

1                   A bill to be entitled  
 2           An act relating to assault or battery on a utility  
 3           worker; amending s. 784.07, F.S.; defining the term  
 4           "utility worker"; providing for reclassification of  
 5           certain offenses committed against a utility worker;  
 6           amending ss. 901.15, 943.051, 985.11, and 985.644,  
 7           F.S.; conforming provisions to changes made by the  
 8           act; providing an effective date.

9  
 10 Be It Enacted by the Legislature of the State of Florida:

11  
 12           **Section 1. Subsection (2) of section 784.07, Florida**  
 13 **Statutes, is amended, and paragraph (h) is added to subsection**  
 14 **(1) of that section, to read:**

15           784.07 Assault or battery of law enforcement officers and  
 16 other specified personnel; reclassification of offenses; minimum  
 17 sentences.—

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

19           (h) "Utility worker" means a person who bears at least one  
 20 patch, emblem, organizational identification, or other clear  
 21 marking intended to be plainly visible and that identifies the  
 22 employing or contracting utility and that clearly identifies the  
 23 person as a utility worker under contract with or employed by an  
 24 entity that owns, operates, leases, or controls a plant,  
 25 property, or facility for the generation, transmission,

26 | distribution of, or furnishing to or for the public of  
27 | electricity, natural or manufactured gas or propane, water,  
28 | wastewater, telephone, or communications service, including two  
29 | or more utilities rendering joint service.

30 | (2) Whenever any person is charged with knowingly  
31 | committing an assault or battery upon a law enforcement officer,  
32 | a firefighter, an emergency medical care provider, hospital  
33 | personnel, a railroad special officer, a traffic accident  
34 | investigation officer as described in s. 316.640, a nonsworn law  
35 | enforcement agency employee who is certified as an agency  
36 | inspector, a blood alcohol analyst, or a breath test operator  
37 | while such employee is in uniform and engaged in processing,  
38 | testing, evaluating, analyzing, or transporting a person who is  
39 | detained or under arrest for DUI, a law enforcement explorer, a  
40 | traffic infraction enforcement officer as described in s.  
41 | 316.640, a parking enforcement specialist as defined in s.  
42 | 316.640, a person licensed as a security officer as defined in  
43 | s. 493.6101 and wearing a uniform that bears at least one patch  
44 | or emblem that is visible at all times that clearly identifies  
45 | the employing agency and that clearly identifies the person as a  
46 | licensed security officer, ~~or~~ a security officer employed by the  
47 | board of trustees of a community college, or a utility worker  
48 | engaged in work on critical infrastructure as defined in s.  
49 | 812.141(1) while the officer, firefighter, emergency medical  
50 | care provider, hospital personnel, railroad special officer,

51 traffic accident investigation officer, traffic infraction  
52 enforcement officer, inspector, analyst, operator, law  
53 enforcement explorer, parking enforcement specialist, public  
54 transit employee or agent, ~~or~~ security officer, or utility  
55 worker is engaged in the lawful performance of his or her  
56 duties, the offense for which the person is charged shall be  
57 reclassified as follows:

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

60 (b) In the case of battery, from a misdemeanor of the  
61 first degree to a felony of the third degree. Notwithstanding  
62 any other provision of law, a person convicted of battery upon a  
63 law enforcement officer committed in furtherance of a riot or an  
64 aggravated riot prohibited under s. 870.01 shall be sentenced to  
65 a minimum term of imprisonment of 6 months.

66 (c) In the case of aggravated assault, from a felony of  
67 the third degree to a felony of the second degree.  
68 Notwithstanding any other provision of law, any person convicted  
69 of aggravated assault upon a law enforcement officer shall be  
70 sentenced to a minimum term of imprisonment of 3 years.

71 (d) In the case of aggravated battery, from a felony of  
72 the second degree to a felony of the first degree.  
73 Notwithstanding any other provision of law, any person convicted  
74 of aggravated battery of a law enforcement officer shall be  
75 sentenced to a minimum term of imprisonment of 5 years.

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

78           901.15 When arrest by officer without warrant is lawful.—A  
 79 law enforcement officer may arrest a person without a warrant  
 80 when:

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

88           **Section 3. Paragraph (b) of subsection (3) of section**  
 89 **943.051, Florida Statutes, is amended to read:**

90           943.051 Criminal justice information; collection and  
 91 storage; fingerprinting.—

92           (3)

93           (b) A minor who is charged with or found to have committed  
 94 the following offenses shall be fingerprinted and the  
 95 fingerprints shall be submitted electronically to the  
 96 department, unless the minor is issued a prearrest delinquency  
 97 citation pursuant to s. 985.12:

- 98           1. Assault, as defined in s. 784.011.  
 99           2. Battery, as defined in s. 784.03.  
 100           3. Carrying a concealed weapon, as defined in s.

