

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|-------------|-------|
| ADOPTED | <u> </u> | (Y/N) |
| ADOPTED AS AMENDED | <u> </u> | (Y/N) |
| ADOPTED W/O OBJECTION | <u> </u> | (Y/N) |
| FAILED TO ADOPT | <u> </u> | (Y/N) |
| WITHDRAWN | <u> </u> | (Y/N) |
| OTHER | <u> </u> | |

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Kincart Jonsson offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 27-368 and insert:

7 electricity, natural or manufactured gas or propane, water,
 8 wastewater, telephone, or communications service, including two
 9 or more utilities rendering joint service.

10 (2) Whenever any person is charged with knowingly
 11 committing an assault or battery upon a law enforcement officer,
 12 a firefighter, an emergency medical care provider, hospital
 13 personnel, a railroad special officer, a traffic accident
 14 investigation officer as described in s. 316.640, a nonsworn law
 15 enforcement agency employee who is certified as an agency
 16 inspector, a blood alcohol analyst, or a breath test operator

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17 while such employee is in uniform and engaged in processing,
18 testing, evaluating, analyzing, or transporting a person who is
19 detained or under arrest for DUI, a law enforcement explorer, a
20 traffic infraction enforcement officer as described in s.
21 316.640, a parking enforcement specialist as defined in s.
22 316.640, a person licensed as a security officer as defined in
23 s. 493.6101 and wearing a uniform that bears at least one patch
24 or emblem that is visible at all times that clearly identifies
25 the employing agency and that clearly identifies the person as a
26 licensed security officer, ~~or~~ a security officer employed by the
27 board of trustees of a community college, or a utility worker
28 engaged in work on critical infrastructure as defined in s.
29 812.141 while the officer, firefighter, emergency medical care
30 provider, hospital personnel, railroad special officer, traffic
31 accident investigation officer, traffic infraction enforcement
32 officer, inspector, analyst, operator, law enforcement explorer,
33 parking enforcement specialist, public transit employee or
34 agent, ~~or~~ security officer, or utility worker is engaged in the
35 lawful performance of his or her duties, the offense for which
36 the person is charged shall be reclassified as follows:

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

39 (b) In the case of battery, from a misdemeanor of the
40 first degree to a felony of the third degree. Notwithstanding
41 any other provision of law, a person convicted of battery upon a

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42 law enforcement officer committed in furtherance of a riot or an
43 aggravated riot prohibited under s. 870.01 shall be sentenced to
44 a minimum term of imprisonment of 6 months.

45 (c) In the case of aggravated assault, from a felony of
46 the third degree to a felony of the second degree.
47 Notwithstanding any other provision of law, any person convicted
48 of aggravated assault upon a law enforcement officer shall be
49 sentenced to a minimum term of imprisonment of 3 years.

50 (d) In the case of aggravated battery, from a felony of
51 the second degree to a felony of the first degree.
52 Notwithstanding any other provision of law, any person convicted
53 of aggravated battery of a law enforcement officer shall be
54 sentenced to a minimum term of imprisonment of 5 years.

55 **Section 2. Subsection (15) of section 901.15, Florida**
56 **Statutes, is amended to read:**

57 901.15 When arrest by officer without warrant is lawful.—A
58 law enforcement officer may arrest a person without a warrant
59 when:

60 (15) There is probable cause to believe that the person
61 has committed assault upon a law enforcement officer, a
62 firefighter, an emergency medical care provider, public transit
63 employees or agents, or other specified persons ~~officers~~ as set
64 forth in s. 784.07 or has committed assault or battery upon any
65 employee of a receiving facility as defined in s. 394.455 who is
66 engaged in the lawful performance of his or her duties.

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

Remove line 6 and insert:

amending ss. 901.15, 943.051, 985.11, and