

1                   A bill to be entitled  
 2           An act relating to theft offenses; amending s.  
 3           812.0145, F.S.; revising the values used in the  
 4           classification of thefts from persons age 65 or older;  
 5           providing penalties; amending s. 817.034, F.S.;  
 6           providing a more severe ranking under the Criminal  
 7           Punishment Code for specified communications fraud  
 8           violations involving victims age 65 or older; amending  
 9           s. 775.0844, F.S.; providing minimum mandatory  
 10          sentences for specified white collar crime offenses;  
 11          providing additional minimum mandatory sentences for  
 12          certain offenses based on the number of victims;  
 13          amending s. 921.0022, F.S.; conforming provisions of  
 14          the Offense Severity Ranking Chart of the Criminal  
 15          Punishment Code to changes made by the act; providing  
 16          an effective date.

17  
 18   Be It Enacted by the Legislature of the State of Florida:

19  
 20           Section 1. Subsection (2) of section 812.0145, Florida  
 21   Statutes, is amended to read:

22           812.0145 Theft from persons 65 years of age or older;  
 23   reclassification of offenses.—

24           (2) Whenever a person is charged with committing theft  
 25   from a person 65 years of age or older, when he or she knows or  
 26   has reason to believe that the victim was 65 years of age or  
 27   older, the offense for which the person is charged shall be  
 28   reclassified as follows:

29 (a) If the funds, assets, or property involved in the  
 30 theft from a person 65 years of age or older is valued at  
 31 \$20,000 ~~\$50,000~~ or more, the offender commits a felony of the  
 32 first degree, punishable as provided in s. 775.082, s. 775.083,  
 33 or s. 775.084.

34 (b) If the funds, assets, or property involved in the  
 35 theft from a person 65 years of age or older is valued at \$5,000  
 36 ~~\$10,000~~ or more, but less than \$20,000 ~~\$50,000~~, the offender  
 37 commits a felony of the second degree, punishable as provided in  
 38 s. 775.082, s. 775.083, or s. 775.084.

39 (c) If the funds, assets, or property involved in the  
 40 theft from a person 65 years of age or older is valued at \$300  
 41 or more, but less than \$5,000 ~~\$10,000~~, the offender commits a  
 42 felony of the third degree, punishable as provided in s.  
 43 775.082, s. 775.083, or s. 775.084.

44 Section 2. Paragraph (a) of subsection (4) of section  
 45 817.034, Florida Statutes, is amended to read:

46 817.034 Florida Communications Fraud Act.—

47 (4) OFFENSES.—

48 (a) Any person who engages in a scheme to defraud and  
 49 obtains property thereby commits ~~is guilty of~~ organized fraud,  
 50 punishable as follows:

51 1. If the amount of property obtained has an aggregate  
 52 value of \$50,000 or more, the violator commits ~~is guilty of~~ a  
 53 felony of the first degree, punishable as provided in s.  
 54 775.082, s. 775.083, or s. 775.084.

55 2. If the amount of property obtained has an aggregate  
 56 value of \$20,000 or more, but less than \$50,000, the violator

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57 commits ~~is guilty of~~ a felony of the second degree, punishable  
 58 as provided in s. 775.082, s. 775.083, or s. 775.084.

59 3. If the amount of property obtained has an aggregate  
 60 value of less than \$20,000, the violator commits ~~is guilty of~~ a  
 61 felony of the third degree, punishable as provided in s.  
 62 775.082, s. 775.083, or s. 775.084.

63  
 64 For purposes of sentencing under chapter 921, a felony offense  
 65 under this paragraph committed against a victim who is 65 years  
 66 of age or older is ranked two levels above the ranking under the  
 67 Criminal Punishment Code of a grand theft violation of s.  
 68 812.014 involving the same value.

69 Section 3. Section 775.0844, Florida Statutes, is amended  
 70 to read:

71 775.0844 White Collar Crime Victim Protection Act.—

72 (1) This section may be cited as the "White Collar Crime  
 73 Victim Protection Act."