- 101 790.01(2).
- 102 4. Unlawful use of destructive devices or bombs, as
- 103 defined in s. 790.1615(1).
- 104 5. Neglect of a child, as defined in s. 827.03(1)(e).
- 105 6. Assault or battery on a law enforcement officer, a
- 106 firefighter, or other specified persons ~~officers~~, as provided
- 107 ~~defined~~ in s. 784.07 ~~784.07(2)(a) and (b)~~.
- 108 7. Open carrying of a weapon, as defined in s. 790.053.
- 109 8. Exposure of sexual organs, as defined in s. 800.03.
- 110 9. Unlawful possession of a firearm, as defined in s.
- 111 790.22(5).
- 112 10. Petit theft, as defined in s. 812.014(3).
- 113 11. Cruelty to animals, as defined in s. 828.12(1).
- 114 12. Arson, as defined in s. 806.031(1).
- 115 13. Unlawful possession or discharge of a weapon or
- 116 firearm at a school-sponsored event or on school property, as
- 117 provided in s. 790.115.

118 **Section 4. Paragraph (b) of subsection (1) of section**

119 **985.11, Florida Statutes, is amended to read:**

120 985.11 Fingerprinting and photographing.—

121 (1)

122 (b) Unless the child is issued a prearrest delinquency

123 citation pursuant to s. 985.12, a child who is charged with or

124 found to have committed one of the following offenses shall be

125 fingerprinted, and the fingerprints shall be submitted to the

126 Department of Law Enforcement as provided in s. 943.051(3)(b):

127       1. Assault, as defined in s. 784.011.

128       2. Battery, as defined in s. 784.03.

129       3. Carrying a concealed weapon, as defined in s.

130 790.01(2).

131       4. Unlawful use of destructive devices or bombs, as

132 defined in s. 790.1615(1).

133       5. Neglect of a child, as defined in s. 827.03(1)(e).

134       6. Assault on a law enforcement officer, a firefighter, or

135 other specified persons ~~officers~~, as defined in s. 784.07

136 ~~784.07(2)(a)~~.

137       7. Open carrying of a weapon, as defined in s. 790.053.

138       8. Exposure of sexual organs, as defined in s. 800.03.

139       9. Unlawful possession of a firearm, as defined in s.

140 790.22(5).

141       10. Petit theft, as defined in s. 812.014.

142       11. Cruelty to animals, as defined in s. 828.12(1).

143       12. Arson, resulting in bodily harm to a firefighter, as

144 defined in s. 806.031(1).

145       13. Unlawful possession or discharge of a weapon or

146 firearm at a school-sponsored event or on school property as

147 defined in s. 790.115.

148

149 A law enforcement agency may fingerprint and photograph a child

150 taken into custody upon probable cause that such child has

151 committed any other violation of law, as the agency deems  
152 appropriate. Such fingerprint records and photographs shall be  
153 retained by the law enforcement agency in a separate file, and  
154 these records and all copies thereof must be marked "Juvenile  
155 Confidential." These records are not available for public  
156 disclosure and inspection under s. 119.07(1) except as provided  
157 in ss. 943.053 and 985.04(2), but shall be available to other  
158 law enforcement agencies, criminal justice agencies, state  
159 attorneys, the courts, the child, the parents or legal  
160 custodians of the child, their attorneys, and any other person  
161 authorized by the court to have access to such records. In  
162 addition, such records may be submitted to the Department of Law  
163 Enforcement for inclusion in the state criminal history records  
164 and used by criminal justice agencies for criminal justice  
165 purposes. These records may, in the discretion of the court, be  
166 open to inspection by anyone upon a showing of cause. The  
167 fingerprint and photograph records shall be produced in the  
168 court whenever directed by the court. Any photograph taken  
169 pursuant to this section may be shown by a law enforcement  
170 officer to any victim or witness of a crime for the purpose of  
171 identifying the person who committed such crime.

172 **Section 5. Paragraph (a) of subsection (3) of section**  
173 **985.644, Florida Statutes, is amended to read:**

174 985.644 Departmental contracting powers; personnel  
175 standards and investigation.-

176 (3) (a) All employees of the department and all personnel  
177 of contract providers for any program for children, including  
178 all owners, operators, employees, persons who have access to  
179 confidential juvenile records, and volunteers, must complete:

180 1. A level 2 employment screening pursuant to chapter 435  
181 before employment. The security background investigation  
182 conducted under this section must ensure that, in addition to  
183 the disqualifying offenses listed in s. 435.04, no person  
184 subject to the background screening provisions of this section  
185 has an arrest awaiting final disposition for, been found guilty  
186 of, regardless of adjudication, or entered a plea of nolo  
187 contendere or guilty to, or been adjudicated delinquent and the  
188 record has not been sealed or expunged for, any offense  
189 prohibited under the following provisions of state law or  
190 similar laws of another jurisdiction:

191 a. Section 784.07, relating to assault or battery of law  
192 enforcement officers, firefighters, emergency medical care  
193 providers, public transit employees or agents, or other  
194 specified persons ~~officers~~.

195 b. Section 817.568, relating to criminal use of personal  
196 identification information.

197 2. A national criminal records check by the Federal Bureau  
198 of Investigation every 5 years following the date of the  
199 person's employment.

200 **Section 6.** This act shall take effect October 1, 2025.