

By the Appropriations Committee on Criminal and Civil Justice;  
and Senator Leek

604-01947-26

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A bill to be entitled  
An act relating to criminal offenses against law  
enforcement officers and other personnel; providing a  
short title; amending s. 776.051, F.S.; revising a  
prohibition on the use or threatened use of force to  
resist arrest or detention; defining the term "acting  
in good faith"; amending s. 782.065, F.S.; providing  
for enhanced punishment for manslaughter when  
committed against specified officers; revising  
applicability; amending s. 784.07, F.S.; revising the  
definition of the term "law enforcement officer";  
revising provisions concerning assault or battery upon  
specified officers and other personnel; amending s.  
843.01, F.S.; revising a provision concerning  
resisting, obstructing, or opposing specified officers  
or legally authorized persons; amending s. 921.0022,  
F.S.; increasing the level on the offense severity  
ranking chart for committing battery on law  
enforcement officers and other specified personnel;  
providing an effective date.

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

Section 1. This act may be cited as the "Officer Jason  
Raynor Act."

Section 2. Section 776.051, Florida Statutes, is amended to  
read:

776.051 Use or threatened use of force in resisting arrest  
or detention ~~making an arrest or in the execution of a legal~~

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30 ~~duty~~; prohibition.—

31       ~~(1)~~ A person is not justified in the use or threatened use  
32 of force to resist any ~~an~~ arrest or detention by a law  
33 enforcement officer, or to resist a law enforcement officer who  
34 is engaged in the performance of his or her official duties as  
35 described in s. 943.10(1) ~~execution of a legal duty~~, if the law  
36 enforcement officer was acting in good faith and he or she is  
37 known, or reasonably appears, to be a law enforcement officer.  
38 As used in this section, the term "acting in good faith" means  
39 to make sincere and reasonable efforts to comply with legal  
40 requirements, even if the arrest, detention, or other act is  
41 later found to have been unlawful

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

46       Section 3. Section 782.065, Florida Statutes, is amended to  
47 read:

48       782.065 Murder; law enforcement officer, correctional  
49 officer, correctional probation officer.—Notwithstanding ss.  
50 775.082, 775.0823, 782.04, 782.051, and chapter 921, a defendant  
51 must ~~shall~~ be sentenced to life imprisonment without eligibility  
52 for release upon findings by the trier of fact that, beyond a  
53 reasonable doubt:

54       (1) The defendant committed murder in the first degree in  
55 violation of s. 782.04(1) and a death sentence was not imposed;  
56 murder in the second or third degree in violation of s.  
57 782.04(2), (3), or (4); attempted murder in the first or second  
58 degree in violation of s. 782.04(1)(a)1. or (2); ~~or~~ attempted

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felony murder in violation of s. 782.051; or manslaughter in violation of s. 782.07(1); and

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

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

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

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

(e) "Law enforcement officer" includes a law enforcement officer, a correctional officer, a correctional probation officer, a part-time law enforcement officer, a part-time correctional officer, an auxiliary law enforcement officer, and an auxiliary correctional officer, as those terms are respectively defined in s. 943.10, and any county probation officer; an employee or agent of the Department of Corrections who supervises or provides services to inmates; an officer of the Florida Commission on Offender Review; a federal law enforcement officer as defined in s. 901.1505; and law enforcement personnel of the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, or the

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Department of Law Enforcement. The duties and responsibilities  
of these respective positions are described in s. 943.10.

