



161760

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: 1/AD/2R

.

03/05/2020 03:42 PM

.

.

Senator Simmons moved the following:

Senate Amendment (with title amendment)

Delete line 104

and insert:

Section 3. 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.—



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



161760

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

43
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 11

47 and insert:

48 act; amending s. 784.046, F.S.; redefining the term
49 "violence" to include incidents of cyberstalking;
50 amending s. 784.048, F.S.; redefining the term
51 "cyberstalk"; providing effective dates.