

By Senator Martin

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1 A bill to be entitled
2 An act relating to tampering with, harassing, or
3 retaliating against court officials; amending s.
4 918.12, F.S.; defining the term "court official";
5 defining the offenses of tampering with or harassing
6 court officials; providing criminal penalties;
7 providing that no state of mind need be proved with
8 respect to specified circumstances; creating s.
9 918.125, F.S.; defining the term "court official";
10 prohibiting specified conduct with retaliatory intent
11 toward court officials; providing criminal penalties;
12 creating s. 918.21, F.S.; prohibiting a person with
13 the intent to retaliate against certain court
14 officials from knowingly engaging in or threatening to
15 engage in actions that cause bodily injury or property
16 damage; providing criminal penalties; amending ss.
17 772.102, 895.02, and 921.0022, F.S.; conforming
18 provisions to changes made by the act; providing an
19 effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Section 918.12, Florida Statutes, is amended to
24 read:

25 918.12 Tampering with or harassing court officials ~~jurors.~~
26 (1) DEFINITION.—As used in this section, the term "court
27 official" means any judge, magistrate judge, grand juror, petit
28 juror, clerk, deputy clerk, judicial assistant, attorney,
29 bailiff or court deputy.

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30 (2) TAMPERING.—

31 (a) A person who knowingly:

- 32 1. Uses intimidation or physical force;
33 2. Threatens any person, or attempts to do so;
34 3. Engages in misleading conduct toward any person; or
35 4. Offers pecuniary benefit or gain to any person,

36
37 with intent to cause or induce any court official to obstruct
38 the administration of justice or affect the outcome of an
39 official investigation or official proceeding, commits the crime
40 of tampering with a court official.

41 (b) Tampering with a court official is a:

42 1. Felony of the third degree, punishable as provided in s.
43 775.082, s. 775.083, or s. 775.084, in which the official
44 investigation or official proceeding affected involves the
45 investigation or prosecution of a misdemeanor or any noncriminal
46 matter pending in county court.

47 2. Felony of the second degree, punishable as provided in
48 s. 775.082, s. 775.083, or s. 775.084, in which the official
49 investigation or official proceeding affected involves the
50 investigation or prosecution of a third degree felony or any
51 noncriminal matter pending in circuit court.

52 3. Felony of the first degree, punishable as provided in s.
53 775.082, s. 775.083, or s. 775.084, in which the official
54 investigation or official proceeding affected involves the
55 investigation or prosecution of a second degree felony.

56 4. Felony of the first degree, punishable by a term of
57 years not exceeding life or as provided in s. 775.082, s.
58 775.083, or s. 775.084, in which the official investigation or

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59 official proceeding affected involves the investigation or
60 prosecution of a first degree felony or a first degree felony
61 punishable by a term of years not exceeding life.

62 5. Life felony, punishable as provided in s. 775.082, s.
63 775.083, or s. 775.084, in which the official investigation or
64 official proceeding affected involves the investigation or
65 prosecution of a life or capital felony.

66 6. Felony of the third degree, punishable as provided in s.
67 775.082, s. 775.083, or s. 775.084, in which the offense level
68 of the affected official investigation or official proceeding is
69 indeterminable.

70 (3) HARASSING.—

71 (a) Whoever intentionally harasses a court official and
72 thereby hinders, delays, prevents, or dissuades any court
73 official from:

74 1. Attending an official proceeding;

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

77 3. Following the rules of juror behavior and deliberation
78 as set forth by the judge,

79
80 or attempts to do so, commits the crime of harassing a court
81 official.

82 (b) Harassing a court official is a:

83 1. Misdemeanor of the first degree, punishable as provided
84 in s. 775.082 or s. 775.083, in which the official investigation
85 or official proceeding affected involves the investigation or
86 prosecution of a misdemeanor or any noncriminal matter pending
87 in county court.

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88 2. Felony of the third degree, punishable as provided in s.
89 775.082, s. 775.083, or s. 775.084, in which the official
90 investigation or official proceeding affected involves the
91 investigation or prosecution of a third degree felony or any
92 noncriminal matter pending in circuit court.

93 3. Felony of the second degree, punishable as provided in
94 s. 775.082, s. 775.083, or s. 775.084, in which the official
95 investigation or official proceeding affected involves the
96 investigation or prosecution of a second degree felony.

97 4. Felony of the first degree, punishable as provided in s.
98 775.082, s. 775.083, or s. 775.084, in which the official
99 investigation or official proceeding affected involves the
100 investigation or prosecution of a first degree felony.

