



955308

LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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03/05/2020 03:37 PM

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Senator Simmons moved the following:

**Senate Amendment (with title amendment)**

Delete line 185

and insert:

Section 2. Effective upon this act becoming a law,  
paragraph (a) of subsection (1) of section 784.046, Florida  
Statutes, is amended to read:

784.046 Action by victim of repeat violence, sexual  
violence, or dating violence for protective injunction; dating  
violence investigations, notice to victims, and reporting;  
pretrial release violations; public records exemption.—



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

13 (a) "Violence" means any assault, aggravated assault,  
14 battery, aggravated battery, sexual assault, sexual battery,  
15 stalking, aggravated stalking, cyberstalking, kidnapping, or  
16 false imprisonment, or any criminal offense resulting in  
17 physical injury or death, by a person against any other person.

18 Section 3. Effective upon this act becoming a law,  
19 paragraph (d) of subsection (1) of section 784.048, Florida  
20 Statutes, is amended to read:

21 784.048 Stalking; definitions; penalties.—

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

23 (d) "Cyberstalk" means:

24 1. To engage in a course of conduct to communicate, or to  
25 cause to be communicated, words, images, or language by or  
26 through any of the following:

27 a. The use of electronic mail or electronic communication,  
28 directed at a specific person; or

29 b. Posting on an Internet website, blog, or social network,  
30 the content of which pertains to a specific person despite the  
31 fact that the post may also be visible to or accessed by other  
32 subscribers of the social networking site; or

33 2. To access, or attempt to access, the online accounts or  
34 Internet-connected home electronic systems of another person  
35 without that person's permission,

36  
37 causing substantial emotional distress to that person and  
38 serving no legitimate purpose.

39 Section 4. Except as otherwise expressly provided in this  
40 act and except for this section, which shall take effect upon



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41 this act becoming a law, this act shall take effect July 1,  
42 2020.

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

45 And the title is amended as follows:

46 Delete line 7

47 and insert:

48 making technical changes; amending s. 784.046, F.S.;

49 revising the definition of the term "violence" to

50 include incidents of cyberstalking; amending s.

51 784.048, F.S.; revising the definition of the term

52 "cyberstalk"; providing effective dates.