



777304

LEGISLATIVE ACTION

Senate

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House

Floor: 2/AD/3R

04/03/2025 09:14 AM

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Senator Leek moved the following:

**Senate Amendment (with title amendment)**

Delete lines 31 - 145

and insert:

official duties as described in s. 943.10(1) ~~who is engaged in~~  
~~the execution of a legal duty,~~ if the law enforcement officer  
was acting in good faith and he or she is known, or reasonably  
appears, to be a law enforcement officer. As used in this  
section, the term "acting in good faith" means to make sincere  
and reasonable efforts to comply with legal requirements, even  
if the arrest, detention, or other act is later found to have



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12 been unlawful.

13 ~~(2) A law enforcement officer, or any person whom the~~  
14 ~~officer has summoned or directed to assist him or her, is not~~  
15 ~~justified in the use of force if the arrest or execution of a~~  
16 ~~legal duty is unlawful and known by him or her to be unlawful.~~

17 Section 3. Section 782.065, Florida Statutes, is amended to  
18 read:

19 782.065 Murder; law enforcement officer, correctional  
20 officer, correctional probation officer.—Notwithstanding ss.  
21 775.082, 775.0823, 782.04, 782.051, and chapter 921, a defendant  
22 must ~~shall~~ be sentenced to life imprisonment without eligibility  
23 for release upon findings by the trier of fact that, beyond a  
24 reasonable doubt:

25 (1) The defendant committed murder in the first degree in  
26 violation of s. 782.04(1) and a death sentence was not imposed;  
27 murder in the second or third degree in violation of s.  
28 782.04(2), (3), or (4); attempted murder in the first or second  
29 degree in violation of s. 782.04(1)(a)1. or (2); ~~or~~ attempted  
30 felony murder in violation of s. 782.051; or manslaughter in  
31 violation of s. 782.07(1); and

32 (2) The victim of any offense described in subsection (1)  
33 was a law enforcement officer, part-time law enforcement  
34 officer, auxiliary law enforcement officer, correctional  
35 officer, part-time correctional officer, auxiliary correctional  
36 officer, correctional probation officer, part-time correctional  
37 probation officer, or auxiliary correctional probation officer,  
38 as those terms are defined in s. 943.10, who was acting in the  
39 performance of his or her official duties as described in s.  
40 943.10 ~~engaged in the lawful performance of a legal duty.~~



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41 Section 4. Paragraph (e) of subsection (1) and subsection  
42 (2) of section 784.07, Florida Statutes, are amended to read:

43 784.07 Assault or battery of law enforcement officers and  
44 other specified personnel; reclassification of offenses; minimum  
45 sentences.—

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

47 (e) "Law enforcement officer" includes a law enforcement  
48 officer, a correctional officer, a correctional probation  
49 officer, a part-time law enforcement officer, a part-time  
50 correctional officer, an auxiliary law enforcement officer, and  
51 an auxiliary correctional officer, as those terms are  
52 respectively defined in s. 943.10, and any county probation  
53 officer; an employee or agent of the Department of Corrections  
54 who supervises or provides services to inmates; an officer of  
55 the Florida Commission on Offender Review; a federal law  
56 enforcement officer as defined in s. 901.1505; and law  
57 enforcement personnel of the Fish and Wildlife Conservation  
58 Commission, the Department of Environmental Protection, or the  
59 Department of Law Enforcement. The duties and responsibilities  
60 of these respective positions are described in s. 943.10.

61 (2) Whenever any person is charged with knowingly  
62 committing an assault or battery upon a law enforcement officer,  
63 a firefighter, an emergency medical care provider, hospital  
64 personnel, a railroad special officer, a traffic accident  
65 investigation officer as described in s. 316.640, a nonsworn law  
66 enforcement agency employee who is certified as an agency  
67 inspector, a blood alcohol analyst, or a breath test operator  
68 while such employee is in uniform and engaged in processing,  
69 testing, evaluating, analyzing, or transporting a person who is



