



## **Florida New Anti-Hazing Statute**

The law expands the scope of activities that constitute hazing (including planning or soliciting others to commit an act of hazing) and imposes criminal liability on individuals, colleges, universities, and secondary schools. Effective October 1, 2019.

### **What You Need to Know:**

- A person commits hazing when he or she commits, solicits a person to commit, or plans an act that endangers the mental or physical health or safety of another person for the purposes of initiation, admission into, performance of a tradition or ritual, or affiliation with the organization. Acts include but are not limited to:
  - (1) Pressuring or coercing another to violate state or federal law;
  - (2) Physical acts such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance (not just alcohol), or other forced physical activity;
  - (3) Any activity that would subject another to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of another person.
- Hazing does not include customary athletic events, contests, competitions, or similar activities that further a legal and legitimate objective.
- Hazing is a first degree misdemeanor and punishable up to one year in prison. Hazing that results in permanent injury, serious bodily injury, or death is a third degree felony and punishable up to five years in prison.
- If you see something, say something. An individual who immediately contacts law enforcement or campus security for medical attention may be immune from criminal liability (aka "Andrew's Law"). An individual may also be immune from prosecution if he or she immediately provides medical aid (such as CPR).
- Consent to hazing is not a defense.

**Action Items for National Organizations and Local Chapters:**

1. Advise members of the definition of hazing and the corresponding criminal penalties. For instance, the definition of hazing is broad and includes actions such as forced or coerced consumption of any foods or liquids (not just alcohol).
2. Advise members of the possibility of criminal immunity if they immediately report a hazing incident. Full requirements for immunity can be found [here](#) (subsections 11 & 12).
3. Remind members that consent to hazing is not a defense.
4. Ensure that risk management policies reflect the updated definition of "hazing."
5. Remind members that penalties apply to actions against active members, not just new members (i.e. "pledges").
6. It goes without saying, but advise national and local leaders and advisors not to intentionally, inadvertently, or otherwise promote hazing. Again, take note of the *broad* definition of hazing.