101 5. Felony of the first degree, punishable by a term of
102 years not exceeding life or as provided in s. 775.082, s.
103 775.083, or s. 775.084, in which the official investigation or
104 official proceeding affected involves the investigation or
105 prosecution of a felony of the first degree punishable by a term
106 of years not exceeding life or a prosecution of a life or
107 capital felony.

108 6. Felony of the third degree, punishable as provided in s.
109 775.082, s. 775.083, or s. 775.084, in which the offense level
110 of the affected official investigation or official proceeding is
111 indeterminable.

112 (4) STATE OF MIND.—In a prosecution for an offense under
113 this section, no state of mind need be proved with respect to
114 the circumstance:

115 (a) That the official proceeding before a judge, court,
116 grand jury, or government agency is before a judge or court of

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117 the state, a state or local grand jury, or a state agency; or

118 (b) That the judge is a judge of the state or that the law
119 enforcement officer is an officer or employee of the state or a
120 person authorized to act for or on behalf of the state or
121 serving the state as an adviser or consultant ~~Any person who~~
122 ~~influences the judgment or decision of any grand or petit juror~~
123 ~~on any matter, question, cause, or proceeding which may be~~
124 ~~pending, or which may by law be brought, before him or her as~~
125 ~~such juror, with intent to obstruct the administration of~~
126 ~~justice, shall be guilty of a felony of the third degree,~~
127 ~~punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

128 Section 2. Section 918.125, Florida Statutes, is created to
129 read:

130 918.125 Retaliation against a court official.-

131 (1) As used in this section, the term "court official" has
132 the same meaning as in s. 918.12.

133 (2) A person who knowingly engages in any conduct that
134 causes bodily injury to another person or damages the tangible
135 property of another person, or threatens to do so, with intent
136 to retaliate against a court official as defined in 918.12 for
137 the court official's participation in an official investigation
138 or official proceeding:

139 (a) Commits a felony in the third degree, punishable as
140 provided in s. 775.082, s. 775.083, or s. 775.084; or

141 (b) If the conduct results in bodily injury, commits a
142 felony of the second degree, punishable as provided in s.
143 775.082, s. 775.083, or s. 775.084.

144 Section 3. Section 918.21, Florida Statutes, is created to
145 read:

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146 918.21 Retaliation against a court official.-

147 (1) A person who, with intent to retaliate against a person
148 classified as a court official for his or her participation in
149 an official investigation or proceeding, does any of the
150 following commits a felony of the third degree, punishable as
151 provided in s. 775.082, s. 775.083, or s. 775.084:

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

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

156 (2) If the conduct described in subsection (1) results in
157 bodily injury, such person commits a felony of the second
158 degree, punishable as provided in s. 775.082, s. 775.083, or s.
159 775.084.

160 Section 4. Paragraph (a) of subsection (1) of section
161 772.102, Florida Statutes, is amended to read:

162 772.102 Definitions.—As used in this chapter, the term:

163 (1) "Criminal activity" means to commit, to attempt to
164 commit, to conspire to commit, or to solicit, coerce, or
165 intimidate another person to commit:

166 (a) Any crime that is chargeable by indictment or
167 information under the following provisions:

168 1. Section 210.18, relating to evasion of payment of
169 cigarette taxes.

170 2. Section 414.39, relating to public assistance fraud.

171 3. Section 440.105 or s. 440.106, relating to workers'
172 compensation.

173 4. Part IV of chapter 501, relating to telemarketing.

174 5. Chapter 517, relating to securities transactions.

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- 175 6. Section 550.235 or s. 550.3551, relating to dogracing
176 and horseracing.
- 177 7. Chapter 550, relating to jai alai frontons.
- 178 8. Chapter 552, relating to the manufacture, distribution,
179 and use of explosives.
- 180 9. Chapter 562, relating to beverage law enforcement.
- 181 10. Section 624.401, relating to transacting insurance
182 without a certificate of authority, s. 624.437(4)(c)1., relating
183 to operating an unauthorized multiple-employer welfare
184 arrangement, or s. 626.902(1)(b), relating to representing or
185 aiding an unauthorized insurer.
- 186 11. Chapter 687, relating to interest and usurious
187 practices.
- 188 12. Section 721.08, s. 721.09, or s. 721.13, relating to
189 real estate timeshare plans.
- 190 13. Chapter 782, relating to homicide.
- 191 14. Chapter 784, relating to assault and battery.
- 192 15. Chapter 787, relating to kidnapping or human
193 trafficking.
- 194 16. Chapter 790, relating to weapons and firearms.
- 195 17. Former s. 796.03, s. 796.04, s. 796.05, or s. 796.07,
196 relating to prostitution.
- 197 18. Chapter 806, relating to arson.
- 198 19. Section 810.02(2)(c), relating to specified burglary of
199 a dwelling or structure.
- 200 20. Chapter 812, relating to theft, robbery, and related
201 crimes.
- 202 21. Chapter 815, relating to computer-related crimes.
- 203 22. Chapter 817, relating to fraudulent practices, false

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204 pretenses, fraud generally, and credit card crimes.