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70 detained or under arrest for DUI, a law enforcement explorer, a  
71 traffic infraction enforcement officer as described in s.  
72 316.640, a parking enforcement specialist as defined in s.  
73 316.640, a person licensed as a security officer as defined in  
74 s. 493.6101 and wearing a uniform that bears at least one patch  
75 or emblem that is visible at all times that clearly identifies  
76 the employing agency and that clearly identifies the person as a  
77 licensed security officer, or a security officer employed by the  
78 board of trustees of a community college, while the officer,  
79 firefighter, emergency medical care provider, hospital  
80 personnel, railroad special officer, traffic accident  
81 investigation officer, traffic infraction enforcement officer,  
82 inspector, analyst, operator, law enforcement explorer, parking  
83 enforcement specialist, public transit employee or agent, or  
84 security officer who is acting in the performance of his or her  
85 official duties ~~is engaged in the lawful performance of his or~~  
86 ~~her duties~~, the offense for which the person is charged shall be  
87 reclassified as follows:

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

90 (b) In the case of battery, from a misdemeanor of the first  
91 degree to a felony of the third degree. Notwithstanding any  
92 other provision of law, a person convicted of battery upon a law  
93 enforcement officer committed in furtherance of a riot or an  
94 aggravated riot prohibited under s. 870.01 shall be sentenced to  
95 a minimum term of imprisonment of 6 months.

96 (c) In the case of aggravated assault, from a felony of the  
97 third degree to a felony of the second degree. Notwithstanding  
98 any other provision of law, any person convicted of aggravated



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99 assault upon a law enforcement officer shall be sentenced to a  
100 minimum term of imprisonment of 3 years.

101 (d) In the case of aggravated battery, from a felony of the  
102 second degree to a felony of the first degree. Notwithstanding  
103 any other provision of law, any person convicted of aggravated  
104 battery of a law enforcement officer shall be sentenced to a  
105 minimum term of imprisonment of 5 years.

106 Section 5. Subsection (1) of section 843.01, Florida  
107 Statutes, is amended to read:

108 843.01 Resisting, obstructing, or opposing by offering or  
109 doing violence to legally authorized person, police canine, or  
110 police horse.—

111 (1) Whoever knowingly and willfully resists, obstructs, or  
112 opposes any officer as defined in s. 943.10(1), (2), (3), (6),  
113 (7), (8), or (9); member of the Florida Commission on Offender  
114 Review or any administrative aide or supervisor employed by the  
115 commission; parole and probation supervisor; county probation  
116 officer; personnel or representative of the Department of Law  
117 Enforcement; or other person legally authorized to execute  
118 process in the execution of legal process or acting in the  
119 performance of his or her official duties as described in s.  
120 943.10 ~~in the lawful execution of any legal duty~~, by offering or  
121 doing violence to the person of such officer or legally  
122 authorized person, commits a felony of the third degree,  
123 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

124 Section 6. Paragraphs (d) and (e) of subsection (3) of  
125 section 921.0022, Florida Statutes, are amended to read:

126 921.0022 Criminal Punishment Code; offense severity ranking  
127 chart.—



128 (3) OFFENSE SEVERITY RANKING CHART

129 (d) LEVEL 4

130

Florida Statute	Felony Degree	Description
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131

104.155	3rd	Unqualified noncitizen electors voting; aiding or soliciting noncitizen electors in voting.
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132

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.
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133

499.0051 (1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.
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134

499.0051 (5)	2nd	Knowing sale or
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			delivery, or possession with intent to sell, contraband prescription drugs.
135	517.07 (1)	3rd	Failure to register securities.
136	517.12 (1)	3rd	Failure of dealer or associated person of a dealer of securities to register.
137	784.031	3rd	Battery by strangulation.
138	<del>784.07 (2) (b)</del>	<del>3rd</del>	<del>Battery of law enforcement officer, firefighter, etc.</del>
139	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
140	784.075	3rd	Battery on detention or commitment facility staff.
141	784.078	3rd	Battery of facility



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142			employee by throwing, tossing, or expelling certain fluids or materials.
143	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
144	784.081 (3)	3rd	Battery on specified official or employee.
145	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
146	784.083 (3)	3rd	Battery on code inspector.
147	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
148	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.





