

By Senator Cruz

18-01034-21

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1 A bill to be entitled
2 An act relating to offenses against members of the
3 press; amending s. 775.085, F.S.; expanding grounds
4 for the reclassification of crimes to include
5 evidencing prejudice based on employment as a member
6 of the press; defining the term "member of the press";
7 providing an effective date.

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

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11 Section 1. Subsection (1) of section 775.085, Florida
12 Statutes, is amended to read:

13 775.085 Evidencing prejudice while committing offense;
14 reclassification.-

15 (1) (a) The penalty for any felony or misdemeanor shall be
16 reclassified as provided in this subsection if the commission of
17 such felony or misdemeanor evidences prejudice based on the
18 race, color, ancestry, ethnicity, religion, sexual orientation,
19 national origin, homeless status, employment as a member of the
20 press, or advanced age of the victim:

21 1. A misdemeanor of the second degree is reclassified to a
22 misdemeanor of the first degree.

23 2. A misdemeanor of the first degree is reclassified to a
24 felony of the third degree.

25 3. A felony of the third degree is reclassified to a felony
26 of the second degree.

27 4. A felony of the second degree is reclassified to a
28 felony of the first degree.

29 5. A felony of the first degree is reclassified to a life

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30 felony.

31 (b) As used in paragraph (a), the term:

32 1. "Advanced age" means that the victim is older than 65
33 years of age.

34 2. "Homeless status" means that the victim:

35 a. Lacks a fixed, regular, and adequate nighttime
36 residence; or

37 b. Has a primary nighttime residence that is:

38 (I) A supervised publicly or privately operated shelter
39 designed to provide temporary living accommodations; or

40 (II) A public or private place not designed for, or
41 ordinarily used as, a regular sleeping accommodation for human
42 beings.

43 3. "Member of the press" means:

44 a. An accredited member of the press corps or media;

45 b. A photographer or photojournalist employed by a
46 newspaper, a magazine, or any other media company; or

47 c. An individual operating equipment to facilitate the
48 delivery of news or media.

49 Section 2. This act shall take effect October 1, 2021.