

CS/CS/SB 7030 – Implementation of Legislative Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission

This bill amends s. 843.08, F.S., adding “a school guardian as described in s. 30.15(1)(k), F.S.” to the list of officials a person is prohibited from falsely assuming or pretending to be. School guardians are appointed by the sheriff “to aid in the prevention or abatement of active assailant incidents on school premises.” Currently, a Level 2, 3rd degree felony exists for a person that “takes upon himself or herself to act as such, or to require any other person to aid or assist him or her in a matter pertaining to the duty of any such officer.” However, it is an unranked, 2nd degree felony (Level 4 by default) if a person “falsely personates any such officer during the course of the commission of a felony” and an unranked, 1st degree felony (Level 7 by default) if “the commission of the felony results in the death or personal injury of another human being.”

Per DOC, in FY 17-18, 15 (adj.) offenders were sentenced for the Level 2, 3rd degree felony under s. 843.08, F.S., with 1 (adj.) sentenced to prison (sentence length=60.0 m, incarceration rate: 6.7% adj.-7.1% unadj.). Also, 3 (adj.) offenders were sentenced for the unranked, 2nd degree felony (Level 4 by default), with 2 (adj.) sentenced to prison (mean sentence length=36.0 m, incarceration rate: 66.7% adj.-66.7% unadj.). No offenders received sentences for the unranked, 1st degree felony (Level 7 by default).

EDR FINAL ESTIMATE BASED ON PRIOR IMPACT FOR SB 136: Positive Insignificant