(2) Whenever any person is charged with knowingly committing an assault or battery upon a law enforcement officer, a firefighter, an emergency medical care provider, hospital personnel, a railroad special officer, a traffic accident investigation officer as described in s. 316.640, a nonsworn law enforcement agency employee who is certified as an agency inspector, a blood alcohol analyst, or a breath test operator while such employee is in uniform and engaged in processing, testing, evaluating, analyzing, or transporting a person who is detained or under arrest for DUI, a law enforcement explorer, a traffic infraction enforcement officer as described in s. 316.640, a parking enforcement specialist as defined in s. 316.640, a person licensed as a security officer as defined in s. 493.6101 and wearing a uniform that bears at least one patch or emblem that is visible at all times that clearly identifies the employing agency and that clearly identifies the person as a licensed security officer, a security officer employed by the board of trustees of a community college, or a utility worker engaged in work on critical infrastructure as defined in s. 812.141(1), while the officer, firefighter, emergency medical care provider, hospital personnel, railroad special officer, traffic accident investigation officer, traffic infraction enforcement officer, inspector, analyst, operator, law enforcement explorer, parking enforcement specialist, public transit employee or agent, security officer, or utility worker is engaged in the ~~lawful~~ performance of his or her official duties, the offense for which the person is charged shall be

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reclassified as follows:

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

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

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

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

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

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

(1) Whoever knowingly and willfully resists, obstructs, or opposes any officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9); member of the Florida Commission on Offender Review or any administrative aide or supervisor employed by the commission; parole and probation supervisor; county probation

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officer; personnel or representative of the Department of Law Enforcement; or other person legally authorized to execute process in the execution of legal process or engaged in the performance of his or her official duties as described in s. 943.10 ~~lawful execution of any legal duty~~, by offering or doing violence to the person of such officer or legally authorized person, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(d) LEVEL 4

Florida Statute	Felony Degree	Description
104.155	3rd	Unqualified noncitizen electors voting; aiding or soliciting noncitizen electors in voting.
499.0051(1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.

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499.0051 (5)

2nd

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

164

517.07 (1)

3rd

Failure to register  
securities.

165

517.12 (1)

3rd

Failure of dealer or  
associated person of a  
dealer of securities to  
register.

166

784.031

3rd

Battery by  
strangulation.

167

~~784.07 (2) (b)~~~~3rd~~

~~Battery of law  
enforcement officer,  
firefighter, etc.~~

168

784.074 (1) (c)

3rd

Battery of sexually  
violent predators  
facility staff.

169

784.075

3rd

Battery on detention or  
commitment facility  
staff.

170

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784.078

3rd

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

171

784.08 (2) (c)

3rd

Battery on a person 65  
years of age or older.

172

784.081 (3)

3rd

Battery on specified  
official or employee.

173

784.082 (3)

3rd

Battery by detained  
person on visitor or  
other detainee.

174

784.083 (3)

3rd

Battery on code  
inspector.

175

784.085

3rd

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

176

787.03 (1)

3rd

Interference with  
custody; wrongly takes  
minor from appointed  
guardian.



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177

787.04 (2)

3rd

Take, entice, or remove  
child beyond state  
limits with criminal  
intent pending custody  
proceedings.

178

787.04 (3)

3rd

Carrying child beyond  
state lines with  
criminal intent to avoid  
producing child at  
custody hearing or  
delivering to designated  
person.

179

787.07

3rd

Human smuggling.

180

790.115 (1)

3rd

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

181

790.115 (2) (b)

3rd

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

182

790.115 (2) (c)

3rd

Possessing firearm on  
school property.

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183

794.051 (1)

3rd

Indecent, lewd, or  
lascivious touching of  
certain minors.

184

800.04 (7) (c)

3rd

Lewd or lascivious  
exhibition; offender  
less than 18 years.

185

806.135

2nd

Destroying or  
demolishing a memorial  
or historic property.

186

810.02 (4) (a)

3rd

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

187

810.02 (4) (b)

3rd

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

188

810.06

3rd

Burglary; possession of  
tools.

189

810.08 (2) (c)

3rd

Trespass on property,

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armed with firearm or  
dangerous weapon.

810.145 (3) (b)

3rd

Digital voyeurism  
dissemination.

812.014 (2) (c) 3.

3rd

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

812.014  
(2) (c) 4. &  
6.-10.

3rd

Grand theft, 3rd degree;  
specified items.

812.014 (2) (d) 2.

3rd

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

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.

812.0195 (2)

3rd

Dealing in stolen  
property by use of the  
Internet; property

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stolen \$300 or more.

196

817.505 (4) (a)

3rd

Patient brokering.