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149	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
150	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
151	787.07	3rd	Human smuggling.
152	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
153	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
154	790.115 (2) (c)	3rd	Possessing firearm on school property.



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155	794.051 (1)	3rd	Indecent, lewd, or lascivious touching of certain minors.
156	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
157	806.135	2nd	Destroying or demolishing a memorial or historic property.
158	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
159	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
160	810.06	3rd	Burglary; possession of tools.
	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or



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161			dangerous weapon.
	810.145 (3) (b)	3rd	Digital voyeurism dissemination.
162			
	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
163			
	812.014 (2) (c) 4. & 6.-10.	3rd	Grand theft, 3rd degree; specified items.
164			
	812.014 (2) (d) 2.	3rd	Grand theft, 3rd degree; \$750 or more taken from dwelling or its unenclosed curtilage.
165			
	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.
166			
	812.0195 (2)	3rd	Dealing in stolen property by use of the



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167			Internet; property stolen \$300 or more.
168	817.505 (4) (a)	3rd	Patient brokering.
169	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
170	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
171	817.5695 (3) (c)	3rd	Exploitation of person 65 years of age or older, value less than \$10,000.
172	817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
173	817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.



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174	828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
175	836.14(2)	3rd	Person who commits theft of a sexually explicit image with intent to promote it.
176	836.14(3)	3rd	Person who willfully possesses a sexually explicit image with certain knowledge, intent, and purpose.
177	837.02(1)	3rd	Perjury in official proceedings.
178	837.021(1)	3rd	Make contradictory statements in official proceedings.
179	838.022	3rd	Official misconduct.
	839.13(2)(a)	3rd	Falsifying records of an individual in the



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180			care and custody of a state agency.
180	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
181	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
182	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
183	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
184	843.19 (2)	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
185			



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186	847.0135 (5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
187	870.01 (3)	2nd	Aggravated rioting.
188	870.01 (5)	2nd	Aggravated inciting a riot.
189	874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
190	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03 (1) (a), (b), or (d), (2) (a), (2) (b), or (2) (c) 5. drugs).
191	914.14 (2)	3rd	Witnesses accepting bribes.
192	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
	914.23 (2)	3rd	Retaliation against a witness, victim, or



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193			informant, no bodily injury.
	916.1085 (2) (c) 1.	3rd	Introduction of specified contraband into certain DCF facilities.
194			
	918.12	3rd	Tampering with jurors.
195			
	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
196			
	944.47 (1) (a) 6.	3rd	Introduction of contraband (cellular telephone or other portable communication device) into correctional institution.
197			
	951.22 (1) (h), (j) & (k)	3rd	Intoxicating drug, instrumentality or other device to aid escape, or cellular telephone or other portable communication





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device introduced into  
county detention  
facility.

198

199

200 (e) LEVEL 5

201

Florida

Felony

Statute

Degree

Description

202

316.027(2)(a)

3rd

Accidents involving  
personal injuries other  
than serious bodily  
injury, failure to  
stop; leaving scene.

203

316.1935(4)(a)

2nd

Aggravated fleeing or  
eluding.

204

316.80(2)

2nd

Unlawful conveyance of  
fuel; obtaining fuel  
fraudulently.

205

322.34(6)

3rd

Careless operation of  
motor vehicle with  
suspended license,  
resulting in death or  
serious bodily injury.

206



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207

327.30 (5) 3rd Vessel accidents involving personal injury; leaving scene.

379.365 (2) (c) 1. 3rd Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is



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208			suspended or revoked.
	379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
209			
	379.407(5)(b)3.	3rd	Possession of 100 or more undersized spiny lobsters.
210			
	381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
211			
	440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
212			
	440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
213			
	440.381(2)	3rd	Submission of false, misleading, or incomplete information with the purpose of



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214			avoiding or reducing workers' compensation premiums.
215	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
216	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
217	<u>784.07 (2) (b)</u>	<u>3rd</u>	<u>Battery of law enforcement officer, firefighter, etc.</u>
218	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
219	790.162	2nd	Threat to throw or discharge destructive device.
	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or



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220			use of firearms in violent manner.
221	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
222	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
223	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
224	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
225	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.



