



660248

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/25/2016	.	
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The Committee on Criminal Justice (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 836.12, Florida Statutes, is created to
read:

836.12 Terroristic threats.-

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

(a) "Facility of public transportation" means a public
conveyance and any area, structure, or device which is used to



660248

11 support, guide, control, permit, or facilitate the movement,
12 starting, stopping, takeoff, landing, or servicing of a public
13 conveyance, or the loading or unloading of passengers, freight,
14 or goods. For purposes of this paragraph, the term "public
15 conveyance" includes a passenger or freight train, airplane,
16 bus, truck, car, boat, tramway, gondola, lift, elevator,
17 escalator, or other device used for the public carriage of
18 persons or property.

19 (b) "Family member of a person" means:

20 1. An individual related to the person by blood or
21 marriage;

22 2. An individual living in the person's household or having
23 the same legal residence as the person;

24 3. An individual who is engaged to be married to the
25 person, or who holds himself or herself out as, or is generally
26 known as, an individual whom the person intends to marry; or

27 4. An individual to whom the person stands in loco
28 parentis.

29 (c) "Instructional personnel" has the same meaning as
30 provided in s. 1012.01.

31 (d) "Law enforcement officer" means a current or former:

32 1. Law enforcement officer, correctional officer,
33 correctional probation officer, part-time law enforcement
34 officer, part-time correctional officer, part-time correctional
35 probation officer, auxiliary law enforcement officer, auxiliary
36 correctional officer, or auxiliary correctional probation
37 officer, as those terms are respectively defined in s. 943.10,
38 or county probation officer;

39 2. Employee or agent of the Department of Corrections who



660248

40 supervises or provides services to inmates;
41 3. Officer of the Florida Commission on Offender Review;
42 4. Federal law enforcement officer as defined in s.
43 901.1505; or
44 5. Law enforcement personnel of the Fish and Wildlife
45 Conservation Commission or the Department of Law Enforcement.
46 (2) It is unlawful for a person to threaten to commit a
47 crime of violence with the intent to cause, or with reckless
48 disregard for the risk of causing:
49 (a) Terror; or
50 (b) The evacuation of a building, place of assembly, or
51 facility of public transportation.
52 (3) Except as provided in subsection (4), a person who
53 violates subsection (2) commits a felony of the third degree,
54 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
55 (4) A person who violates subsection (2) commits a felony
56 of the second degree, punishable as provided in s. 775.082, s.
57 775.083, or s. 775.084, if the violation:
58 (a) Causes the occupants of a building, place of assembly,
59 or facility of public transportation to be diverted from their
60 normal or customary operations;
61 (b) Involves a threat against instructional personnel, a
62 law enforcement officer, state attorney or assistant state
63 attorney, firefighter, judge, or elected official; or
64 (c) Involves a threat against a family member of a person
65 identified in paragraph (b).
66 (5) A person convicted of violating subsection (2) shall,
67 in addition to any other restitution or penalty provided by law,
68 pay restitution for all costs and damages caused by an



660248

69 evacuation resulting from the criminal conduct.

70 Section 2. This act shall take effect July 1, 2016.

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72 ===== T I T L E A M E N D M E N T =====

73 And the title is amended as follows:

74 Delete everything before the enacting clause

75 and insert:

76 A bill to be entitled

77 An act relating to terroristic threats; creating s.

78 836.12, F.S.; providing definitions; providing that a

79 person commits the crime of terroristic threats if he

80 or she threatens to commit a crime of violence under

81 certain circumstances; providing criminal penalties;

82 requiring payment of restitution; providing an

83 effective date.