

By Senator Martin

33-00718A-23

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1 A bill to be entitled
2 An act relating to battery by strangulation; creating
3 s. 784.031, F.S.; prohibiting battery by
4 strangulation; providing applicability; providing
5 criminal penalties; providing an effective date.

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

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9 Section 1. Section 784.031, Florida Statutes, is created to
10 read:

11 784.031 Battery by strangulation.—

12 (1) A person commits battery by strangulation if he or she
13 knowingly and intentionally impedes the normal breathing or
14 circulation of the blood of another person, against the will of
15 that person, by applying pressure on the throat or neck of the
16 other person or by blocking the nose or mouth of the other
17 person. This subsection does not apply to any act of medical
18 diagnosis, treatment, or prescription which is authorized under
19 the laws of this state.

20 (2) A person who violates subsection (1) commits a felony
21 of the third degree, punishable as provided in s. 775.082, s.
22 775.083, or s. 775.084.

23 Section 2. This act shall take effect October 1, 2023.