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1  
2 An act relating to criminal offenses against law  
3 enforcement officers and other personnel; providing a  
4 short title; amending s. 776.051, F.S.; revising a  
5 prohibition on the use or threatened use of force to  
6 resist arrest or detention; defining the term "acting  
7 in good faith"; amending s. 782.065, F.S.; providing  
8 for enhanced punishment for manslaughter when  
9 committed against specified officers; revising  
10 applicability; amending s. 784.07, F.S.; revising the  
11 definition of the term "law enforcement officer";  
12 revising provisions concerning assault or battery upon  
13 specified officers and other personnel; amending s.  
14 843.01, F.S.; revising a provision concerning  
15 resisting, obstructing, or opposing specified officers  
16 or legally authorized persons; amending s. 921.0022,  
17 F.S.; increasing the level on the offense severity  
18 ranking chart for committing battery on law  
19 enforcement officers and other specified personnel;  
20 providing an effective date.

21  
22 Be It Enacted by the Legislature of the State of Florida:

23  
24 Section 1. This act may be cited as the "Officer Jason  
25 Raynor Act."

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

28 776.051 Use or threatened use of force in resisting arrest  
29 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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59 felony murder in violation of s. 782.051; or manslaughter in  
60 violation of s. 782.07(1); and

61 (2) The victim of any offense described in subsection (1)  
62 was a law enforcement officer, part-time law enforcement  
63 officer, auxiliary law enforcement officer, correctional  
64 officer, part-time correctional officer, auxiliary correctional  
65 officer, correctional probation officer, part-time correctional  
66 probation officer, or auxiliary correctional probation officer,  
67 as those terms are defined in s. 943.10, who was engaged in the  
68 performance of his or her official duties as described in s.  
69 943.10 ~~lawful performance of a legal duty.~~

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

72 784.07 Assault or battery of law enforcement officers and  
73 other specified personnel; reclassification of offenses; minimum  
74 sentences.—

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

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

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

90 (2) Whenever any person is charged with knowingly  
91 committing an assault or battery upon a law enforcement officer,  
92 a firefighter, an emergency medical care provider, hospital  
93 personnel, a railroad special officer, a traffic accident  
94 investigation officer as described in s. 316.640, a nonsworn law  
95 enforcement agency employee who is certified as an agency  
96 inspector, a blood alcohol analyst, or a breath test operator  
97 while such employee is in uniform and engaged in processing,  
98 testing, evaluating, analyzing, or transporting a person who is  
99 detained or under arrest for DUI, a law enforcement explorer, a  
100 traffic infraction enforcement officer as described in s.  
101 316.640, a parking enforcement specialist as defined in s.  
102 316.640, a person licensed as a security officer as defined in  
103 s. 493.6101 and wearing a uniform that bears at least one patch  
104 or emblem that is visible at all times that clearly identifies  
105 the employing agency and that clearly identifies the person as a  
106 licensed security officer, a security officer employed by the  
107 board of trustees of a community college, or a utility worker  
108 engaged in work on critical infrastructure as defined in s.  
109 812.141(1), while the officer, firefighter, emergency medical  
110 care provider, hospital personnel, railroad special officer,  
111 traffic accident investigation officer, traffic infraction  
112 enforcement officer, inspector, analyst, operator, law  
113 enforcement explorer, parking enforcement specialist, public  
114 transit employee or agent, security officer, or utility worker  
115 is engaged in the ~~lawful~~ performance of his or her official  
116 duties, the offense for which the person is charged shall be

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117 reclassified as follows:

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

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

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

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

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

138 843.01 Resisting, obstructing, or opposing by offering or  
139 doing violence to legally authorized person, police canine, or  
140 police horse.—

141 (1) Whoever knowingly and willfully resists, obstructs, or  
142 opposes any officer as defined in s. 943.10(1), (2), (3), (6),  
143 (7), (8), or (9); member of the Florida Commission on Offender  
144 Review or any administrative aide or supervisor employed by the  
145 commission; parole and probation supervisor; county probation

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146 officer; personnel or representative of the Department of Law  
147 Enforcement; or other person legally authorized to execute  
148 process in the execution of legal process or engaged in the  
149 performance of his or her official duties as described in s.  
150 943.10 ~~lawful execution of any legal duty~~, by offering or doing  
151 violence to the person of such officer or legally authorized  
152 person, commits a felony of the third degree, punishable as  
153 provided in s. 775.082, s. 775.083, or s. 775.084.

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

156 921.0022 Criminal Punishment Code; offense severity ranking  
157 chart.—

158 (3) OFFENSE SEVERITY RANKING CHART

159 (d) LEVEL 4

160

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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164	499.0051 (5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
165	517.07 (1)	3rd	Failure to register securities.
166	517.12 (1)	3rd	Failure of dealer or associated person of a dealer of securities to register.
167	784.031	3rd	Battery by strangulation.
168	<del>784.07 (2) (b)</del>	<del>3rd</del>	<del>Battery of law enforcement officer, firefighter, etc.</del>
169	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
170	784.075	3rd	Battery on detention or commitment facility staff.

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171	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
172	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
173	784.081 (3)	3rd	Battery on specified official or employee.
174	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
175	784.083 (3)	3rd	Battery on code inspector.
176	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
	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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190			armed with firearm or dangerous weapon.
191	810.145 (3) (b)	3rd	Digital voyeurism dissemination.
192	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
193	812.014 (2) (c) 4. & 6.-10.	3rd	Grand theft, 3rd degree; specified items.
194	812.014 (2) (d) 2.	3rd	Grand theft, 3rd degree; \$750 or more taken from dwelling or its unenclosed curtilage.
195	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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196			stolen \$300 or more.
197	817.505 (4) (a)	3rd	Patient brokering.
198	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
199	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
200	817.5695 (3) (c)	3rd	Exploitation of person 65 years of age or older, value less than \$10,000.
201	817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
202	817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.
	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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223	(2) (c) 1.		specified contraband into certain DCF facilities.
224	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
225	944.47 (1) (a) 6.	3rd	Introduction of contraband (cellular telephone or other portable communication device) into correctional institution.
226	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.
227	(e) LEVEL 5		
228			

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	Florida Statute	Felony 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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242	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
243	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
244	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
245	<u>784.07 (2) (b)</u>	<u>3rd</u>	<u>Battery of law enforcement officer, firefighter, etc.</u>
246	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
	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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254			intent to damage any structure or property.
255	810.145 (4)	3rd	Commercial digital voyeurism dissemination.
256	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
257	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.
258	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
259	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
260	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
	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) & (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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272

825.1025 (4)

3rd

reencoder.

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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277			violence.
	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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rental for trafficking  
in or manufacturing of  
controlled substance.

289

290

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