

By Senator McClain

9-01652-25

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1                   A bill to be entitled  
2           An act relating to assault or battery of contractors  
3           performing state functions; amending s. 784.07, F.S.;  
4           defining the term "contractor performing state  
5           functions"; providing for the reclassification of  
6           certain offenses committed against contractors  
7           performing state functions while engaged in the  
8           performance of their duties; providing an effective  
9           date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Present paragraphs (a) through (g) of subsection  
14           (1) of section 784.07, Florida Statutes, are redesignated as  
15           paragraphs (b) through (h), respectively, a new paragraph (a) is  
16           added to that subsection, and subsection (2) of that section is  
17           amended, to read:

18           784.07 Assault or battery of law enforcement officers and  
19           other specified personnel; reclassification of offenses; minimum  
20           sentences.—

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

22           (a) "Contractor performing state functions" means any  
23           person employed by a business entity that has a contract with  
24           the state to perform a function on behalf of the state  
25           government, including, but not limited to, functions related to  
26           construction, debris removal, landscaping, and infrastructure  
27           maintenance.

28           (2) Whenever any person is charged with knowingly  
29           committing an assault or battery upon a law enforcement officer,

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30 a firefighter, an emergency medical care provider, hospital  
31 personnel, a railroad special officer, a traffic accident  
32 investigation officer as described in s. 316.640, a nonsworn law  
33 enforcement agency employee who is certified as an agency  
34 inspector, a blood alcohol analyst, or a breath test operator  
35 while such employee is in uniform and engaged in processing,  
36 testing, evaluating, analyzing, or transporting a person who is  
37 detained or under arrest for DUI, a law enforcement explorer, a  
38 traffic infraction enforcement officer as described in s.  
39 316.640, a parking enforcement specialist as defined in s.  
40 316.640, a person licensed as a security officer as defined in  
41 s. 493.6101 and wearing a uniform that bears at least one patch  
42 or emblem that is visible at all times that clearly identifies  
43 the employing agency and that clearly identifies the person as a  
44 licensed security officer, ~~or~~ a security officer employed by the  
45 board of trustees of a community college, or a contractor  
46 performing state functions, while the officer, firefighter,  
47 emergency medical care provider, hospital personnel, railroad  
48 special officer, traffic accident investigation officer, traffic  
49 infraction enforcement officer, inspector, analyst, operator,  
50 law enforcement explorer, parking enforcement specialist, public  
51 transit employee or agent, ~~or~~ security officer, or contractor is  
52 engaged in the lawful performance of his or her duties, the  
53 offense for which the person is charged shall be reclassified as  
54 follows:

55 (a) In the case of assault, from a misdemeanor of the  
56 second degree to a misdemeanor of the first degree.

57 (b) In the case of battery, from a misdemeanor of the first  
58 degree to a felony of the third degree. Notwithstanding any

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59 other provision of law, a person convicted of battery upon a law  
60 enforcement officer committed in furtherance of a riot or an  
61 aggravated riot prohibited under s. 870.01 shall be sentenced to  
62 a minimum term of imprisonment of 6 months.

63 (c) In the case of aggravated assault, from a felony of the  
64 third degree to a felony of the second degree. Notwithstanding  
65 any other provision of law, any person convicted of aggravated  
66 assault upon a law enforcement officer shall be sentenced to a  
67 minimum term of imprisonment of 3 years.

68 (d) In the case of aggravated battery, from a felony of the  
69 second degree to a felony of the first degree. Notwithstanding  
70 any other provision of law, any person convicted of aggravated  
71 battery of a law enforcement officer shall be sentenced to a  
72 minimum term of imprisonment of 5 years.

73 Section 2. This act shall take effect July 1, 2025.