

By Senator Bradley

6-00466-23

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1 A bill to be entitled
2 An act relating to violent offenses committed against
3 criminal defense attorneys; amending s. 775.0823,
4 F.S.; providing for the reclassification of specified
5 offenses committed against criminal defense attorneys;
6 providing an effective date.

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

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10 Section 1. Section 775.0823, Florida Statutes, is amended
11 to read:

12 775.0823 Violent offenses committed against specified
13 ~~justice system personnel law enforcement officers, correctional~~
14 ~~officers, state attorneys, assistant state attorneys, justices,~~
15 ~~or judges.~~—The Legislature does hereby provide for an increase
16 and certainty of penalty for any person convicted of a violent
17 offense against any law enforcement or correctional officer, as
18 defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9);
19 against any state attorney elected pursuant to s. 27.01 or
20 assistant state attorney appointed under s. 27.181; against any
21 court-appointed counsel appointed under s. 27.40 or defense
22 attorney acting in his or her capacity as defense counsel; or
23 against any justice or judge of a court described in Art. V of
24 the State Constitution, which offense arises out of or in the
25 scope of the officer's duty as a law enforcement or correctional
26 officer, the state attorney's or assistant state attorney's duty
27 as a prosecutor or investigator, the court-appointed counsel or
28 defense attorney acting in his or her capacity as defense
29 counsel, or the justice's or judge's duty as a judicial officer,

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30 as follows:

31 (1) For murder in the first degree as described in s.
32 782.04(1), if the death sentence is not imposed, a sentence of
33 imprisonment for life without eligibility for release.

34 (2) For attempted murder in the first degree as described
35 in s. 782.04(1), a sentence pursuant to s. 775.082, s. 775.083,
36 or s. 775.084.

37 (3) For attempted felony murder as described in s. 782.051,
38 a sentence pursuant to s. 775.082, s. 775.083, or s. 775.084.

39 (4) For murder in the second degree as described in s.
40 782.04(2) and (3), a sentence pursuant to s. 775.082, s.
41 775.083, or s. 775.084.

42 (5) For attempted murder in the second degree as described
43 in s. 782.04(2) and (3), a sentence pursuant to s. 775.082, s.
44 775.083, or s. 775.084.

45 (6) For murder in the third degree as described in s.
46 782.04(4), a sentence pursuant to s. 775.082, s. 775.083, or s.
47 775.084.

48 (7) For attempted murder in the third degree as described
49 in s. 782.04(4), a sentence pursuant to s. 775.082, s. 775.083,
50 or s. 775.084.

51 (8) For manslaughter as described in s. 782.07 during the
52 commission of a crime, a sentence pursuant to s. 775.082, s.
53 775.083, or s. 775.084.

54 (9) For kidnapping as described in s. 787.01, a sentence
55 pursuant to s. 775.082, s. 775.083, or s. 775.084.

56 (10) For aggravated battery as described in s. 784.045, a
57 sentence pursuant to s. 775.082, s. 775.083, or s. 775.084.

58 (11) For aggravated assault as described in s. 784.021, a

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59 sentence pursuant to s. 775.082, s. 775.083, or s. 775.084.

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61 Notwithstanding ~~the provisions of~~ s. 948.01, with respect to any
62 person who is found to have violated this section, adjudication
63 of guilt or imposition of sentence shall not be suspended,
64 deferred, or withheld.

65 Section 2. This act shall take effect July 1, 2023.