

By Senator Sharief

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1 A bill to be entitled
2 An act relating to hate crimes; amending s. 817.49,
3 F.S.; designating as a hate crime a person's false
4 reporting of the commission of a crime in whole or in
5 part because of certain beliefs or perceptions about
6 another person; providing criminal penalties;
7 providing a mandatory minimum term of imprisonment;
8 authorizing a court to order a program or training
9 directed at hate crime prevention and education;
10 requiring a court to order any person convicted of a
11 certain violation to pay restitution to victims for
12 any costs incurred; providing an effective date.

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

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16 Section 1. Section 817.49, Florida Statutes, is amended to
17 read:

18 817.49 False reports of commission of crimes; hate crimes;
19 required restitution; penalty.—

20 (1) Except as provided in subsection (2), whoever willfully
21 imparts, conveys, or causes to be imparted or conveyed to a law
22 enforcement officer or employee of a public safety agency false
23 information or reports concerning the alleged commission of any
24 crime under the laws of this state, knowing such information or
25 report to be false, when no such crime has actually been
26 committed, commits a misdemeanor of the first degree, punishable
27 as provided in s. 775.082 or s. 775.083.

28 (2) (a) As used in this section, the term "public safety
29 agency" means a law enforcement agency, professional or

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30 volunteer fire department, emergency medical service, ambulance
31 service, or other public entity that dispatches or provides
32 first responder services to respond to crimes, to assist victims
33 of crimes, or to apprehend offenders.

34 (b) If the willful making of a false report of a crime as
35 set forth in this section results in a response by a federal,
36 state, district, municipal, or other public safety agency and
37 the response results in:

38 1. Great bodily harm, permanent disfigurement, or permanent
39 disability to any person as a proximate result of lawful conduct
40 arising out of a response, the person making such report commits
41 a felony of the third degree, punishable as provided in s.
42 775.082, s. 775.083, or s. 775.084.

43 2. Death to any person as a proximate result of lawful
44 conduct arising out of a response, the person making such report
45 commits a felony of the second degree, punishable as provided in
46 s. 775.082, s. 775.083, or s. 775.084.

47 (3) A person who violates subsection (1) also commits a
48 hate crime if he or she intentionally selects a person in whole
49 or in part because of a belief or perception regarding the race,
50 color, religion, religious practice, gender, gender identity or
51 expression, national origin, ancestry, ethnicity, age,
52 disability, sex, or sexual orientation of that person,
53 regardless of whether the belief or perception is correct. A
54 person who violates this subsection commits a misdemeanor of the
55 first degree, punishable as provided in s. 775.082 or s.
56 775.083, with a mandatory minimum term of imprisonment of 10
57 months. The court may order as part of the sentence that the
58 person who violates this subsection successfully complete a 40-

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59 hour program or training directed at hate crime prevention and
60 education.

61 (4) A court shall order any person convicted of violating
62 this section to pay restitution, which must ~~shall~~ include, but
63 is not limited to, full payment for any cost incurred by a
64 victim or a responding public safety agency.

65 Section 2. This act shall take effect October 1, 2025.