

## CS/HB 457 – Terrorism and Terrorist Activities

Amends s. 775.30, F.S., adding an **unranked, 1<sup>st</sup> degree felony** for the crime of terrorism when specified offenses are committed “in furtherance of intimidating or coercing the policy of a government, or in furtherance of affecting the conduct of a government by mass destruction, assassination, or kidnapping.” Furthermore, if one of these violations results in death or serious bodily injury, the offender commits a **life felony**, with serious bodily injury defined for this penalty.

Creates s. 775.32, F.S., defining terms and adding felonies for someone “who has received military-type training from a designated foreign terrorist organization” using, attempting to use, or conspiring “to use such military-type training with the intent to unlawfully harm another person or damage a critical infrastructure facility.” For this act, an **unranked, 2<sup>nd</sup> degree felony** is added. If this act results in death or serious bodily injury, the offender commits an **unranked, 1<sup>st</sup> degree felony**.

Creates s. 775.33, F.S., defining terms and adding felonies. For someone “who provides material support or resources or conceals or disguises the nature, location, source, or ownership of the material support or resources, knowing or intending that the support or resources are to be used in preparation for or in carrying out a violation of” statutes created and amended in this bill, as well as including other specified offenses, “who conceals an escape from the commission” of any such violation, or who “attempts or conspires to commit” such a violation, an **unranked, 1<sup>st</sup> degree felony** is added. Furthermore, someone “who knowingly provides material support or resources to a designated foreign terrorist organization, or attempts or conspires to do so, commits” an **unranked, 1<sup>st</sup> degree felony**. Anyone who commits either one of these violations, and it results in death or serious bodily injury, commits a **life felony**.

Creates s. 775.34, F.S., adding an **unranked, 2<sup>nd</sup> degree felony** when a person “willfully becomes a member of a designated foreign terrorist organization and serves under the direction or control of that organization with the intent to further the illegal acts of the organization.”

Creates s. 775.35, F.S., adding felonies for a “person who intentionally disseminates or spreads any type of contagious, communicable, or infectious disease among crops, poultry...livestock...or other animals.” For this act, an **unranked, 2<sup>nd</sup> degree felony** is added. If this act results in death or serious bodily injury, the offender commits a **life felony**.

Amends s. 775.31, F.S. noting that the reclassification of the offenses under that statute do not apply to the amended and created statutes above. Amends s. 782.04, F.S., including these new felonies under the terrorism portions of this statute.

Per DOC, in FY 15-16, there were 2,603 prison admissions for the offenses specified for those that could be considered terrorism, given intent described under the amended s. 775.30, F.S. The same number of admissions exist when the additional offenses are

included under s. 775.33, F.S. It is not known how many of these offenses included the intent defined in this bill.

Per FDLE, there were 12 arrests since 2011 under s. 775.31, F.S., for felonies facilitating or furthering terrorism. Few of these had a court record, but those that did were recorded as dismissed.

Per New America, there have been 27 Jihadist terror related arrests in Florida since 2002. There were 3 arrests in 2015 and 5 arrests in 2016. All were handled in the Federal courts. It is unknown how many additional non-jihadist terror related arrests there were in this time period.

**EDR RECOMMENDATION AFTER FINAL PASSAGE: Positive Indeterminate**

**Requested by: House & Senate**