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226	810.145 (4) (c)	3rd	Commercial digital voyeurism dissemination.
227	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
228	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.
229	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
230	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
231	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
232	812.015 (8) (f)	3rd	Retail theft; multiple



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233			thefts within specified period.
	812.015 (8) (g)	3rd	Retail theft; committed with specified number of other persons.
234			
	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
235			
	812.081 (3)	2nd	Trafficking in trade secrets.
236			
	812.131 (2) (b)	3rd	Robbery by sudden snatching.
237			
	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
238			
	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
239			
	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
240			



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241	817.2341(1), (2)(a) & (3)(a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
242	817.568(2)(b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.
243	817.611(2)(a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
	817.625(2)(b)	2nd	Second or subsequent fraudulent use of





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244	825.1025 (4)	3rd	scanning device, skimming device, or reencoder.
245	828.12 (2)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
246	836.14 (4)	2nd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
247	839.13 (2) (b)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
			Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.



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248	843.01 (1)	3rd	Resist officer with violence to person; resist arrest with violence.
249	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
250	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
251	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
252	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
253	874.05 (2) (a)	2nd	Encouraging or



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254

893.13(1)(a)1.

2nd

recruiting person under  
13 years of age to join  
a criminal gang.

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

255

893.13(1)(c)2.

2nd

Sell, manufacture, or  
deliver cannabis (or  
other s. 893.03(1)(c),  
(2)(c)1., (2)(c)2.,  
(2)(c)3., (2)(c)6.,  
(2)(c)7., (2)(c)8.,  
(2)(c)9., (2)(c)10.,  
(3), or (4) drugs)  
within 1,000 feet of a  
child care facility,  
school, or state,  
county, or municipal  
park or publicly owned  
recreational facility  
or community center.

256

893.13(1)(d)1.

1st

Sell, manufacture, or  
deliver cocaine (or



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257

893.13(1)(e)2.

2nd

other s. 893.03(1)(a),  
(1)(b), (1)(d), (2)(a),  
(2)(b), or (2)(c)5.  
drugs) within 1,000  
feet of university.

Sell, manufacture, or  
deliver cannabis or  
other drug prohibited  
under s. 893.03(1)(c),  
(2)(c)1., (2)(c)2.,  
(2)(c)3., (2)(c)6.,  
(2)(c)7., (2)(c)8.,  
(2)(c)9., (2)(c)10.,  
(3), or (4) within  
1,000 feet of property  
used for religious  
services or a specified  
business site.

258

893.13(1)(f)1.

1st

Sell, manufacture, or  
deliver cocaine (or  
other s. 893.03(1)(a),  
(1)(b), (1)(d), or  
(2)(a), (2)(b), or  
(2)(c)5. drugs) within  
1,000 feet of public  
housing facility.

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893.13(4)(b) 2nd Use or hire of minor;  
deliver to minor other  
controlled substance.

260

893.1351(1) 3rd Ownership, lease, or  
rental for trafficking  
in or manufacturing of  
controlled substance.

261

262

263

264 ===== T I T L E A M E N D M E N T =====

265 And the title is amended as follows:

266 Delete lines 6 - 15

267 and insert:

268 resist arrest or detention; defining the term "acting  
269 in good faith"; amending s. 782.065, F.S.; providing  
270 for enhanced punishment for manslaughter when  
271 committed against specified officers; revising  
272 applicability; amending s. 784.07, F.S.; revising the  
273 definition of the term "law enforcement officer";  
274 revising provisions concerning assault or battery upon  
275 specified officers and other personnel; amending s.  
276 843.01, F.S.; revising a provision concerning  
277 resisting, obstructing, or opposing specified officers  
278 or legally authorized persons; amending s. 921.0022,  
279 F.S.; increasing the level on the offense severity  
280 ranking chart for committing battery on law  
281 enforcement officers and other specified personnel;



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282

providing an effective