

By Senator Bradley

5-01389-21

20211566__

1 A bill to be entitled
 2 An act relating to tampering with or fabricating
 3 physical evidence; amending s. 918.13, F.S.; providing
 4 enhanced criminal penalties for tampering with or
 5 fabricating physical evidence in certain criminal
 6 proceedings and investigations; providing an effective
 7 date.

8
 9 Be It Enacted by the Legislature of the State of Florida:

10
 11 Section 1. Section 918.13, Florida Statutes, is amended to
 12 read:

13 918.13 Tampering with or fabricating physical evidence.—

14 (1) A ~~No~~ person, knowing that a criminal trial or
 15 proceeding or an investigation by a duly constituted prosecuting
 16 authority, law enforcement agency, grand jury, or legislative
 17 committee of this state is pending or is about to be instituted,
 18 may not shall:

19 (a) Alter, destroy, conceal, or remove any record,
 20 document, or thing with the purpose to impair its verity or
 21 availability in such proceeding or investigation; or

22 (b) Make, present, or use any record, document, or thing,
 23 knowing it to be false.

24 (2) (a) Except as provided in paragraphs (b) and (c), a ~~Any~~
 25 person who violates any provision of this section commits shall
 26 ~~be guilty of~~ a felony of the third degree, punishable as
 27 provided in s. 775.082, s. 775.083, or s. 775.084.

28 (b) Except as provided in paragraph (c), a person who
 29 violates any provision of this section relating to a criminal

5-01389-21

20211566__

30 trial or proceeding or an investigation involving a violent
31 felony offense described in s. 775.084(1)(b)1. commits a felony
32 of the second degree, punishable as provided in s. 775.082, s.
33 775.083, or s. 775.084.

34 (c) A person who violates any provision of this section
35 relating to a criminal trial or proceeding or an investigation
36 involving a capital offense, or an offense involving the death
37 of a person, commits a felony of the first degree, punishable as
38 provided in s. 775.082, s. 775.083, or s. 775.084.

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