

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Beltran offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 26 and 27, insert:

5 Section 1. Subsection (2) of section 784.07, Florida
6 Statutes, is amended to read:

7 784.07 Assault or battery of law enforcement officers,
8 firefighters, emergency medical care providers, public transit
9 employees or agents, or other specified officers;
10 reclassification of offenses; minimum sentences.-

11 (2) Whenever any person is charged with knowingly
12 committing an assault or battery upon a law enforcement officer,
13 a firefighter, an emergency medical care provider, a railroad

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14 special officer, a traffic accident investigation officer as
15 described in s. 316.640, a nonsworn law enforcement agency
16 employee who is certified as an agency inspector, a blood
17 alcohol analyst, or a breath test operator while such employee
18 is in uniform and engaged in processing, testing, evaluating,
19 analyzing, or transporting a person who is detained or under
20 arrest for DUI, a law enforcement explorer, a traffic infraction
21 enforcement officer as described in s. 316.640, a public transit
22 employee or agent, a parking enforcement specialist as defined
23 in s. 316.640, a person licensed as a security officer as
24 defined in s. 493.6101 and wearing a uniform that bears at least
25 one patch or emblem that is visible at all times that clearly
26 identifies the employing agency and that clearly identifies the
27 person as a licensed security officer, or a security officer
28 employed by the board of trustees of a community college, while
29 the officer, firefighter, emergency medical care provider,
30 railroad special officer, traffic accident investigation
31 officer, traffic infraction enforcement officer, inspector,
32 analyst, operator, law enforcement explorer, parking enforcement
33 specialist, public transit employee or agent, or security
34 officer is engaged in the lawful performance of his or her
35 duties, the offense for which the person is charged shall be
36 reclassified as follows:

37 (a) In the case of assault, from a misdemeanor of the
38 second degree to a misdemeanor of the first degree.

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39 (b) In the case of battery, from a misdemeanor of the
40 first degree to a felony of the third degree.

41 (c) In the case of aggravated assault, from a felony of
42 the third degree to a felony of the second degree.
43 Notwithstanding any other provision of law, any person convicted
44 of aggravated assault upon a law enforcement officer shall be
45 sentenced to a minimum term of imprisonment of 3 years.

46 (d) In the case of aggravated battery, from a felony of
47 the second degree to a felony of the first degree.
48 Notwithstanding any other provision of law, any person convicted
49 of aggravated battery of a law enforcement officer shall be
50 sentenced to a minimum term of imprisonment of 5 years.

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53 **T I T L E A M E N D M E N T**

54 Remove line 2 and insert:
55 An act relating to violence and threats of violence;
56 amending s. 784.07, F.S.; specifying that provisions
57 concerning assault or battery on specified persons
58 include public transit employees and agents; amending
59 s. 790.162, F.S.;

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