

CHAPTER 2022-118

Committee Substitute for House Bill No. 1571

An act relating to residential picketing; creating s. 810.15, F.S.; defining the term “dwelling”; prohibiting a person from picketing or protesting before or about the dwelling of a person with specified intent; providing criminal penalties; requiring a specified warning before arrest for a violation; providing an effective date.

WHEREAS, the state has a significant interest in protecting the tranquility and privacy of the home and protecting citizens from the detrimental effect of targeted picketing, and

WHEREAS, the Supreme Court of the United States recognized this interest in upholding a challenged ordinance restricting residential picketing in *Frisby v. Schultz*, 487 U.S. 474 (1988), NOW, THEREFORE,

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

Section 1. Section 810.15, Florida Statutes, is created to read:

810.15 Residential picketing.—

(1) As used in this section, the term “dwelling” means a building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families.

(2) It is unlawful for a person to picket or protest before or about the dwelling of any person with the intent to harass or disturb that person in his or her dwelling.

(3) A person who violates this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(4) Before a person may be arrested for a violation of this section, a law enforcement officer, as defined in s. 943.10(1), or a local, state, federal, or military law enforcement agency must go as near to the person as may be done with safety and shall command any person picketing or protesting before or about the dwelling of a person to immediately and peaceably disperse. If any such person does not thereupon immediately and peaceably disperse, he or she may be arrested for a violation of this section.

Section 2. This act shall take effect October 1, 2022.

Approved by the Governor May 16, 2022.

Filed in Office Secretary of State May 16, 2022.