

By the Committees on Rules; and Judiciary; and Senators Perry and Boyd

595-03328-22

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1 A bill to be entitled  
2 An act relating to residential picketing; creating s.  
3 810.15, F.S.; defining the term "dwelling";  
4 prohibiting a person from picketing or protesting  
5 before or about the dwelling of a person with  
6 specified intent; providing criminal penalties;  
7 requiring a specified warning before arresting a  
8 person for a certain violation; providing an effective  
9 date.

10  
11 WHEREAS, the state has a significant interest in protecting  
12 the tranquility and privacy of the home and protecting citizens  
13 from the detrimental effect of targeted picketing, and

14 WHEREAS, the Supreme Court of the United States recognized  
15 this interest in upholding a challenged ordinance restricting  
16 residential picketing in *Frisby v. Schultz*, 487 U.S. 474 (1988),  
17 NOW, THEREFORE,

18  
19 Be It Enacted by the Legislature of the State of Florida:

20  
21 Section 1. Section 810.15, Florida Statutes, is created to  
22 read:

23 810.15 Residential picketing.—

24 (1) As used in this section, the term "dwelling" means any  
25 building, structure, or portion thereof which is occupied as, or  
26 designed or intended for occupancy as, a residence by one or  
27 more families.

28 (2) It is unlawful for a person to picket or protest before  
29 or about the dwelling of a person with the intent to harass or

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30 disturb that person in his or her dwelling.

31 (3) A person who violates this section commits a  
32 misdemeanor of the second degree, punishable as provided in s.  
33 775.082 or s. 775.083.

34 (4) Before a person may be arrested for a violation of this  
35 section, a law enforcement officer as defined in s. 943.10 or  
36 any local, state, federal, or military law enforcement agency  
37 must go as near to the person as may be done with safety and  
38 shall command any person picketing or protesting before or about  
39 the dwelling of a person to immediately and peaceably disperse.  
40 If any such person does not thereupon immediately and peaceably  
41 disperse, he or she may be arrested for a violation of this  
42 section.

43 Section 2. This act shall take effect October 1, 2022.