74 (2) Due to the frequency with which victims, particularly  
 75 elderly victims, are deceived and cheated by criminals who  
 76 commit nonviolent frauds and swindles, frequently through the  
 77 use of the Internet and other electronic technology and  
 78 frequently causing the loss of substantial amounts of property,  
 79 it is the intent of the Legislature to enhance the sanctions  
 80 imposed for nonviolent frauds and swindles, protect the public's  
 81 property, and assist in prosecuting white collar criminals.

82 (3) As used in this section, "white collar crime" means:

83 (a) The commission of, or a conspiracy to commit, any  
 84 felony offense specified in:

- 85 | 1. Chapter 560, relating to the Money Transmitters' Code.
- 86 | 2. Chapter 812, relating to theft, robbery, and related
- 87 | crimes.
- 88 | 3. Chapter 815, relating to computer-related crimes.
- 89 | 4. Chapter 817, relating to fraudulent practices.
- 90 | 5. Chapter 825, relating to abuse, neglect, and
- 91 | exploitation of elderly persons and disabled adults.
- 92 | 6. Chapter 831, relating to forgery and counterfeiting.
- 93 | 7. Chapter 832, relating to the issuance of worthless
- 94 | checks and drafts.
- 95 | 8. Chapter 838, relating to bribery and misuse of public
- 96 | office.
- 97 | 9. Chapter 839, relating to offenses by public officers
- 98 | and employees.
- 99 | 10. Chapter 895, relating to offenses concerning
- 100 | racketeering and illegal debts.
- 101 | 11. Chapter 896, relating to offenses related to financial
- 102 | transactions.
- 103 | (b) A felony offense that is committed with intent to
- 104 | defraud or that involves a conspiracy to defraud.
- 105 | (c) A felony offense that is committed with intent to
- 106 | temporarily or permanently deprive a person of his or her
- 107 | property or that involves a conspiracy to temporarily or
- 108 | permanently deprive a person of his or her property.
- 109 | (d) A felony offense that involves or results in the
- 110 | commission of fraud or deceit upon a person or that involves a
- 111 | conspiracy to commit fraud or deceit upon a person.
- 112 | (4) As used in this section, "aggravated white collar

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113 crime" means engaging in at least two white collar crimes that  
114 have the same or similar intents, results, accomplices, victims,  
115 or methods of commission, or that are otherwise interrelated by  
116 distinguishing characteristics and are not isolated incidents,  
117 provided that at least one of such crimes occurred after the  
118 effective date of this act.

119 (5) Any person who commits an aggravated white collar  
120 crime as defined in this section and in so doing either:

121 (a) Victimizes 10 or more elderly persons, as defined in  
122 s. 825.101(5);

123 (b) Victimizes 20 or more persons, as defined in s. 1.01;  
124 or

125 (c) Victimizes the State of Florida, any state agency, any  
126 of the state's political subdivisions, or any agency of the  
127 state's political subdivisions,

128  
129 and thereby obtains or attempts to obtain \$50,000 or more,  
130 commits a felony of the first degree, punishable as provided in  
131 s. 775.082, s. 775.083, or s. 775.084. Except as otherwise  
132 provided in this subsection, a person convicted of a violation  
133 of paragraph (a) shall be sentenced to a mandatory minimum term  
134 of imprisonment of 3 years. A person convicted of a violation of  
135 paragraph (a) or paragraph (b) shall be sentenced to a mandatory  
136 minimum term of imprisonment of 5 years if there were 20 or more  
137 victims but fewer than 30 victims and a mandatory minimum term  
138 of imprisonment of 10 years if there were 30 or more victims.

139 (6) Notwithstanding any other provision of chapter 921 or  
140 any other law, an aggravated white collar crime shall be ranked

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141 within the offense severity ranking chart at offense severity  
142 level 9.

143 (7) In addition to a sentence otherwise authorized by law,  
144 a person convicted of an aggravated white collar crime may pay a  
145 fine of \$500,000 or double the value of the pecuniary gain or  
146 loss, whichever is greater.

