

By Senator Simpson

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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
6 commit 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; requiring that an award from a civil
13 action be reduced by the amount paid under a judgment
14 or order of restitution; providing an effective date.

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

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18 Section 1. Section 775.32, Florida Statutes, is created to
19 read:

20 775.32 Terroristic threats.-

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

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

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

28 1. A spouse, parent, brother, sister, child, uncle, aunt,
29 first cousin, nephew, niece, half brother, half sister, father-

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30 in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-
31 law, sister-in-law, stepmother, stepfather, stepbrother,
32 stepsister, stepdaughter, stepson, grandparent, great
33 grandparent, grandchild, great grandchild, step grandparent,
34 step great grandparent, step grandchild, or step great
35 grandchild of the person; a person who is engaged to be married
36 to such person, or who otherwise holds himself or herself out,
37 or is generally known, as the person whom the person intends to
38 marry; or a person standing in loco parentis of a minor; or

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

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

54 (2) A person commits the crime of terroristic threats if
55 the person communicates, directly or indirectly, a threat to
56 commit any of the following with the intent to terrorize,
57 intimidate, injure, or coerce a person or group:

58 (a) Commit any violent act or any act dangerous to human

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59 life.

60 (b) Cause the evacuation of a building, place of assembly,
61 or facility of public transportation.

62 (c) Cause serious public inconvenience or terror, or to
63 make such a threat with reckless disregard of the risk of
64 causing public inconvenience or terror.

65 (3) A person who violates subsection (2) commits a felony
66 of the third degree, punishable as provided in s. 775.082, s.
67 775.083, or s. 775.084.

68 (4) A person who violates subsection (2) commits a felony
69 of the second degree, punishable as provided in s. 775.082, s.
70 775.083, or s. 775.084, if the violation:

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

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

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

79 (5) A person convicted of violating subsection (2) shall,
80 in addition to any other restitution that may be ordered, pay
81 restitution in an amount equal to the cost of the evacuation,
82 including, but not limited to, fire and police response
83 expenses; emergency medical service or emergency management
84 response expenses; and expenses incurred in the transportation
85 of an individual from the building, place of assembly, or
86 facility of public transportation. A judgment or order of
87 restitution does not preclude a person from recovering from the

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88 offender such relief as may be available in a civil action
89 authorized by law, provided that a civil award shall be reduced
90 by the amount paid under the judgment or order of restitution.

91 Section 2. This act shall take effect October 1, 2016.