

By Representative Bronson

1 A bill to be entitled
2 An act relating to robbery; amending s. 812.13,
3 F.S.; redefining the offense of robbery to
4 include robbery by sudden snatching; defining
5 "sudden snatching"; providing for
6 reclassification of the offense to a higher
7 degree under specified circumstances when the
8 offender carried a firearm or other deadly
9 weapon; providing penalties; amending s.
10 921.0022, F.S., relating to the Criminal
11 Punishment Code offense levels; providing for
12 ranking of robbery by sudden snatching within
13 the level 5 category of the offense severity
14 ranking chart; providing an effective date.

15
16 WHEREAS, the Legislature finds that it is in the best
17 interest of the citizens of this state not to require that
18 victims of theft or larceny by sudden snatching resist the
19 efforts of their assailant in order to establish the offense
20 of robbery, and

21 WHEREAS, the Legislature finds that it is in the best
22 interest of the citizens of this state to broaden the category
23 of offenses punishable as robbery to include the taking of
24 money or property by sudden snatching from another's person or
25 custody when there is no resistance offered by the victim,
26 NOW, THEREFORE,

27
28 Be It Enacted by the Legislature of the State of Florida:

29
30 Section 1. Section 812.13, Florida Statutes, is
31 amended to read:

1 812.13 Robbery.--

2 (1)(a) "Robbery" means the taking of money or other
3 property which may be the subject of larceny from the person
4 or custody of another, with intent to either permanently or
5 temporarily deprive the person or the owner of the money or
6 other property, when in the course of the taking there is the
7 use of force, a sudden snatching, violence, assault, or
8 putting in fear.

9 (b) "Sudden snatching" means taking possession of
10 money or other property from the victim, when the victim was
11 aware of the taking. In order to satisfy this definition, it
12 is not necessary to show that:

13 1. The offender used any amount of force beyond that
14 effort necessary to obtain possession of the money or other
15 property; or

16 2. There was any resistance offered by the victim to
17 the offender or injury to the victim's person.

18 (2)(a) If in the course of committing the robbery the
19 offender carried a firearm or other deadly weapon, then the
20 robbery is a felony of the first degree, punishable by
21 imprisonment for a term of years not exceeding life
22 imprisonment or as provided in s. 775.082, s. 775.083, or s.
23 775.084.

24 (b) If in the course of committing the robbery the
25 offender carried a weapon, then the robbery is a felony of the
26 first degree, punishable as provided in s. 775.082, s.
27 775.083, or s. 775.084, except in the case of robbery by
28 sudden snatching, as provided in paragraph (c).

29 (c) If in the course of committing the robbery the
30 offender carried no firearm, deadly weapon, or other weapon,
31 then the robbery is a felony of the second degree, punishable

1 as provided in s. 775.082, s. 775.083, or s. 775.084, except
2 in the case of robbery by sudden snatching. If the robbery
3 committed was by sudden snatching and no firearm or other
4 deadly weapon was carried, then the robbery is a felony of the
5 third degree, punishable as provided in s. 775.082, s.
6 775.083, or s. 775.084.

7 (3)(a) An act shall be deemed "in the course of
8 committing the robbery" if it occurs in an attempt to commit
9 robbery or in flight after the attempt or commission.

10 (b) An act shall be deemed "in the course of the
11 taking" if it occurs either prior to, contemporaneous with, or
12 subsequent to the taking of the property and if it and the act
13 of taking constitute a continuous series of acts or events.

14 Section 2. Paragraph (e) of subsection (3) of section
15 921.0022, Florida Statutes, is amended to read:

16 921.0022 Criminal Punishment Code; offense severity
17 ranking chart.--

18 (3) OFFENSE SEVERITY RANKING CHART

Florida Statute	Felony Degree	Description
		(e) LEVEL 5
316.027(1)(a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
316.1935(3)	3rd	Aggravated fleeing or eluding.
322.34(3)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.

1	327.30(5)	3rd	Vessel accidents involving
2			personal injury; leaving scene.
3	381.0041(11)(b)	3rd	Donate blood, plasma, or organs
4			knowing HIV positive.
5	790.01(2)	3rd	Carrying a concealed firearm.
6	790.162	2nd	Threat to throw or discharge
7			destructive device.
8	790.163	2nd	False report of deadly explosive.
9	790.165(2)	3rd	Manufacture, sell, possess, or
10			deliver hoax bomb.
11	790.221(1)	2nd	Possession of short-barreled
12			shotgun or machine gun.
13	790.23	2nd	Felons in possession of firearms
14			or electronic weapons or devices.
15	806.111(1)	3rd	Possess, manufacture, or dispense
16			fire bomb with intent to damage
17			any structure or property.
18	812.019(1)	2nd	Stolen property; dealing in or
19			trafficking in.
20	<u>812.13(2)(c)</u>	<u>3rd</u>	<u>Robbery by sudden snatching.</u>
21	812.16(2)	3rd	Owning, operating, or conducting
22			a chop shop.
23	817.034(4)(a)2.	2nd	Communications fraud, value
24			\$20,000 to \$50,000.
25	825.1025(4)	3rd	Lewd or lascivious exhibition in
26			the presence of an elderly person
27			or disabled adult.
28	827.071(4)	2nd	Possess with intent to promote
29			any photographic material, motion
30			picture, etc., which includes
31			sexual conduct by a child.

1	843.01	3rd	Resist officer with violence to
2			person; resist arrest with
3			violence.
4	874.05(2)	2nd	Encouraging or recruiting another
5			to join a criminal street gang;
6			second or subsequent offense.
7	893.13(1)(a)1.	2nd	Sell, manufacture, or deliver
8			cocaine (or other s.
9			893.03(1)(a), (1)(b), (1)(d),
10			(2)(a), or (2)(b) drugs).
11	893.13(1)(c)2.	2nd	Sell, manufacture, or deliver
12			cannabis (or other s.
13			893.03(1)(c), (2)(c), (3), or (4)
14			drugs) within 1,000 feet of a
15			school.
16	893.13(1)(d)1.	1st	Sell, manufacture, or deliver
17			cocaine (or other s.
18			893.03(1)(a), (1)(b), (1)(d),
19			(2)(a), or (2)(b) drugs) within
20			200 feet of university, public
21			housing facility, or public park.
22	893.13(4)(b)	2nd	Deliver to minor cannabis (or
23			other s. 893.03(1)(c), (2)(c),
24			(3), or (4) drugs).

25 Section 3. This act shall take effect October 1 of the
26 year in which enacted.

27
28
29
30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

HOUSE SUMMARY

Redefines the offense of robbery to include robbery by sudden snatching. Provides definitions. Provides penalties. Provides for reclassification of the offense to a higher degree under specified circumstances when the offender carried a firearm or other deadly weapon. Provides penalties for the reclassified offenses. Provides for ranking of the third degree felony offense of robbery by sudden snatching within the level 5 category of the Criminal Punishment Code offense severity ranking chart.