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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/03/2017	.	
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The Committee on Criminal Justice (Bean) recommended the following:

Senate Amendment (with title amendment)

Delete lines 118 - 199

and insert:

859.01, or s. 876.34, in furtherance of intimidating or coercing the policy of a government, or in furtherance of affecting the conduct of a government by mass destruction, assassination, or kidnapping, commits the crime of terrorism, a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.



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11 (3) A person who commits a violation of subsection (2)
12 which results in death or serious bodily injury commits a life
13 felony, punishable as provided in s. 775.082, s. 775.083, or s.
14 775.084. As used in this subsection, the term "serious bodily
15 injury" means an injury to a person which creates a substantial
16 risk of death, serious personal disfigurement, or protracted
17 loss or impairment of the function of a bodily member or an
18 organ.

19 Section 2. Section 775.31, Florida Statutes, is amended to
20 read:

21 775.31 Facilitating or furthering terrorism; felony or
22 misdemeanor reclassification.—

23 (1) If a person is convicted of committing a felony or
24 misdemeanor that facilitated or furthered any act of terrorism,
25 the court shall reclassify the felony or misdemeanor to the next
26 higher degree as provided in this section. The reclassification
27 shall be made in the following manner:

28 (a) In the case of a misdemeanor of the second degree, the
29 offense is reclassified as a misdemeanor of the first degree.

30 (b) In the case of a misdemeanor of the first degree, the
31 offense is reclassified as a felony of the third degree.

32 (c) In the case of a felony of the third degree, the
33 offense is reclassified as a felony of the second degree.

34 (d) In the case of a felony of the second degree, the
35 offense is reclassified as a felony of the first degree.

36 (e) In the case of a felony of the first degree or a felony
37 of the first degree punishable by a term of imprisonment not
38 exceeding life, the offense is reclassified as a life felony.

39 (2) For purposes of sentencing under chapter 921, the



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40 following offense severity ranking levels apply:

41 (a) An offense that is a misdemeanor of the first degree
42 and that is reclassified under this section as a felony of the
43 third degree is ranked in level 2 of the offense severity
44 ranking chart.

45 (b) A felony offense that is reclassified under this
46 section is ranked one level above the ranking specified in s.
47 921.0022 or s. 921.0023 for the offense committed.

48 (3) As used in this section, the term "terrorism" has the
49 same meaning as provided in s. 775.30(1) ~~means an activity that:~~

50 ~~(a)1. Involves a violent act or an act dangerous to human~~
51 ~~life which is a violation of the criminal laws of this state or~~
52 ~~of the United States; or~~

53 ~~2. Involves a violation of s. 815.06; and~~

54 ~~(b) Is intended to:~~

55 ~~1. Intimidate, injure, or coerce a civilian population;~~

56 ~~2. Influence the policy of a government by intimidation or~~
57 ~~coercion; or~~

58 ~~3. Affect the conduct of government through destruction of~~
59 ~~property, assassination, murder, kidnapping, or aircraft piracy.~~

60 (4) The reclassification of offenses under this section
61 does not apply to s. 775.30, s. 775.32, s. 775.33, s. 775.34, or
62 s. 775.35.

63 Section 3. Section 775.32, Florida Statutes, is created to
64 read:

65 775.32 Use of military-type training provided by a
66 designated foreign terrorist organization.—

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

68 (a) "Critical infrastructure facility" has the same meaning



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69 as provided in s. 493.631.

70 (b) "Designated foreign terrorist organization" means an
71 organization designated as a terrorist organization under s. 219
72 of the Immigration and Nationality Act.

73 (c) "Military-type training" means training in means or
74 methods that can cause the death of, or serious bodily injury
75 to, another person, destroy or damage property or critical
76 infrastructure facilities, or disrupt services to critical
77 infrastructure facilities; or training on the use, storage,
78 production, or assembly of an explosive, a firearm, or any other
79 weapon, including a weapon of mass destruction.

80 (d) "Serious bodily injury" has the same meaning as
81 provided in s. 775.30(3).

82 (e) "Weapon of mass destruction" has the same meaning as
83 provided in s. 790.166.

84 (2) A person who has received military-type training from a
85 designated foreign terrorist organization may not use, attempt
86 to use, or conspire to use such military-type training with the
87 intent to unlawfully harm another person or damage critical
88 infrastructure

89
90 ===== T I T L E A M E N D M E N T =====

91 And the title is amended as follows:

92 Delete lines 7 - 10

93 and insert:

94 specified criminal provisions in furtherance of
95 certain objectives is a crime of terrorism; providing