

CHAPTER 2023-2

Senate Bill No. 4-B

An act relating to the statewide prosecutor; amending s. 16.56, F.S.; specifying that certain crimes facilitated by or connected to the use of the Internet occur in every judicial circuit within the state; authorizing the Office of Statewide Prosecution to investigate and prosecute crimes involving voting in an election for a federal or state office, voting in an election on a referendum, an initiative, or an issue, the petition activities for a federal or state office, the petition activities for a referendum, an initiative, or an issue, or voter registration; providing applicability; requiring certain informations or indictments to contain specified general allegations; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate “budget entity” as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. ~~Any crime involving voter registration, voting, or candidate or issue petition activities;~~

14. Any criminal violation of the Florida Money Laundering Act;

~~14.15.~~ Any criminal violation of the Florida Securities and Investor Protection Act;

~~15.16.~~ Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; or

~~16.17.~~ Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849;

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

(b) Investigate and prosecute any crime enumerated in paragraphs (a) and (c) ~~paragraph (a)~~ facilitated by or connected to the use of the Internet. Any such crime is a crime occurring in every judicial circuit within the state.

(c) Investigate and prosecute any crime involving:

1. Voting in an election in which a candidate for a federal or state office is on the ballot;

2. Voting in an election in which a referendum, an initiative, or an issue is on the ballot;

- 3. The petition activities of a candidate for a federal or state office;
- 4. The petition activities for a referendum, an initiative, or an issue; or
- 5. Voter registration;

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is affecting, or has affected, two or more judicial circuits. Informations or indictments charging such offenses must contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes are alleged to have affected.

(d) Upon request, cooperate with and assist state attorneys and state and local law enforcement officials in their efforts against organized crimes.

(e)(d) Request and receive from any department, division, board, bureau, commission, or other agency of the state, or of any political subdivision thereof, cooperation and assistance in the performance of its duties.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor February 15, 2023.

Filed in Office Secretary of State February 15, 2023.