205 23. Section 827.071, relating to commercial sexual
206 exploitation of children.

207 24. Chapter 831, relating to forgery and counterfeiting.

208 25. Chapter 832, relating to issuance of worthless checks
209 and drafts.

210 26. Section 836.05, relating to extortion.

211 27. Chapter 837, relating to perjury.

212 28. Chapter 838, relating to bribery and misuse of public
213 office.

214 29. Chapter 843, relating to obstruction of justice.

215 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
216 s. 847.07, relating to obscene literature and profanity.

217 31. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
218 849.25, relating to gambling.

219 32. Chapter 893, relating to drug abuse prevention and
220 control.

221 33. Section 914.22 or s. 914.23, relating to witnesses,
222 victims, or informants.

223 34. Section 918.12, s. 918.125, or s. 918.13, relating to
224 tampering with or harassing court officials, retaliating against
225 court officials, ~~jurors~~ and tampering with evidence.

226 Section 5. Paragraph (a) of subsection (8) of section
227 895.02, Florida Statutes, is amended to read:

228 895.02 Definitions.—As used in ss. 895.01-895.08, the term:

229 (8) "Racketeering activity" means to commit, to attempt to
230 commit, to conspire to commit, or to solicit, coerce, or
231 intimidate another person to commit:

232 (a) Any crime that is chargeable by petition, indictment,

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233 or information under the following provisions of the Florida
234 Statutes:

235 1. Section 104.155(2), relating to aiding or soliciting a
236 noncitizen in voting.

237 2. Section 210.18, relating to evasion of payment of
238 cigarette taxes.

239 3. Section 316.1935, relating to fleeing or attempting to
240 elude a law enforcement officer and aggravated fleeing or
241 eluding.

242 4. Chapter 379, relating to the illegal sale, purchase,
243 collection, harvest, capture, or possession of wild animal life,
244 freshwater aquatic life, or marine life, and related crimes.

245 5. Section 403.727(3)(b), relating to environmental
246 control.

247 6. Section 409.920 or s. 409.9201, relating to Medicaid
248 fraud.

249 7. Section 414.39, relating to public assistance fraud.

250 8. Section 440.105 or s. 440.106, relating to workers'
251 compensation.

252 9. Section 443.071(4), relating to creation of a fictitious
253 employer scheme to commit reemployment assistance fraud.

254 10. Section 465.0161, relating to distribution of medicinal
255 drugs without a permit as an Internet pharmacy.

256 11. Section 499.0051, relating to crimes involving
257 contraband, adulterated, or misbranded drugs.

258 12. Part IV of chapter 501, relating to telemarketing.

259 13. Chapter 517, relating to sale of securities and
260 investor protection.

261 14. Section 550.235 or s. 550.3551, relating to dogracing

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- 262 and horseracing.
- 263 15. Chapter 550, relating to jai alai frontons.
- 264 16. Section 551.109, relating to slot machine gaming.
- 265 17. Chapter 552, relating to the manufacture, distribution,
266 and use of explosives.
- 267 18. Chapter 560, relating to money transmitters, if the
268 violation is punishable as a felony.
- 269 19. Chapter 562, relating to beverage law enforcement.
- 270 20. Section 624.401, relating to transacting insurance
271 without a certificate of authority, s. 624.437(4)(c)1., relating
272 to operating an unauthorized multiple-employer welfare
273 arrangement, or s. 626.902(1)(b), relating to representing or
274 aiding an unauthorized insurer.
- 275 21. Section 655.50, relating to reports of currency
276 transactions, when such violation is punishable as a felony.
- 277 22. Chapter 687, relating to interest and usurious
278 practices.
- 279 23. Section 721.08, s. 721.09, or s. 721.13, relating to
280 real estate timeshare plans.
- 281 24. Section 775.13(5)(b), relating to registration of
282 persons found to have committed any offense for the purpose of
283 benefiting, promoting, or furthering the interests of a criminal
284 gang.
- 285 25. Section 777.03, relating to commission of crimes by
286 accessories after the fact.
- 287 26. Chapter 782, relating to homicide.
- 288 27. Chapter 784, relating to assault and battery.
- 289 28. Chapter 787, relating to kidnapping, human smuggling,
290 or human trafficking.