147 (8) A person convicted of an aggravated white collar crime  
148 under this section is liable for all court costs and shall pay  
149 restitution to each victim of the crime, regardless of whether  
150 the victim is named in the information or indictment. As used in  
151 this subsection, "victim" means a person directly and  
152 proximately harmed as a result of the commission of the offense  
153 for which restitution may be ordered, including any person  
154 directly harmed by the defendant's criminal conduct in the  
155 course of the commission of the aggravated white collar crime.  
156 The court shall hold a hearing to determine the identity of  
157 qualifying victims and shall order the defendant to pay  
158 restitution based on his or her ability to pay, in accordance  
159 with this section and s. 775.089.

160 (a) The court shall make the payment of restitution a  
161 condition of any probation granted to the defendant by the  
162 court. Notwithstanding any other law, the court may order  
163 continued probation for a defendant convicted under this section  
164 for up to 10 years or until full restitution is made to the  
165 victim, whichever occurs earlier.

166 (b) The court retains jurisdiction to enforce its order to  
167 pay fines or restitution. The court may initiate proceedings  
168 against a defendant for a violation of probation or for contempt

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169 of court if the defendant willfully fails to comply with a  
 170 lawful order of the court.

171 Section 4. Paragraphs (c), (e), (f), and (g) of subsection  
 172 (3) of section 921.0022, Florida Statutes, are amended to read:

173 921.0022 Criminal Punishment Code; offense severity  
 174 ranking chart.—

175 (3) OFFENSE SEVERITY RANKING CHART

176 (c) LEVEL 3

177

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
319.30(4)	3rd	Possession by junkyard of motor

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181

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vehicle with identification  
number plate removed.

183

319.33(1)(a) 3rd Alter or forge any certificate  
of title to a motor vehicle or  
mobile home.

184

319.33(1)(c) 3rd Procure or pass title on stolen  
vehicle.

185

319.33(4) 3rd With intent to defraud,  
possess, sell, etc., a blank,  
forged, or unlawfully obtained  
title or registration.

186

327.35(2)(b) 3rd Felony BUI.

187

328.05(2) 3rd Possess, sell, or counterfeit  
fictitious, stolen, or  
fraudulent titles or bills of  
sale of vessels.

188

328.07(4) 3rd Manufacture, exchange, or  
possess vessel with counterfeit  
or wrong ID number.

189

376.302(5) 3rd Fraud related to reimbursement



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for cleanup expenses under the  
Inland Protection Trust Fund.

190

379.2431  
(1) (e) 5.

3rd

Taking, disturbing, mutilating,  
destroying, causing to be  
destroyed, transferring,  
selling, offering to sell,  
molesting, or harassing marine  
turtles, marine turtle eggs, or  
marine turtle nests in  
violation of the Marine Turtle  
Protection Act.

191

379.2431  
(1) (e) 6.

3rd

Soliciting to commit or  
conspiring to commit a  
violation of the Marine Turtle  
Protection Act.

192

400.9935 (4)

3rd

Operating a clinic without a  
license or filing false license  
application or other required  
information.

193

440.1051 (3)

3rd

False report of workers'  
compensation fraud or  
retaliation for making such a  
report.

194

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195	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
196	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
197	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
198	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
199	697.08	3rd	Equity skimming.
200	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
201	796.05 (1)	3rd	Live on earnings of a prostitute.
	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or

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equipment used in firefighting.

202

806.10 (2) 3rd Interferes with or assaults  
firefighter in performance of  
duty.

203

810.09 (2) (c) 3rd Trespass on property other than  
structure or conveyance armed  
with firearm or dangerous  
weapon.

204

812.014 (2) (c) 2. 3rd Grand theft; \$5,000 or more but  
less than \$10,000.

205

812.0145 (2) (c) 3rd Theft from person 65 years of  
age or older; \$300 or more but  
less than \$5,000 ~~\$10,000~~.

206

815.04 (4) (b) 2nd Computer offense devised to  
defraud or obtain property.

