

1 A bill to be entitled
2 An act relating to the Soldiers' and Heroes' Memorials
3 Protection Act; providing a short title; amending s.
4 806.13, F.S.; providing criminal penalties for
5 criminal mischief that causes damage to certain
6 memorials that honor or commemorate a soldier, member
7 of the military, a military organization or unit, a
8 first responder, or an astronaut; defining the term
9 "memorial"; conforming a cross-reference; providing an
10 effective date.

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

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14 Section 1. This act may be cited as the "Soldiers' and
15 Heroes' Memorials Protection Act."

16 Section 2. Present subsections (5) through (9) of section
17 806.13, Florida Statutes, are redesignated as subsections (6)
18 through (10), respectively, present subsection (8) is amended,
19 and a new subsection (5) is added to that section, to read:

20 806.13 Criminal mischief; penalties; penalty for minor.—

21 (5) A person who willfully and maliciously injures,
22 damages, or defaces a soldier's or hero's memorial commits a
23 felony of the third degree punishable as provided in s. 775.082,
24 s. 775.083, or s. 775.084. As used in this subsection, the term
25 "soldier's or hero's memorial" means real or personal property

26 | belonging to another person which honors or commemorates:
 27 | (a) A soldier or member of the military for the original
 28 | 13 colonies, the United States, the District of Columbia, or a
 29 | territory of the United States;
 30 | (b) A military organization or unit of the original 13
 31 | colonies, the United States, the District of Columbia, or a
 32 | territory of the United States; or
 33 | (c) A first responder as defined in s. 112.1815 or an
 34 | astronaut for the National Aeronautics and Space Administration.
 35 | (9)~~(8)~~ A minor whose driver license or driving privilege
 36 | is revoked, suspended, or withheld under subsection (8) ~~(7)~~ may
 37 | elect to reduce the period of revocation, suspension, or
 38 | withholding by performing community service at the rate of 1 day
 39 | for each hour of community service performed. In addition, if
 40 | the court determines that due to a family hardship, the minor's
 41 | driver license or driving privilege is necessary for employment
 42 | or medical purposes of the minor or a member of the minor's
 43 | family, the court shall order the minor to perform community
 44 | service and reduce the period of revocation, suspension, or
 45 | withholding at the rate of 1 day for each hour of community
 46 | service performed. As used in this subsection, the term
 47 | "community service" means cleaning graffiti from public
 48 | property.
 49 | Section 3. This act shall take effect October 1, 2017.