

By the Appropriations Committee on Criminal and Civil Justice;  
the Committee on Criminal Justice; and Senators Polsky and  
Torres

604-03968-23

2023174c2

1 A bill to be entitled  
2 An act relating to protection of specified personnel;  
3 amending s. 836.12, F.S.; defining the term "judicial  
4 assistant"; providing that threats committed with  
5 specified intent are specified violations of the act;  
6 prohibiting specified threats against a justice, a  
7 judicial assistant, a clerk of the circuit court,  
8 clerk of the circuit court personnel, or a family  
9 member of such person; prohibiting specified  
10 harassment of certain personnel with the intent to  
11 intimidate or coerce such person to perform or refrain  
12 from performing a lawful duty; providing criminal  
13 penalties; providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. Section 836.12, Florida Statutes, is amended to  
18 read:

19 836.12 Threats or harassment.—

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

21 (a) "Family member" means:

22 1. An individual related to another individual by blood or  
23 marriage; or

24 2. An individual who stands in loco parentis to another  
25 individual.

26 (b) "Judicial assistant" means a court employee assigned to  
27 the office of a specific judge or justice responsible for  
28 providing administrative, secretarial, and clerical support to  
29 the assigned judge or justice.

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30 (c)~~(b)~~ "Law enforcement officer" means:

- 31 1. A law enforcement officer as defined in s. 943.10; or  
32 2. A federal law enforcement officer as defined in s.  
33 901.1505.

34 (2) (a) Except as provided in paragraph (b), any person who  
35 knowingly and willfully threatens a law enforcement officer, a  
36 state attorney, an assistant state attorney, a firefighter, a  
37 judge, a justice, a judicial assistant, a clerk of the circuit  
38 court, clerk of the circuit court personnel, or an elected  
39 official, or a family member of any such person persons, with  
40 death or serious bodily harm commits a misdemeanor of the first  
41 degree, punishable as provided in s. 775.082 or s. 775.083.

42 (b)~~(3)~~ A person who commits a second or subsequent  
43 violation of paragraph (a) subsection (2) commits a felony of  
44 the third degree, punishable as provided in s. 775.082, s.  
45 775.083, or s. 775.084.

46 (3) Any person who knowingly and willfully harasses a law  
47 enforcement officer, a state attorney, an assistant state  
48 attorney, a firefighter, a judge, a justice, a judicial  
49 assistant, a clerk of the circuit court, clerk of the circuit  
50 court personnel, or an elected official, with the intent to  
51 intimidate or coerce such a person to perform or refrain from  
52 performing a lawful duty, commits a misdemeanor of the first  
53 degree, punishable as provided in s. 775.082 or s. 775.083.

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