35 | (b) In the case of aggravated assault, from a felony of
36 | the third degree to a felony of the second degree.

37 | (c) In the case of battery, from a misdemeanor of the
38 | first degree to a felony of the third degree.

39 | (d) In the case of assault, from a misdemeanor of the
40 | second degree to a misdemeanor of the first degree.

41 | Section 2. This act shall take effect July 1, 2011.