

ENROLLED

CS/CS/HB 67

2023 Legislature

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

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Section 836.12, Florida Statutes, is amended to
 17 read:

18 836.12 Threats or harassment.—

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

20 (a) "Family member" means:

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

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

25 (b) "Judicial assistant" means a court employee assigned

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26 to the office of a specific judge or justice responsible for
 27 providing administrative, secretarial, and clerical support to
 28 the assigned judge or justice.

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

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

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

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

45 (3) Any person who knowingly and willfully harasses a law
 46 enforcement officer, a state attorney, an assistant state
 47 attorney, a firefighter, a judge, a justice, a judicial
 48 assistant, a clerk of court, clerk personnel, or an elected
 49 official, with the intent to intimidate or coerce such a person
 50 to perform or refrain from performing a lawful duty, commits a

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51 | misdemeanor of the first degree, punishable as provided in s.
52 | 775.082 or s. 775.083.

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