207

817.034 (4) (a) 3. 3rd ~~Engages in scheme to defraud~~  
~~(Florida Communications fraud;~~  
~~Act)~~, property valued at less  
than \$20,000.

208

817.233 3rd Burning to defraud insurer.

209

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210	817.234 (8) (b) - (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
211	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
212	817.236	3rd	Filing a false motor vehicle insurance application.
213	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
214	817.413 (2)	3rd	Sale of used goods as new.
215	817.505 (4)	3rd	Patient brokering.
216	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a

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counterfeit payment instrument.

217

831.29                      2nd      Possession of instruments for  
counterfeiting driver ~~drivers~~<sup>l</sup>  
licenses or identification  
cards.

218

838.021 (3) (b)            3rd      Threatens unlawful harm to  
public servant.

219

843.19                      3rd      Injure, disable, or kill police  
dog or horse.

220

860.15 (3)                3rd      Overcharging for repairs and  
parts.

221

870.01 (2)                3rd      Riot; inciting or encouraging.

222

893.13 (1) (a) 2.        3rd      Sell, manufacture, or deliver  
cannabis (or other s.  
893.03 (1) (c), (2) (c) 1.,  
(2) (c) 2., (2) (c) 3., (2) (c) 5.,  
(2) (c) 6., (2) (c) 7., (2) (c) 8.,  
(2) (c) 9., (3), or (4) drugs).

223

893.13 (1) (d) 2.        2nd      Sell, manufacture, or deliver  
s. 893.03 (1) (c), (2) (c) 1.,

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(2) (c) 2., (2) (c) 3., (2) (c) 5.,  
 (2) (c) 6., (2) (c) 7., (2) (c) 8.,  
 (2) (c) 9., (3), or (4) drugs  
 within 1,000 feet of  
 university.

224

893.13(1)(f)2.            2nd    Sell, manufacture, or deliver  
 s. 893.03(1)(c), (2)(c)1.,  
 (2)(c)2., (2)(c)3., (2)(c)5.,  
 (2)(c)6., (2)(c)7., (2)(c)8.,  
 (2)(c)9., (3), or (4) drugs  
 within 1,000 feet of public  
 housing facility.

225

893.13(6)(a)            3rd    Possession of any controlled  
 substance other than felony  
 possession of cannabis.

226

893.13(7)(a)8.           3rd    Withhold information from  
 practitioner regarding previous  
 receipt of or prescription for  
 a controlled substance.

227

893.13(7)(a)9.           3rd    Obtain or attempt to obtain  
 controlled substance by fraud,  
 forgery, misrepresentation,  
 etc.

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229

893.13(7)(a)10. 3rd Affix false or forged label to package of controlled substance.

230

893.13(7)(a)11. 3rd Furnish false or fraudulent material information on any document or record required by chapter 893.

231

893.13(8)(a)1. 3rd Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

232

893.13(8)(a)2. 3rd Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.

893.13(8)(a)3. 3rd Knowingly write a prescription for a controlled substance for

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a fictitious person.

233

893.13(8)(a)4.            3rd    Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

234

918.13(1)(a)            3rd    Alter, destroy, or conceal investigation evidence.

235

944.47  
    (1)(a)1.-2.            3rd    Introduce contraband to correctional facility.

236

944.47(1)(c)            2nd    Possess contraband while upon the grounds of a correctional institution.

237

985.721                    3rd    Escapes from a juvenile facility (secure detention or residential commitment facility).

238

(e)    LEVEL 5

239

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	Florida Statute	Felony Degree	Description
241	316.027(1)(a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
242	316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
243	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
244	327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
245	381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
246	440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
247	440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.

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249	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
250	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
251	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
252	790.01 (2)	3rd	Carrying a concealed firearm.
253	790.162	2nd	Threat to throw or discharge destructive device.
254	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
255	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
	790.23	2nd	Felons in possession of

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firearms, ammunition, or  
electronic weapons or devices.

