



264610

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/02/2021	.	
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The Committee on Criminal Justice (Perry) recommended the following:

Senate Amendment (with title amendment)

Delete lines 30 - 88
and insert:
no smaller than 48 points: "ATTENTION: COMMITTING A BATTERY UPON
A TRANSIT WORKER IS A CRIME PUNISHABLE BY UP TO 5 YEARS IN
PRISON."
(2) By July 1, 2022, each public transit provider operating
regularly scheduled transit service for the general public shall
create and implement a risk reduction program. Each risk



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11 reduction program must include conflict deescalation training
12 for public transit employees and agents. The risk reduction
13 program may include the deployment of battery mitigation
14 infrastructure and technology on public transit vehicles,
15 including barriers to restrict the unwanted entry of individuals
16 and objects into public transit employees' and agents'
17 workstations.

18 Section 2. The Legislature finds that public transit
19 employees and agents may be subject to battery while performing
20 their jobs. The Legislature further finds and declares that this
21 act fulfills an important state interest in protecting the
22 safety of public transit employees and agents by requiring that
23 each public transit provider operating regularly scheduled
24 transit service conspicuously post signage that provides
25 notification of the criminal penalties for committing a battery
26 upon a public transit employee or agent and by creating and
27 implementing a risk reduction program that includes conflict
28 deescalation training. The Legislature further finds that these
29 reasonable measures may reduce or prevent attacks on public
30 transit employees and agents.

31 Section 3. Subsection (2) of section 784.07, Florida
32 Statutes, is amended to read:

33 784.07 Assault or battery of law enforcement officers,
34 firefighters, emergency medical care providers, public transit
35 employees or agents, or other specified officers;
36 reclassification of offenses; minimum sentences.—

37 (2) Whenever any person is charged with knowingly
38 committing an assault or battery upon a law enforcement officer,
39 a firefighter, an emergency medical care provider, a railroad



40 special officer, a traffic accident investigation officer as
41 described in s. 316.640, a nonsworn law enforcement agency
42 employee who is certified as an agency inspector, a blood
43 alcohol analyst, or a breath test operator while such employee
44 is in uniform and engaged in processing, testing, evaluating,
45 analyzing, or transporting a person who is detained or under
46 arrest for DUI, a law enforcement explorer, a traffic infraction
47 enforcement officer as described in s. 316.640, a parking
48 enforcement specialist as defined in s. 316.640, a public
49 transit employee or agent, a person licensed as a security
50 officer as defined in s. 493.6101 and wearing a uniform that
51 bears at least one patch or emblem that is visible at all times
52 that clearly identifies the employing agency and that clearly
53 identifies the person as a licensed security officer, or a
54 security officer employed by the board of trustees of a
55 community college, while the officer, firefighter, emergency
56 medical care provider, railroad special officer, traffic
57 accident investigation officer, traffic infraction enforcement
58 officer, inspector, analyst, operator, law enforcement explorer,
59 parking enforcement specialist, public transit employee or
60 agent, or security officer is engaged in the lawful performance
61 of his or her duties, the offense for which the person is
62 charged shall be reclassified as follows:

63 (a) In the case of assault, from a misdemeanor of the
64 second degree to a misdemeanor of the first degree.

65
66 ===== T I T L E A M E N D M E N T =====

67 And the title is amended as follows:

68 Delete lines 2 - 17



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69 and insert:

70 An act relating to battery upon public transit
71 workers; creating s. 341.0611, F.S.; requiring certain
72 public transit providers to post a specified sign
73 concerning the penalty for committing a battery upon a
74 transit worker by a specified date; requiring public
75 transit providers to create and implement a risk
76 reduction program by a specified date; requiring each
77 such program to include conflict deescalation training
78 for public transit employees and agents; authorizing
79 programs to include the deployment of battery
80 mitigation infrastructure and technology on public
81 transit vehicles; providing a declaration of important
82 state interest; amending s. 784.07, F.S.; including
83 assault or battery on a public transit employee or
84 agent within specified reclassified offenses;
85 providing an effective