

CS/CS/SB 264 – Treatments for Sex Reassignment

This bill creates and amends multiple statutes. First, it creates s. 692.202, F.S., establishing restrictions for foreign principal ownership of agricultural land in Florida, then adds a **2nd degree misdemeanor** for “a foreign principal that purchases or acquires agricultural land or any interest therein in violation of this section.” Additionally, a **2nd degree misdemeanor** is added for “a person who knowingly sells agricultural land or any interest therein in violation of this section.” It also creates s. 692.203, F.S., establishing additional restrictions for foreign principal ownership of real property on or around military installations or critical infrastructure facilities in Florida, then adds a **2nd degree misdemeanor** for “a foreign principal that purchases or acquires real property or any interest therein in violation of this section.” Additionally, a **2nd degree misdemeanor** is added for “a person who knowingly sells real property or any interest therein in violation of this section.” It also creates s. 692.204, F.S., establishing additional restrictions for ownership of real property in Florida by the People’s Republic of China, then adds an **unranked, 3rd degree felony (Level 1 by default)** for violations of these restrictions, and adds a **1st degree misdemeanor** for “a person who knowingly sells real property or any interest therein in violation of this section.” Finally, it amends s. 836.05, F.S., adding an **unranked, 1st degree felony (Level 7 by default)** for committing the crimes of threat and extortion “and at the time of the violation is acting as a foreign agent, as defined in s. 812.081(1), F.S., with the intent of benefiting a foreign country of concern, as defined in s. 692.201, F.S.”

In FY 18-19, the incarceration rate for a Level 1, 3rd degree felony was 9.1%, and in FY 19-20 the incarceration rate was 8.2%. In FY 20-21, the incarceration rate for a Level 1, 3rd degree felony was 7.5%, and in FY 21-22 the incarceration rate was 8.6%. In FY 18-19, the incarceration rate for a Level 7, 1st degree felony was 67.1%, and in FY 19-20 the incarceration rate was 66.5%. In FY 20-21, the incarceration rate for a Level 7, 1st degree felony was 65.5%, and in FY 21-22 the incarceration rate was 63.1%.

Per DOC, in FY 18-19, there were 10 new commitments under s. 836.05, F.S., and in FY 19-20, there were 11 new commitments. In FY 20-21, there were 10 new commitments, and in FY 21-22, there were 13 new commitments. It is not known how many of these offenders fit the criteria outlined in the new language. Additionally, there is no data available on how many people fall under the newly created criteria for land and real property ownership restrictions.

CONFERENCE APPROVED ESTIMATE: Positive Indeterminate