197

817.563 (1)

3rd

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

198

817.568 (2) (a)

3rd

Fraudulent use of  
personal identification  
information.

199

817.5695 (3) (c)

3rd

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

200

817.625 (2) (a)

3rd

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

201

817.625 (2) (c)

3rd

Possess, sell, or  
deliver skimming device.

202

828.125 (1)

2nd

Kill, maim, or cause  
great bodily harm or

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permanent breeding  
disability to any  
registered horse or  
cattle.

203

836.14 (2)

3rd

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

204

836.14 (3)

3rd

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

205

837.02 (1)

3rd

Perjury in official  
proceedings.

206

837.021 (1)

3rd

Make contradictory  
statements in official  
proceedings.

207

838.022

3rd

Official misconduct.

208

839.13 (2) (a)

3rd

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

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209

839.13 (2) (c)

3rd

Falsifying records of  
the Department of  
Children and Families.

210

843.021

3rd

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

211

843.025

3rd

Deprive law enforcement,  
correctional, or  
correctional probation  
officer of means of  
protection or  
communication.

212

843.15 (1) (a)

3rd

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

213

843.19 (2)

2nd

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

214

847.0135 (5) (c)

3rd

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

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215

870.01 (3)

2nd

Aggravated rioting.

216

870.01 (5)

2nd

Aggravated inciting a  
riot.

217

874.05 (1) (a)

3rd

Encouraging or  
recruiting another to  
join a criminal gang.

218

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).

219

914.14 (2)

3rd

Witnesses accepting  
bribes.

220

914.22 (1)

3rd

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

221

914.23 (2)

3rd

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

222

916.1085

3rd

Introduction of

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(2) (c) 1.

specified contraband  
into certain DCF  
facilities.

223

934.215

3rd

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

224

944.47 (1) (a) 6.

3rd

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

225

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.

226

227

(e) LEVEL 5

228



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	Florida	Felony	
	Statute	Degree	Description
229	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
230	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.
231	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
232	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
233	327.30 (5) (a) 2.	3rd	Vessel accidents

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involving personal  
injuries other than  
serious bodily injury;  
leaving scene.

234

365.172  
(14) (b) 2.

2nd

Misuse of emergency  
communications system  
resulting in death.

235

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

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imitation stone crab  
trap tags; and engaging  
in the commercial  
harvest of stone crabs  
while license is  
suspended or revoked.

236

379.367(4)

3rd

Willful molestation of a  
commercial harvester's  
spiny lobster trap,  
line, or buoy.

237

379.407(5)(b)3.

3rd

Possession of 100 or  
more undersized spiny  
lobsters.

238

381.0041(11)(b)

3rd

Donate blood, plasma, or  
organs knowing HIV  
positive.

239

440.10(1)(g)

2nd

Failure to obtain  
workers' compensation  
coverage.

240

440.105(5)

2nd

Unlawful solicitation  
for the purpose of  
making workers'  
compensation claims.

241

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440.381 (2)

3rd

Submission of false,  
misleading, or  
incomplete information  
with the purpose of  
avoiding or reducing  
workers' compensation  
premiums.

242

624.401 (4) (b) 2.

2nd

Transacting insurance  
without a certificate or  
authority; premium  
collected \$20,000 or  
more but less than  
\$100,000.

243

626.902 (1) (c)

2nd

Representing an  
unauthorized insurer;  
repeat offender.

244

784.07 (2) (b)3rd

Battery of law  
enforcement officer,  
firefighter, etc.

245

790.01 (3)

3rd

Unlawful carrying of a  
concealed firearm.

246

790.162

2nd

Threat to throw or  
discharge destructive  
device.

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247

790.163 (1)

2nd

False report of bomb,  
explosive, weapon of  
mass destruction, or use  
of firearms in violent  
manner.

248

790.221 (1)

2nd

Possession of short-  
barreled shotgun or  
machine gun.

249

790.23

2nd

Felons in possession of  
firearms, ammunition, or  
electronic weapons or  
devices.

250

796.05 (1)

2nd

Live on earnings of a  
prostitute; 1st offense.