256

800.04 (6) (c) 3rd Lewd or lascivious conduct;  
offender less than 18 years.

257

800.04 (7) (b) 2nd Lewd or lascivious exhibition;  
offender 18 years or older.

258

806.111 (1) 3rd Possess, manufacture, or  
dispense fire bomb with intent  
to damage any structure or  
property.

259

~~812.0145 (2) (b) 2nd Theft from person 65 years of  
age or older; \$10,000 or more  
but less than \$50,000.~~

260

812.015 (8) 3rd Retail theft; property stolen  
is valued at \$300 or more and  
one or more specified acts.

261

812.019 (1) 2nd Stolen property; dealing in or  
trafficking in.

262

812.131 (2) (b) 3rd Robbery by sudden snatching.

263

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264	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
265	817.034(4)(a)2.	2nd	<u>Communications fraud; property valued at , value \$20,000 or more but less than</u> <del>to</del> \$50,000.
266	817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
267	817.2341(1), (2)(a) & (3)(a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
268	817.568(2)(b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.

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269	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
270	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
271	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
272	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
273	839.13 (2) (b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
	843.01	3rd	Resist officer with violence to

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person; resist arrest with violence.

274

847.0135 (5) (b) 2nd Lewd or lascivious exhibition using computer; offender 18 years or older.

275

847.0137 3rd Transmission of pornography by (2) & (3) electronic device or equipment.

276

847.0138 3rd Transmission of material (2) & (3) harmful to minors to a minor by electronic device or equipment.

277

874.05 (2) 2nd Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

278

893.13 (1) (a) 1. 2nd Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4. drugs).

279

893.13 (1) (c) 2. 2nd Sell, manufacture, or deliver cannabis (or other s.

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893.03(1)(c), (2)(c)1.,  
 (2)(c)2., (2)(c)3., (2)(c)5.,  
 (2)(c)6., (2)(c)7., (2)(c)8.,  
 (2)(c)9., (3), or (4) drugs)  
 within 1,000 feet of a child  
 care facility, school, or  
 state, county, or municipal  
 park or publicly owned  
 recreational facility or  
 community center.

280

893.13(1)(d)1.            1st    Sell, manufacture, or deliver  
 cocaine (or other s.  
 893.03(1)(a), (1)(b), (1)(d),  
 (2)(a), (2)(b), or (2)(c)4.  
 drugs) within 1,000 feet of  
 university.

281

893.13(1)(e)2.            2nd    Sell, manufacture, or deliver  
 cannabis or other drug  
 prohibited under s.  
 893.03(1)(c), (2)(c)1.,  
 (2)(c)2., (2)(c)3., (2)(c)5.,  
 (2)(c)6., (2)(c)7., (2)(c)8.,  
 (2)(c)9., (3), or (4) within  
 1,000 feet of property used for  
 religious services or a

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specified business site.

282

893.13(1)(f)1.            1st    Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of public housing facility.

283

893.13(4)(b)            2nd    Deliver to minor cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).

284

893.1351(1)            3rd    Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.

285

286            (f)    LEVEL 6

287

Florida	Felony	
Statute	Degree	Description

288

316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
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290	499.0051 (3)	2nd	Knowing forgery of pedigree papers.
291	499.0051 (4)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
292	499.0051 (5)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
293	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
294	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
295	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
296	784.041	3rd	Felony battery; domestic battery by strangulation.
297	784.048 (3)	3rd	Aggravated stalking; credible threat.
	784.048 (5)	3rd	Aggravated stalking of person

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under 16.

298

784.07(2)(c) 2nd Aggravated assault on law enforcement officer.

299

784.074(1)(b) 2nd Aggravated assault on sexually violent predators facility staff.

300

784.08(2)(b) 2nd Aggravated assault on a person 65 years of age or older.

301

784.081(2) 2nd Aggravated assault on specified official or employee.

302

784.082(2) 2nd Aggravated assault by detained person on visitor or other detainee.

303

784.083(2) 2nd Aggravated assault on code inspector.