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- 291 29. Chapter 790, relating to weapons and firearms.
- 292 30. Chapter 794, relating to sexual battery, but only if
- 293 such crime was committed with the intent to benefit, promote, or
- 294 further the interests of a criminal gang, or for the purpose of
- 295 increasing a criminal gang member's own standing or position
- 296 within a criminal gang.
- 297 31. Former s. 796.03, former s. 796.035, s. 796.04, s.
- 298 796.05, or s. 796.07, relating to prostitution.
- 299 32. Chapter 806, relating to arson and criminal mischief.
- 300 33. Chapter 810, relating to burglary and trespass.
- 301 34. Chapter 812, relating to theft, robbery, and related
- 302 crimes.
- 303 35. Chapter 815, relating to computer-related crimes.
- 304 36. Chapter 817, relating to fraudulent practices, false
- 305 pretenses, fraud generally, credit card crimes, and patient
- 306 brokering.
- 307 37. Chapter 825, relating to abuse, neglect, or
- 308 exploitation of an elderly person or disabled adult.
- 309 38. Section 827.071, relating to commercial sexual
- 310 exploitation of children.
- 311 39. Section 828.122, relating to fighting or baiting
- 312 animals.
- 313 40. Chapter 831, relating to forgery and counterfeiting.
- 314 41. Chapter 832, relating to issuance of worthless checks
- 315 and drafts.
- 316 42. Section 836.05, relating to extortion.
- 317 43. Chapter 837, relating to perjury.
- 318 44. Chapter 838, relating to bribery and misuse of public
- 319 office.

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320 45. Chapter 843, relating to obstruction of justice.

321 46. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
 322 s. 847.07, relating to obscene literature and profanity.

323 47. Chapter 849, relating to gambling, lottery, gambling or
 324 gaming devices, slot machines, or any of the provisions within
 325 that chapter.

326 48. Chapter 874, relating to criminal gangs.

327 49. Chapter 893, relating to drug abuse prevention and
 328 control.

329 50. Chapter 896, relating to offenses related to financial
 330 transactions.

331 51. Sections 914.22 and 914.23, relating to tampering with
 332 or harassing a witness, victim, or informant, and retaliation
 333 against a witness, victim, or informant.

334 52. Sections 918.12, 918.125, and 918.13, relating to
 335 tampering with or harassing court official, retaliating against
 336 court officials, jurors and tampering with evidence.

337 Section 6. Paragraph (d) of subsection (3) of section
 338 921.0022, Florida Statutes, is amended to read:

339 921.0022 Criminal Punishment Code; offense severity ranking
 340 chart.—

341 (3) OFFENSE SEVERITY RANKING CHART

342 (d) LEVEL 4

343

Florida Statute	Felony Degree	Description
104.155	3rd	Unqualified noncitizen electors voting; aiding

344

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or soliciting noncitizen electors in voting.

345

316.1935 (3) (a)

2nd

Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

346

499.0051 (1)

3rd

Failure to maintain or deliver transaction history, transaction information, or transaction statements.

347

499.0051 (5)

2nd

Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.

348

517.07 (1)

3rd

Failure to register securities.

349

517.12 (1)

3rd

Failure of dealer or associated person of a

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dealer of securities to register.

350

784.031

3rd

Battery by strangulation.

351

784.07 (2) (b)

3rd

Battery of law enforcement officer, firefighter, etc.

352

784.074 (1) (c)

3rd

Battery of sexually violent predators facility staff.

353

784.075

3rd

Battery on detention or commitment facility staff.

354

784.078

3rd

Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.

355

784.08 (2) (c)

3rd

Battery on a person 65 years of age or older.

356

784.081 (3)

3rd

Battery on specified official or employee.

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357

784.082 (3) 3rd Battery by detained person on visitor or other detainee.

358

784.083 (3) 3rd Battery on code inspector.

359

784.085 3rd Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.

360

787.03 (1) 3rd Interference with custody; wrongly takes minor from appointed guardian.

361

787.04 (2) 3rd Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.

362

787.04 (3) 3rd Carrying child beyond state lines with criminal intent to avoid producing child at

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custody hearing or
delivering to designated
person.

363

787.07

3rd

Human smuggling.

364

790.115 (1)

3rd

Exhibiting firearm or
weapon within 1,000 feet
of a school.

365

790.115 (2) (b)

3rd

Possessing electric
weapon or device,
destructive device, or
other weapon on school
property.

366

790.115 (2) (c)

3rd

Possessing firearm on
school property.

367

794.051 (1)

3rd

Indecent, lewd, or
lascivious touching of
certain minors.

