

By Senator Simon

3-01563-23

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1 A bill to be entitled
2 An act relating to interference with sporting or
3 entertainment events; creating s. 871.05, F.S.;
4 defining terms; prohibiting certain actions during
5 covered sporting and entertainment events; providing
6 criminal penalties; prohibiting a person from
7 profiting or benefitting from violations; providing
8 for forfeiture and distribution of profits from a
9 violation; providing an effective date.

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

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13 Section 1. Section 871.05, Florida Statutes, is created to
14 read:

15 871.05 Interference with a sporting or entertainment
16 event.—

17 (1) DEFINITIONS.—As used in this section, the term:

18 (a) "Covered area" means any area designated for use by
19 players, coaches, officials, performers, or personnel
20 administering a covered event that is on, or adjacent to, the
21 area of performance or play during the period from the opening
22 of the venue's gates to the public to the closing of the gates
23 after the event.

24 (b) "Covered event" means an athletic competition or
25 practice, including one conducted in a public venue or a live
26 artistic, theatrical, or other entertainment performance event.
27 The duration of such event includes the period from the opening
28 of the venue's gates to the public to the closing of the gates
29 after the event.

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30 (c) "Covered participant" means an umpire, officiating crew
31 member, player, coach, manager, groundskeeper, or any other
32 sanctioned participant in a covered event or any artistic or
33 theatrical performer. The term includes event operations and
34 security employees working at a covered event.

35 (d) "Dangerous instrument" means any object, article, or
36 substance that, under the circumstances in which it is used,
37 attempted to be used, or threatened to be used, is readily
38 capable of causing death or other serious physical injury.

39 (e) "Substance" includes, but is not limited to, any liquid
40 or saliva.

41 (2) PROHIBITED CONDUCT.—

42 (a) A person, other than a covered participant, may not:

43 1. Knowingly enter or remain unlawfully upon the covered
44 area of a sporting or entertainment event.

45 2. Recklessly, intentionally, negligently, or knowingly
46 subject a covered participant to contact by means of any
47 substance, object, or dangerous instrument during a covered
48 event, or attempt to do so.

49 3. Recklessly, intentionally, negligently, or knowingly
50 place, drop, toss, or hurl any substance, object, or dangerous
51 instrument onto the covered area of an event, or attempt to do
52 so.

53 4. Recklessly, intentionally, negligently, or knowingly
54 strike, slap, kick, or otherwise subject a covered participant
55 to physical contact during a covered event, or to attempt to do
56 so.

57 (b) A person may not attempt, aid, abet, or conspire with
58 an individual to commit a violation of paragraph (a).

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59 (3) VIOLATIONS.—A person who violates subsection (2):

60 (a) Commits a misdemeanor of the first degree, punishable
61 as provided in s. 775.082 or by a fine of not more than \$2,500.

62 (b)1. May not realize any profit or benefit, directly or
63 indirectly, from the violation, from the actions found to be in
64 violation, or from notoriety or other circumstances arising from
65 the violation. Additionally, no person shall collude with the
66 violator of this section with the intention of benefitting or
67 profiting from the violation or attempted violation.

68 2. Any profit or benefit, financial or otherwise, realized
69 from the violation shall be forfeited and distributed in the
70 manner provided in s. 944.512 as if the violator or person
71 colluding with the violator was a convicted felon for purposes
72 of that section.

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