304

787.02(2) 3rd False imprisonment; restraining with purpose other than those in s. 787.01.

305

790.115(2)(d) 2nd Discharging firearm or weapon

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on school property.

306  
307  
308  
309  
310  
311  
312

790.161(2)

2nd

Make, possess, or throw destructive device with intent to do bodily harm or damage property.

790.164(1)

2nd

False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.

790.19

2nd

Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.

794.011(8)(a)

3rd

Solicitation of minor to participate in sexual activity by custodial adult.

794.05(1)

2nd

Unlawful sexual activity with specified minor.

800.04(5)(d)

3rd

Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.

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313	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
314	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
315	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
316	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
317	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
318	<u>812.0145 (2) (b)</u>	<u>2nd</u>	<u>Theft from person age 65 or older; property valued at \$5,000 or more but less than \$20,000.</u>
319	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.

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320	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
321	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
322	817.034 (4) (a) 1.	1st	Communications fraud; <u>property valued at</u> <del>, value greater than</del> \$50,000 <u>or more</u> .
323	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
324	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
325	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
326	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
	825.103 (2) (c)	3rd	Exploiting an elderly person or disabled adult and property is

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valued at less than \$20,000.

327  
328  
329  
330  
331  
332  
333  
334  
335

827.03(1)

3rd

Abuse of a child.

827.03(3)(c)

3rd

Neglect of a child.

827.071(2) & (3)

2nd

Use or induce a child in a sexual performance, or promote or direct such performance.

836.05

2nd

Threats; extortion.

836.10

2nd

Written threats to kill or do bodily injury.

843.12

3rd

Aids or assists person to escape.

847.011

3rd

Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.

847.012

3rd

Knowingly using a minor in the production of materials harmful to minors.

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336	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
337	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
338	944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
339	944.40	2nd	Escapes.
340	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
341	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
342	951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.

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343	(g) LEVEL 7		
344	Florida	Felony	
345	Statute	Degree	Description
346	316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
347	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
348	316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
349	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
349	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration,



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permanent disability, or death.

350

409.920 3rd Medicaid provider fraud;  
(2) (b) 1.a. \$10,000 or less.

351

409.920 2nd Medicaid provider fraud; more  
(2) (b) 1.b. than \$10,000, but less than  
\$50,000.

352

456.065 (2) 3rd Practicing a health care  
profession without a license.

353

456.065 (2) 2nd Practicing a health care  
profession without a license  
which results in serious bodily  
injury.

354

458.327 (1) 3rd Practicing medicine without a  
license.

355

459.013 (1) 3rd Practicing osteopathic medicine  
without a license.

356

460.411 (1) 3rd Practicing chiropractic  
medicine without a license.

357

461.012 (1) 3rd Practicing podiatric medicine

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without a license.

358

462.17 3rd Practicing naturopathy without a license.

359

463.015 (1) 3rd Practicing optometry without a license.

360

464.016 (1) 3rd Practicing nursing without a license.

361

465.015 (2) 3rd Practicing pharmacy without a license.

362

466.026 (1) 3rd Practicing dentistry or dental hygiene without a license.

363

467.201 3rd Practicing midwifery without a license.

364

468.366 3rd Delivering respiratory care services without a license.

365

483.828 (1) 3rd Practicing as clinical laboratory personnel without a license.

366

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367	483.901 (9)	3rd	Practicing medical physics without a license.
368	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
369	484.053	3rd	Dispensing hearing aids without a license.
370	494.0018 (2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
371	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
372	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

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373	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
374	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew <u>driver</u> <del>driver's</del> license or identification card; other registration violations.
375	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
376	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
377	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable

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negligence of another  
(manslaughter).

378

782.071                      2nd      Killing of a human being or  
viable fetus by the operation  
of a motor vehicle in a  
reckless manner (vehicular  
homicide).

379

782.072                      2nd      Killing of a human being by the  
operation of a vessel in a  
reckless manner (vessel  
homicide).