368

800.04 (7) (c)

3rd

Lewd or lascivious
exhibition; offender
less than 18 years.

369

806.135

2nd

Destroying or
demolishing a memorial

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or historic property.

370

810.02 (4) (a)

3rd

Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.

371

810.02 (4) (b)

3rd

Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.

372

810.06

3rd

Burglary; possession of tools.

373

810.08 (2) (c)

3rd

Trespass on property, armed with firearm or dangerous weapon.

374

810.145 (3) (b)

3rd

Digital voyeurism dissemination.

375

812.014 (2) (c) 3.

3rd

Grand theft, 3rd degree \$10,000 or more but less than \$20,000.

376

812.014

3rd

Grand theft, 3rd degree;

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(2) (c) 4. &
6.-10.

specified items.

377

812.014 (2) (d) 2.

3rd

Grand theft, 3rd degree;
\$750 or more taken from
dwelling or its
unenclosed curtilage.

378

812.014 (2) (e) 3.

3rd

Petit theft, 1st degree;
less than \$40 taken from
dwelling or its
unenclosed curtilage
with two or more prior
theft convictions.

379

812.0195 (2)

3rd

Dealing in stolen
property by use of the
Internet; property
stolen \$300 or more.

380

817.505 (4) (a)

3rd

Patient brokering.

381

817.563 (1)

3rd

Sell or deliver
substance other than
controlled substance
agreed upon, excluding
s. 893.03(5) drugs.

382

817.568 (2) (a)

3rd

Fraudulent use of

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personal identification
information.

383

817.5695 (3) (c)

3rd

Exploitation of person
65 years of age or
older, value less than
\$10,000.

384

817.625 (2) (a)

3rd

Fraudulent use of
scanning device,
skimming device, or
reencoder.

385

817.625 (2) (c)

3rd

Possess, sell, or
deliver skimming device.

386

828.125 (1)

2nd

Kill, maim, or cause
great bodily harm or
permanent breeding
disability to any
registered horse or
cattle.

387

836.14 (2)

3rd

Person who commits theft
of a sexually explicit
image with intent to
promote it.

388

836.14 (3)

3rd

Person who willfully

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possesses a sexually explicit image with certain knowledge, intent, and purpose.

389

837.02 (1)

3rd

Perjury in official proceedings.

390

837.021 (1)

3rd

Make contradictory statements in official proceedings.

391

838.022

3rd

Official misconduct.

392

839.13 (2) (a)

3rd

Falsifying records of an individual in the care and custody of a state agency.

393

839.13 (2) (c)

3rd

Falsifying records of the Department of Children and Families.

394

843.021

3rd

Possession of a concealed handcuff key by a person in custody.

395

843.025

3rd

Deprive law enforcement, correctional, or

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correctional probation
 officer of means of
 protection or
 communication.

396

843.15 (1) (a)

3rd

Failure to appear while
 on bail for felony (bond
 estreature or bond
 jumping).

397

843.19 (2)

2nd

Injure, disable, or kill
 police, fire, or SAR
 canine or police horse.

398

847.0135 (5) (c)

3rd

Lewd or lascivious
 exhibition using
 computer; offender less
 than 18 years.

399

870.01 (3)

2nd

Aggravated rioting.

400

870.01 (5)

2nd

Aggravated inciting a
 riot.

401

874.05 (1) (a)

3rd

Encouraging or
 recruiting another to
 join a criminal gang.

402

893.13 (2) (a) 1.

2nd

Purchase of cocaine (or

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other s. 893.03(1)(a),
 (b), or (d), (2)(a),
 (2)(b), or (2)(c)5.
 drugs).

403
 404
 405
 406
 407
 408
 409

914.14(2)

3rd

Witnesses accepting
 bribes.

914.22(1)

3rd

Force, threaten, etc.,
 witness, victim, or
 informant.

914.23(2)

3rd

Retaliation against a
 witness, victim, or
 informant, no bodily
 injury.

916.1085
 (2)(c)1.

3rd

Introduction of
 specified contraband
 into certain DCF
 facilities.

~~918.12~~

~~3rd~~

~~Tampering with jurors.~~

934.215

3rd

Use of two-way
 communications device to
 facilitate commission of
 a crime.

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944.47(1)(a)6.

3rd

Introduction of
contraband (cellular
telephone or other
portable communication
device) into
correctional
institution.

410

951.22(1)(h),
(j) & (k)

3rd

Intoxicating drug,
instrumentality or other
device to aid escape, or
cellular telephone or
other portable
communication device
introduced into county
detention facility.

411

412

Section 7. This act shall take effect October 1, 2025.