

By Senator Latvala

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1 A bill to be entitled
2 An act relating to terroristic threats; creating s.
3 775.32, F.S.; defining terms; providing that a person
4 commits the crime of terroristic threats if he or she
5 communicates, directly or indirectly, a threat to do
6 specified acts; providing criminal penalties;
7 requiring a person convicted of terroristic threats
8 to, in addition to other restitution ordered, pay
9 restitution in an amount equal to the cost of
10 evacuation; providing that a judgment or order of
11 restitution does not preclude relief recovery in a
12 civil action; providing an effective date.

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

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16 Section 1. Section 775.32, Florida Statutes, is created to
17 read:

18 775.32 Terroristic threats.-

19 (1) As used in this section, the term:

20 (a) "Communicate" means to convey in person, in writing, or
21 by electronic means to another person or other persons a
22 message, including words, images, or language, through the use
23 of electronic mail, the Internet, or any other type of
24 electronic communication.

25 (b) "Immediate family member" of a person means:

26 1. A spouse, parent, brother, sister, child, uncle, aunt,
27 first cousin, nephew, niece, half-brother, half-sister, father-
28 in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-
29 law, sister-in-law, stepparent, stepbrother, stepsister,

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30 stepchild, grandparent, great-grandparent, grandchild, great-
31 grandchild, step grandparent, step great-grandparent, step
32 grandchild, or step great-grandchild of the person; a person who
33 is engaged to be married to, or who otherwise holds himself or
34 herself out as, or is generally known as, the person whom the
35 person intends to marry; or a person to whom the person stands
36 in loco parentis; or

37 2. Any other person living in the person's household and
38 related to the person by blood or marriage or any other natural
39 person having the same legal residence as the person.

40 (c) "Law enforcement officer" includes a law enforcement
41 officer, a correctional officer, a correctional probation
42 officer, a part-time law enforcement officer, a part-time
43 correctional officer, an auxiliary law enforcement officer, and
44 an auxiliary correctional officer, as those terms are
45 respectively defined in s. 943.10, and a county probation
46 officer; an employee or agent of the Department of Corrections
47 who supervises or provides services to inmates; an officer of
48 the Florida Commission on Offender Review; a federal law
49 enforcement officer as defined in s. 901.1505; and law
50 enforcement personnel of the Fish and Wildlife Conservation
51 Commission or the Department of Law Enforcement.

52 (2) A person commits the crime of terroristic threats if
53 the person communicates, directly or indirectly, a threat to do
54 any of the following:

55 (a) Commit any violent act or any act dangerous to human
56 life with the intent to terrorize, intimidate, injure, or coerce
57 a person or group.

58 (b) Cause the evacuation of a building, place of assembly,

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59 or facility of public transportation.

60 (c) Cause serious public inconvenience or terror, or cause
61 serious inconvenience with reckless disregard of the risk of
62 causing such terror or inconvenience.

63 (3) A person who violates subsection (2) commits a felony
64 of the third degree, punishable as provided in s. 775.082, s.
65 775.083, or s. 775.084.

66 (4) A person who violates subsection (2) commits a felony
67 of the second degree, punishable as provided in s. 775.082, s.
68 775.083, or s. 775.084, if the violation:

69 (a) Causes the occupants of the building, place of
70 assembly, or facility of public transportation to be diverted
71 from their normal or customary operations;

72 (b) Involves a threat against a law enforcement officer or
73 an immediate family member of a law enforcement officer; or

74 (c) Involves a threat against a state attorney or an
75 assistant state attorney, or an immediate family member of a
76 state attorney or an assistant state attorney.

77 (5) A person convicted of violating subsection (2) shall,
78 in addition to any other restitution that may be ordered, pay
79 restitution in an amount equal to the cost of the evacuation,
80 including, but not limited to, fire and police response;
81 emergency medical service or emergency preparedness response;
82 and transportation of an individual from the building, place of
83 assembly, or facility of public transportation. A judgment or
84 order of restitution does not preclude a person from recovering
85 from the offender such relief as may be available in a civil
86 action authorized by law, provided that a civil award shall be
87 reduced by the amount paid under the judgment or order of

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88 restitution.

89 Section 2. This act shall take effect October 1, 2015.