



LEGISLATIVE ACTION

Senate	.	House
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	.	
Floor: 1/AD/2R	.	Floor: C
04/26/2021 04:34 PM	.	04/28/2021 07:13 PM
	.	

Senator Book moved the following:

Senate Amendment (with title amendment)

Before line 16

insert:

Section 1. Subsection (1) of section 784.048, Florida Statutes, is amended to read:

784.048 Stalking; definitions; penalties.-

(1) As used in this section, the term:

(a) "Harass" means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose.



12 (b) "Course of conduct" means a pattern of conduct composed
13 of a series of acts over a period of time, however short, which
14 evidences a continuity of purpose. The term does not include
15 constitutionally protected activity such as picketing or other
16 organized protests.

17 (c) "Credible threat" means a verbal or nonverbal threat,
18 or a combination of the two, including threats delivered by
19 electronic communication or implied by a pattern of conduct,
20 which places the person who is the target of the threat in
21 reasonable fear for his or her safety or the safety of his or
22 her family members or individuals closely associated with the
23 person, and which is made with the apparent ability to carry out
24 the threat to cause such harm. It is not necessary to prove that
25 the person making the threat had the intent to actually carry
26 out the threat. The present incarceration of the person making
27 the threat is not a bar to prosecution under this section.

28 (d) "Cyberstalk" means:

29 1. To engage in a course of conduct to communicate, or to
30 cause to be communicated, directly or indirectly, words, images,
31 or language by or through the use of electronic mail or
32 electronic communication, directed at or pertaining to a
33 specific person; or

34 2. To access, or attempt to access, the online accounts or
35 Internet-connected home electronic systems of another person
36 without that person's permission,

37
38 causing substantial emotional distress to that person and
39 serving no legitimate purpose.

40



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41 ===== T I T L E A M E N D M E N T =====

42 And the title is amended as follows:

43 Delete line 2

44 and insert:

45 An act relating to electronic crimes; amending s.

46 784.048; redefining the term "cyberstalk"; amending s.