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LEGISLATIVE ACTION

| Senate | . | House |
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| Comm: RCS | . | |
| 03/18/2025 | . | |
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The Committee on Criminal Justice (Martin) recommended the following:

Senate Amendment (with title amendment)

Delete lines 23 - 159

and insert:

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

836.12 Threats or harassment.—

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

(a) “Administrative assistant” means a court employee assigned to the office of a general or special magistrate or a



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11 child support enforcement hearing officer.

12 (b) "Family member" means:

13 1. An individual related to another individual by blood or
14 marriage; or

15 2. An individual who stands in loco parentis to another
16 individual.

17 (c)~~(e)~~ "Judicial assistant" means a court employee assigned
18 to the office of a specific judge or justice responsible for
19 providing administrative, secretarial, and clerical support to
20 the assigned judge or justice.

21 (d)~~(e)~~ "Law enforcement officer" means:

22 1. A law enforcement officer as defined in s. 943.10; or

23 2. A federal law enforcement officer as defined in s.
24 901.1505.

25 (2) (a) Except as provided in paragraph (b), any person who
26 knowingly and willfully threatens a law enforcement officer, a
27 state attorney, an assistant state attorney, a firefighter, a
28 judge, a justice, a general magistrate, a special magistrate, a
29 child support enforcement hearing officer, an administrative
30 assistant, a judicial assistant, a clerk of the court, clerk
31 personnel, or an elected official, or a family member of any
32 such person, with death or serious bodily harm commits a
33 misdemeanor of the first degree, punishable as provided in s.
34 775.082 or s. 775.083.

35 (b) A person who commits a second or subsequent violation
36 of paragraph (a) commits a felony of the third degree,
37 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

38 (3) Any person who knowingly and willfully harasses a law
39 enforcement officer, a state attorney, an assistant state



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40 attorney, a firefighter, a judge, a justice, a general
41 magistrate, a special magistrate, a child support enforcement
42 hearing officer, an administrative assistant, a judicial
43 assistant, a clerk of the court, clerk personnel, or an elected
44 official, with the intent to intimidate or coerce such a person
45 to perform or refrain from performing a lawful duty, commits a
46 misdemeanor of the first degree, punishable as provided in s.
47 775.082 or s. 775.083.

48 Section 2. Section 918.115, Florida Statutes, is created to
49 read:

50 918.115 Definitions; ss. 918.12-918.125.-As used in ss.
51 918.12-918.125, the term:

52 (1) "Administrative assistant" means a court employee
53 assigned to the office of a specific general or special
54 magistrate or a child support enforcement hearing officer.

55 (2) "Bodily injury" means a cut, an abrasion, a bruise, a
56 burn, or a disfigurement; physical pain; illness; impairment of
57 the function of a bodily member, an organ, or a mental faculty;
58 or any other injury to the body, regardless of how temporary.

59 (3) "Court official" means any judge, justice, general
60 magistrate, special magistrate, grand juror, petit juror, clerk
61 of the court, deputy clerk of the court, judicial assistant,
62 administrative assistant, attorney, child support enforcement
63 hearing officer, bailiff, or court deputy.

64 (4) "Harass" means to engage in a course of conduct
65 directed at a specific person which causes substantial emotional
66 distress in that person and serves no legitimate purpose.

67 (5) "Judicial assistant" means a court employee assigned to
68 the office of a specific judge or justice responsible for



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69 providing administrative, secretarial, or clerical support to
70 the assigned judge or justice.

71 (6) "Misleading conduct" means any of the following:

72 (a) Knowingly making a false statement.

73 (b) Intentionally omitting information from a statement and
74 thereby causing a portion of such statement to be misleading, or
75 intentionally concealing a material fact and thereby creating a
76 false impression by such statement.

77 (c) With the intent to mislead, knowingly submitting or
78 inviting reliance on a writing or recording that is false,
79 forged, altered, or otherwise lacking in authenticity.

80 (d) With the intent to mislead, knowingly submitting or
81 inviting reliance on a sample, specimen, map, photograph,
82 boundary mark, or other object that is misleading in a material
83 respect.

84 (e) Knowingly using a trick, scheme, or device with the
85 intent to mislead.

86 (7) "Official investigation" means any investigation
87 instituted by a law enforcement agency or prosecuting officer of
88 the state or a political subdivision of the state or by the
89 Commission on Ethics.

90 (8) "Official proceeding" means any proceeding before a
91 judge or court or a grand jury.

92 (9) "Physical force" means physical action against another
93 person and includes confinement of a person.

94 Section 3. Section 918.12, Florida Statutes, is amended to
95 read:

96 918.12 Tampering with or harassing a court official
97 jurors.-



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98 (1) TAMPERING WITH A COURT OFFICIAL.—

99 (a) A person who knowingly commits any of the following
100 acts with the intent to cause or induce any court official to
101 obstruct the administration of justice or affect the outcome of
102 an official investigation or official proceeding, commits the
103 crime of tampering with a court official:

104 1. Uses intimidation or physical force;

105 2. Threatens any person or attempts to do so;

106 3. Engages in misleading conduct toward any person; or

107 4. Offers pecuniary benefit or gain to any person.

108 (b) A person who violates paragraph (a) commits:

109 1. A felony of the third degree, punishable as provided in
110 s. 775.082, s. 775.083, or s. 775.084, if the offense level of
111 the affected official investigation or official proceeding is
112 indeterminable.

