

House Bill No. 1025

An act relating to the misuse of laser lighting devices; amending s. 784.062, F.S.; revising the definition of “laser lighting device”; providing that any person who knowingly and willfully aims a laser lighting device at a person operating a motor vehicle, vessel, or aircraft commits a felony of the third degree; providing that any person who causes bodily harm while improperly pointing the laser lighting device at the operator of a motor vehicle, vessel, or aircraft commits a felony of the second degree; providing penalties; providing an effective date.

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

Section 1. Section 784.062, Florida Statutes, is amended to read:

784.062 Misuse of laser lighting devices.—

(1) As used in subsection (2) this section, the term “laser lighting device” means a hand-held device, not affixed to a firearm, which emits a laser beam that is designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item, or object. As used in subsection (3), the term “laser lighting device” means any device designed or used to amplify electromagnetic radiation by stimulated emission.

(2) Any person who knowingly and willfully shines, points, or focuses the beam of a laser lighting device at a law enforcement officer, engaged in the performance of his or her official duties, in such a manner that would cause a reasonable person to believe that a firearm is pointed at him or her commits a noncriminal violation, punishable as provided in s. 775.083.

(3)(a) Any person who knowingly and willfully shines, points, or focuses the beam of a laser lighting device on an individual operating a motor vehicle, vessel, or aircraft commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) Any person who knowingly and willfully shines, points, or focuses the beam of a laser lighting device on an individual operating a motor vehicle, vessel, or aircraft and such act results in bodily injury commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. This act shall take effect July 1, 2005.

Approved by the Governor June 8, 2005.

Filed in Office Secretary of State June 8, 2005.