251

800.04 (6) (c)

3rd

Lewd or lascivious  
conduct; offender less  
than 18 years of age.

252

800.04 (7) (b)

2nd

Lewd or lascivious  
exhibition; offender 18  
years of age or older.

253

806.111 (1)

3rd

Possess, manufacture, or  
dispense fire bomb with

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intent to damage any  
structure or property.

254

810.145 (4)

3rd

Commercial digital  
voyeurism dissemination.

255

810.145 (7) (a)

2nd

Digital voyeurism; 2nd  
or subsequent offense.

256

810.145 (8) (a)

2nd

Digital voyeurism;  
certain minor victims.

257

812.014 (2) (d) 3.

2nd

Grand theft, 2nd degree;  
theft from 20 or more  
dwellings or their  
unenclosed curtilage, or  
any combination.

258

812.0145 (2) (b)

2nd

Theft from person 65  
years of age or older;  
\$10,000 or more but less  
than \$50,000.

259

812.015

3rd

(8) (a) &amp; (c) - (e)

Retail theft; property  
stolen is valued at \$750  
or more and one or more  
specified acts.

260

812.015 (8) (f)

3rd

Retail theft; multiple

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thefts within specified  
period.

261

812.015 (8) (g)

3rd

Retail theft; committed  
with specified number of  
other persons.

262

812.019 (1)

2nd

Stolen property; dealing  
in or trafficking in.

263

812.081 (3)

2nd

Trafficking in trade  
secrets.

264

812.131 (2) (b)

3rd

Robbery by sudden  
snatching.

265

812.16 (2)

3rd

Owning, operating, or  
conducting a chop shop.

266

817.034 (4) (a) 2.

2nd

Communications fraud,  
value \$20,000 to  
\$50,000.

267

817.234 (11) (b)

2nd

Insurance fraud;  
property value \$20,000  
or more but less than  
\$100,000.

268

817.2341 (1),

3rd

Filing false financial

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(2) (a) &amp; (3) (a)

statements, making false  
entries of material fact  
or false statements  
regarding property  
values relating to the  
solvency of an insuring  
entity.

269

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.

270

817.611 (2) (a)

2nd

Traffic in or possess 5  
to 14 counterfeit credit  
cards or related  
documents.

271

817.625 (2) (b)

2nd

Second or subsequent  
fraudulent use of  
scanning device,  
skimming device, or



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reencoder.

272

825.1025(4)

3rd

Lewd or lascivious  
exhibition in the  
presence of an elderly  
person or disabled  
adult.

273

828.12(2)

3rd

Tortures any animal with  
intent to inflict  
intense pain, serious  
physical injury, or  
death.

274

836.14(4)

2nd

Person who willfully  
promotes for financial  
gain a sexually explicit  
image of an identifiable  
person without consent.

275

839.13(2)(b)

2nd

Falsifying records of an  
individual in the care  
and custody of a state  
agency involving great  
bodily harm or death.

276

843.01(1)

3rd

Resist officer with  
violence to person;  
resist arrest with

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violence.

277

847.0135 (5) (b)

2nd

Lewd or lascivious  
exhibition using  
computer; offender 18  
years or older.

278

847.0137  
(2) & (3)

3rd

Transmission of  
pornography by  
electronic device or  
equipment.

279

847.0138  
(2) & (3)

3rd

Transmission of material  
harmful to minors to a  
minor by electronic  
device or equipment.

280

874.05 (1) (b)

2nd

Encouraging or  
recruiting another to  
join a criminal gang;  
second or subsequent  
offense.

281

874.05 (2) (a)

2nd

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

282

893.13 (1) (a) 1.

2nd

Sell, manufacture, or

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

283

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.

284

893.13(1)(d)1.

1st

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) within 1,000 feet  
of university.

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893.13 (1) (e) 2.

2nd

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.

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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.

288

893.1351 (1)

3rd

Ownership, lease, or

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rental for trafficking  
in or manufacturing of  
controlled substance.

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Section 7. This act shall take effect upon becoming a law.