

By Senator Bracy

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1                   A bill to be entitled  
2       An act relating to hate crimes; amending s. 817.49,  
3       F.S.; designating as a hate crime the false reporting  
4       of the commission of a crime by a person in whole or  
5       in part because of certain beliefs or perceptions;  
6       providing criminal penalties; authorizing a court to  
7       impose a program or training directed at hate crime  
8       prevention and education; providing an effective date.

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

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12       Section 1. Section 817.49, Florida Statutes, is amended to  
13   read:

14       817.49 False reports of commission of crimes; hate crimes;  
15   penalty.-

16       (1) Whoever willfully imparts, conveys, or causes to be  
17   imparted or conveyed to any law enforcement officer false  
18   information or reports concerning the alleged commission of any  
19   crime under the laws of this state, knowing such information or  
20   report to be false, in that no such crime had actually been  
21   committed, commits shall upon conviction thereof be guilty of a  
22   misdemeanor of the first degree, punishable as provided in s.  
23   775.082 or s. 775.083.

24       (2) A person who violates subsection (1) commits a hate  
25   crime by intentionally selecting a person in whole or in part  
26   because of a belief or perception regarding the race, color,  
27   religion, religious practice, gender, gender identity or  
28   expression, national origin, ancestry, ethnicity, age,  
29   disability, sex, or sexual orientation of that person,

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30 regardless of whether the belief or perception is correct. A  
31 person who violates this subsection commits a misdemeanor of the  
32 first degree, punishable as provided in s. 775.082 or s.  
33 775.083, with a minimum mandatory term of imprisonment of 10  
34 months. The court may impose as part of the sentence that the  
35 person who violates this subsection successfully complete a 40-  
36 hour program or training directed at hate crime prevention and  
37 education.

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