

SB 214 – Offenses Committed on Real Estate Agents (Identical HB 47)

This bill creates s. 775.0863, F.S., reclassifying the assault, battery, or sexual battery on a broker, broker associate, or sales associate as follows:

- 2nd degree misdemeanor increased to 1st degree misdemeanor
- 1st degree misdemeanor increased to 3rd degree felony
- 3rd degree felony increased to 2nd degree felony
- 2nd degree felony increased to 1st degree felony
- 1st degree felony increased to life felony

Furthermore, a felony offense that is reclassified is ranked one level above the ranking under s. 921.0022, F.S. or s. 921.0023, F.S. of the offense committed.

Large numbers come to prison each year with these offenses as primary. In total, 10,153 (adj.) were sentenced in FY 14-15 with 3,709 (adj.) sentenced to prison (adj. incarceration rate: 36.5%).

It is unknown how large the real estate agent victim pool is, but CJIC heard bills with the same provisions in prior years and found them to have an insignificant impact due to low volume.

CONFERENCE ADOPTED ESTIMATE: Positive Insignificant

Requested by: House