

By Senator Perry

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1 A bill to be entitled
2 An act relating to assaults on specified persons;
3 creating s. 341.0611, F.S.; requiring certain public
4 transit providers to post a specified sign concerning
5 the penalty for assaulting a transit worker by a
6 specified date; requiring public transit providers to
7 create and implement a risk reduction program by a
8 specified date; requiring each such program to include
9 conflict deescalation training for public transit
10 employees and agents; authorizing programs to include
11 the deployment of assault mitigation infrastructure
12 and technology on public transit vehicles; providing a
13 declaration of important state interest; amending s.
14 784.07, F.S.; including assault or battery on a public
15 transit employee or agent within specified
16 reclassified offenses; increasing the penalty for
17 assault on specified persons; providing an effective
18 date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Section 341.0611, Florida Statutes, is created
23 to read:

24 341.0611 Public transit employee and agent safety.-

25 (1) By January 1, 2022, each public transit provider
26 operating regularly scheduled transit service for the general
27 public shall post in at least one conspicuous place at the
28 entrance of each public transit vehicle a yellow sign with the
29 following statement in capital letters in black, boldface type

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30 no smaller than 48 points: "ATTENTION: ASSAULTING A TRANSIT
31 WORKER IS A FELONY PUNISHABLE BY UP TO 5 YEARS IN PRISON."

32 (2) By July 1, 2022, each public transit provider operating
33 regularly scheduled transit service for the general public shall
34 create and implement a risk reduction program. Each risk
35 reduction program must include conflict deescalation training
36 for public transit employees and agents. The risk reduction
37 program may include the deployment of assault mitigation
38 infrastructure and technology on public transit vehicles,
39 including barriers to restrict the unwanted entry of individuals
40 and objects into public transit employees' and agents'
41 workstations.

42 Section 2. The Legislature finds that public transit
43 employees and agents may be subject to assault while performing
44 their jobs. The Legislature further finds and declares that this
45 act fulfills an important state interest in protecting the
46 safety of public transit employees and agents by requiring that
47 each public transit provider operating regularly scheduled
48 transit service conspicuously post signage that provides
49 notification of the criminal penalties for assaulting a public
50 transit employee or agent and by creating and implementing a
51 risk reduction program that includes conflict deescalation
52 training. The Legislature further finds that these reasonable
53 measures may reduce or prevent attacks on public transit
54 employees and agents.

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

57 784.07 Assault or battery of law enforcement officers,
58 firefighters, emergency medical care providers, public transit

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59 employees or agents, or other specified officers;
60 reclassification of offenses; minimum sentences.-

61 (2) Whenever any person is charged with knowingly
62 committing an assault or battery upon a law enforcement officer,
63 a firefighter, an emergency medical care provider, a railroad
64 special officer, a traffic accident investigation officer as
65 described in s. 316.640, a nonsworn law enforcement agency
66 employee who is certified as an agency inspector, a blood
67 alcohol analyst, or a breath test operator while such employee
68 is in uniform and engaged in processing, testing, evaluating,
69 analyzing, or transporting a person who is detained or under
70 arrest for DUI, a law enforcement explorer, a traffic infraction
71 enforcement officer as described in s. 316.640, a parking
72 enforcement specialist as defined in s. 316.640, a public
73 transit employee or agent, a person licensed as a security
74 officer as defined in s. 493.6101 and wearing a uniform that
75 bears at least one patch or emblem that is visible at all times
76 that clearly identifies the employing agency and that clearly
77 identifies the person as a licensed security officer, or a
78 security officer employed by the board of trustees of a
79 community college, while the officer, firefighter, emergency
80 medical care provider, railroad special officer, traffic
81 accident investigation officer, traffic infraction enforcement
82 officer, inspector, analyst, operator, law enforcement explorer,
83 parking enforcement specialist, public transit employee or
84 agent, or security officer is engaged in the lawful performance
85 of his or her duties, the offense for which the person is
86 charged shall be reclassified as follows:

87 (a) In the case of assault, from a misdemeanor of the

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88 second degree to a felony ~~misdemeanor~~ of the third ~~first~~ degree.

89 (b) In the case of battery, from a misdemeanor of the first
90 degree to a felony of the third degree.

91 (c) In the case of aggravated assault, from a felony of the
92 third degree to a felony of the second degree. Notwithstanding
93 any other provision of law, any person convicted of aggravated
94 assault upon a law enforcement officer shall be sentenced to a
95 minimum term of imprisonment of 3 years.

96 (d) In the case of aggravated battery, from a felony of the
97 second degree to a felony of the first degree. Notwithstanding
98 any other provision of law, any person convicted of aggravated
99 battery of a law enforcement officer shall be sentenced to a
100 minimum term of imprisonment of 5 years.

101 Section 4. This act shall take effect October 1, 2021.