380

784.045 (1) (a) 1.            2nd      Aggravated battery;  
intentionally causing great  
bodily harm or disfigurement.

381

784.045 (1) (a) 2.            2nd      Aggravated battery; using  
deadly weapon.

382

784.045 (1) (b)                2nd      Aggravated battery; perpetrator  
aware victim pregnant.

383

784.048 (4)                      3rd      Aggravated stalking; violation  
of injunction or court order.

384

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385	784.048 (7)	3rd	Aggravated stalking; violation of court order.
386	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
387	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
388	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
389	784.081 (1)	1st	Aggravated battery on specified official or employee.
390	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
391	784.083 (1)	1st	Aggravated battery on code inspector.
392	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2) .

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393	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
394	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
395	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
396	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
397	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
398	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
	794.08(4)	3rd	Female genital mutilation;





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406	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
407	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
408	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
409	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
410	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
411	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.

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412	812.0145(2)(a)	1st	Theft from person 65 years of age or older; <u>\$20,000</u> <del>\$50,000</del> or more.
413	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
414	812.131(2)(a)	2nd	Robbery by sudden snatching.
415	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
416	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
417	817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
418	817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.
	817.2341 (2)(b) &	1st	Making false entries of material fact or false

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	(3) (b)		statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
419	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
420	825.103 (2) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
421	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
422	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
423	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
424			

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425	838.015	2nd	Bribery.
426	838.016	2nd	Unlawful compensation or reward for official behavior.
427	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
428	838.22	2nd	Bid tampering.
429	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
430	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
431	872.06	2nd	Abuse of a dead human body.
432	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s.

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893.03(1)(a), (1)(b), (1)(d),  
 (2)(a), (2)(b), or (2)(c)4.)  
 within 1,000 feet of a child  
 care facility, school, or  
 state, county, or municipal  
 park or publicly owned  
 recreational facility or  
 community center.

433

893.13(1)(e)1.            1st    Sell, manufacture, or deliver  
 cocaine or other drug  
 prohibited under s.

893.03(1)(a), (1)(b), (1)(d),  
 (2)(a), (2)(b), or (2)(c)4.,  
 within 1,000 feet of property  
 used for religious services or  
 a specified business site.

434

893.13(4)(a)            1st    Deliver to minor cocaine (or  
 other s. 893.03(1)(a), (1)(b),  
 (1)(d), (2)(a), (2)(b), or  
 (2)(c)4. drugs).

435

893.135(1)(a)1.        1st    Trafficking in cannabis, more  
 than 25 lbs., less than 2,000  
 lbs.

436

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437	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
438	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
439	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
440	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
441	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
442	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5

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kilograms.

443

893.135 1st Trafficking in 1,4-Butanediol,  
 (1) (j) 1.a. 1 kilogram or more, less than 5  
 kilograms.

444

893.135 1st Trafficking in Phenethylamines,  
 (1) (k) 2.a. 10 grams or more, less than 200  
 grams.

445

893.1351 (2) 2nd Possession of place for  
 trafficking in or manufacturing  
 of controlled substance.

446

896.101 (5) (a) 3rd Money laundering, financial  
 transactions exceeding \$300 but  
 less than \$20,000.

447

896.104 (4) (a) 1. 3rd Structuring transactions to  
 evade reporting or registration  
 requirements, financial  
 transactions exceeding \$300 but  
 less than \$20,000.

448

943.0435 (4) (c) 2nd Sexual offender vacating  
 permanent residence; failure to  
 comply with reporting

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requirements.

449

943.0435(8)

2nd

Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

450

943.0435(9)(a)

3rd

Sexual offender; failure to comply with reporting requirements.

451

943.0435(13)

3rd

Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

452

943.0435(14)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification.

453

944.607(9)

3rd

Sexual offender; failure to comply with reporting requirements.

454

944.607(10)(a)

3rd

Sexual offender; failure to submit to the taking of a



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digitized photograph.

455

944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

456

944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

457

985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

458

985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

459

985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

460

461

Section 5. This act shall take effect July 1, 2012.