

1 A bill to be entitled
 2 An act relating to assault on specified persons;
 3 creating s. 341.0611, F.S.; requiring public transit
 4 providers to post a specified sign concerning
 5 assaulting a transit operator; requiring public
 6 transit providers to create and implement a risk
 7 reduction program; specifying requirements for such a
 8 program; authorizing public transit providers to
 9 deploy assault mitigation infrastructure and
 10 technology; amending s. 784.07, F.S.; providing a
 11 specific reference to assault and battery on a public
 12 transit employee or agent; revising the
 13 reclassification of the offense of assault on
 14 specified persons; providing a declaration of
 15 important state interest; providing an effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

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 19 Section 1. Section 341.0611, Florida Statutes, is created
 20 to read:

21 341.0611 Transit worker safety.-

22 (1) By January 1, 2021, every public transit provider
 23 operating regularly scheduled transit service for the general
 24 public shall post in at least one conspicuous place at the
 25 entrance of each public transit vehicle a yellow sign with

26 | black, bold type font no smaller than 48 point containing the
 27 | following statement:

28 | "ATTENTION: ASSAULTING A TRANSIT WORKER IS A FELONY
 29 | PUNISHABLE BY UP TO 5 YEARS IN PRISON."

30 | (2) By July 1, 2021, every public transit provider
 31 | operating regularly scheduled transit service for the general
 32 | public shall create and implement a risk reduction program. Each
 33 | risk reduction program shall include conflict deescalation
 34 | training for transit operators. The risk reduction program may
 35 | include the deployment of assault mitigation infrastructure and
 36 | technology on public transit vehicles, including barriers to
 37 | restrict the unwanted entry of individuals and objects into
 38 | transit operator's workstations.

39 | Section 2. Subsection (2) of section 784.07, Florida
 40 | Statutes, is amended to read:

41 | 784.07 Assault or battery of law enforcement officers,
 42 | firefighters, emergency medical care providers, public transit
 43 | employees or agents, or other specified officers;
 44 | reclassification of offenses; minimum sentences.—

45 | (2) Whenever any person is charged with knowingly
 46 | committing an assault or battery upon a law enforcement officer,
 47 | a firefighter, an emergency medical care provider, a railroad
 48 | special officer, a traffic accident investigation officer as
 49 | described in s. 316.640, a nonsworn law enforcement agency
 50 | employee who is certified as an agency inspector, a blood

51 alcohol analyst, or a breath test operator while such employee
52 is in uniform and engaged in processing, testing, evaluating,
53 analyzing, or transporting a person who is detained or under
54 arrest for DUI, a law enforcement explorer, a traffic infraction
55 enforcement officer as described in s. 316.640, a parking
56 enforcement specialist as defined in s. 316.640, a public
57 transit employee or agent, a person licensed as a security
58 officer as defined in s. 493.6101 and wearing a uniform that
59 bears at least one patch or emblem that is visible at all times
60 that clearly identifies the employing agency and that clearly
61 identifies the person as a licensed security officer, or a
62 security officer employed by the board of trustees of a
63 community college, while the officer, firefighter, emergency
64 medical care provider, railroad special officer, traffic
65 accident investigation officer, traffic infraction enforcement
66 officer, inspector, analyst, operator, law enforcement explorer,
67 parking enforcement specialist, public transit employee or
68 agent, or security officer is engaged in the lawful performance
69 of his or her duties, the offense for which the person is
70 charged shall be reclassified as follows:

71 (a) In the case of assault, from a misdemeanor of the
72 second degree to a felony ~~misdemeanor~~ of the third ~~first~~ degree.

73 (b) In the case of battery, from a misdemeanor of the
74 first degree to a felony of the third degree.

75 (c) In the case of aggravated assault, from a felony of

76 | the third degree to a felony of the second degree.
77 | Notwithstanding any other provision of law, any person convicted
78 | of aggravated assault upon a law enforcement officer shall be
79 | sentenced to a minimum term of imprisonment of 3 years.

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

85 | Section 3. The Legislature finds and declares that this
86 | act fulfills an important state interest.

87 | Section 4. This act shall take effect October 1, 2020.