113 2. A felony of the third degree, punishable as provided in
114 s. 775.082, s. 775.083, or s. 775.084, if the official
115 investigation or official proceeding affected involves the
116 investigation or prosecution of a misdemeanor or noncriminal
117 matter pending in county court.

118 3. A felony of the second degree, punishable as provided in
119 s. 775.082, s. 775.083, or s. 775.084, if the official
120 investigation or official proceeding affected involves the
121 investigation or prosecution of a felony of the third degree or
122 noncriminal matter pending in circuit court.

123 4. A felony of the first degree, punishable as provided in
124 s. 775.082, s. 775.083, or s. 775.084, if the official
125 investigation or official proceeding affected involves the
126 investigation or prosecution of a felony of the second degree.



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127 5. A felony of the first degree, punishable by a term of
128 years not exceeding life or as provided in s. 775.082, s.
129 775.083, or s. 775.084, if the official investigation or
130 official proceeding affected involves the investigation or
131 prosecution of a felony of the first degree or a felony of the
132 first degree punishable by a term of years not exceeding life.

133 6. A life felony, punishable as provided in s. 775.082, s.
134 775.083, or s. 775.084, if the official investigation or
135 official proceeding affected involves the investigation or
136 prosecution of a life or capital felony.

137 (2) HARASSING A COURT OFFICIAL.—

138 (a) A person who intentionally harasses a court official
139 and thereby hinders, delays, prevents, or dissuades, or attempts
140 to hinder, delay, prevent, or dissuade a court official from
141 performing any of the following acts commits the crime of
142 harassing a court official:

143 1. Attending an official proceeding;

144 2. Rendering a fair verdict based solely upon the evidence
145 produced at an official proceeding and upon the law; or

146 3. Following the rules of juror behavior and deliberation
147 as set forth by the judge.

148 (b) A person who violates paragraph (a) commits:

149 1. A misdemeanor of the first degree, punishable as
150 provided in s. 775.082 or s. 775.083, if the official
151 investigation or official proceeding affected involves the
152 investigation or prosecution of a misdemeanor or noncriminal
153 matter pending in county court.

154 2. A felony of the third degree, punishable as provided in
155 s. 775.082, s. 775.083, or s. 775.084, if the offense level of



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156 the affected official investigation or official proceeding is
157 indeterminable.

158 3. A felony of the third degree, punishable as provided in
159 s. 775.082, s. 775.083, or s. 775.084, if the official
160 investigation or official proceeding affected involves the
161 investigation or prosecution of a felony of the third degree or
162 any noncriminal matter pending in circuit court.

163 4. A felony of the second degree, punishable as provided in
164 s. 775.082, s. 775.083, or s. 775.084, if the official
165 investigation or official proceeding affected involves the
166 investigation or prosecution of a felony of the second degree.

167 5. A felony of the first degree, punishable as provided in
168 s. 775.082, s. 775.083, or s. 775.084, if the official
169 investigation or official proceeding affected involves the
170 investigation or prosecution of a felony of the first degree.

171 6. A felony of the first degree, punishable by a term of
172 years not exceeding life or as provided in s. 775.082, s.
173 775.083, or s. 775.084, if the official investigation or
174 official proceeding affected involves the investigation or
175 prosecution of a felony of the first degree punishable by a term
176 of years not exceeding life or a prosecution of a life or
177 capital felony ~~Any person who influences the judgment or~~
178 ~~decision of any grand or petit juror on any matter, question,~~
179 ~~cause, or proceeding which may be pending, or which may by law~~
180 ~~be brought, before him or her as such juror, with intent to~~
181 ~~obstruct the administration of justice, shall be guilty of a~~
182 ~~felony of the third degree, punishable as provided in s.~~
183 ~~775.082, s. 775.083, or s. 775.084.~~

184 Section 4. Section 918.125, Florida Statutes, is created to



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185 read:

186 918.125 Retaliating against a court official.—

187 (1) A person who, with the intent to retaliate against a
188 court official for his or her participation in an official
189 investigation or official proceeding, commits any of the
190 following acts commits a felony of the third degree, punishable
191 as provided in s. 775.082, s. 775.083, or s. 775.084:

192 (a) Knowingly engages in any conduct that threatens to
193 cause bodily injury to another person; or

194 (b) Damages the tangible property of another person or
195 threatens to do so.

196 (2) If the conduct described in subsection (1) results in
197 bodily injury, such person commits a felony of the second
198 degree, punishable as provided in s. 775.082, s. 775.083, or s.
199 775.084.

200
201 ===== T I T L E A M E N D M E N T =====

202 And the title is amended as follows:

203 Delete lines 4 - 16

204 and insert:

205 836.12, F.S.; defining the term "administrative
206 assistant"; providing criminal penalties for persons
207 who knowingly and willfully threaten specified court
208 personnel; providing criminal penalties for persons
209 who knowingly and willfully harass specified court
210 personnel with certain intent; creating s. 918.115,
211 F.S.; defining terms; amending s. 918.12, F.S.;
212 providing criminal penalties for persons who knowingly
213 with certain intent tamper with court officials;



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214 providing criminal penalties for persons who
215 intentionally harass court officials when such
216 harassment has a specified outcome; creating s.
217 918.125, F.S.; providing criminal penalties for
218 persons who retaliate against court officials for
219 their participation in official investigations or
220 proceedings; providing enhanced criminal penalties if
221 the retaliation results in bodily injury; amending ss.