

Amendment No. 05 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Financial Services offered the following:

Amendment

On page 49, line 8 - page 62, line 2,
remove from the bill: all said lines

and insert in lieu thereof:

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

(3) OFFENSE SEVERITY RANKING CHART

Florida Statute	Felony Degree	Description
		(g) LEVEL 7
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.

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1	402.319(2)	2nd	Misrepresentation and negligence
2			or intentional act resulting in
3			great bodily harm, permanent
4			disfiguration, permanent
5			disability, or death.
6	409.920(2)	3rd	Medicaid provider fraud.
7	494.0018(2)	1st	Conviction of any violation of
8			ss. 494.001-494.0077 in which the
9			total money and property
10			unlawfully obtained exceeded
11			\$50,000 and there were five or
12			more victims.
13	<u>560.123(8)(a)1.</u>	<u>3rd</u>	<u>Failure to report currency or</u>
14			<u>payment instruments exceeding</u>
15			<u>\$300 but less than \$20,000 by</u>
16			<u>money transmitter.</u>
17	<u>560.125(5)(a)</u>	<u>3rd</u>	<u>Money transmitter business by</u>
18			<u>unauthorized person, currency or</u>
19			<u>payment instruments exceeding</u>
20			<u>\$300 but less than \$20,000.</u>
21	<u>655.50(10)(a)1.</u>	<u>3rd</u>	<u>Failure to report monetary</u>
22			<u>instruments exceeding \$300 but</u>
23			<u>less than \$20,000 by financial</u>
24			<u>institution.</u>
25	782.051(3)	2nd	Attempted felony murder of a
26			person by a person other than the
27			perpetrator or the perpetrator of
28			an attempted felony.
29	782.07(1)	2nd	Killing of a human being by the
30			act, procurement, or culpable
31			negligence of another

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1			(manslaughter).
2	782.071	2nd	Killing of human being or viable
3			fetus by the operation of a motor
4			vehicle in a reckless manner
5			(vehicular homicide).
6	782.072	2nd	Killing of a human being by the
7			operation of a vessel in a
8			reckless manner (vessel
9			homicide).
10	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
11			causing great bodily harm or
12			disfigurement.
13	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
14			weapon.
15	784.045(1)(b)	2nd	Aggravated battery; perpetrator
16			aware victim pregnant.
17	784.048(4)	3rd	Aggravated stalking; violation of
18			injunction or court order.
19	784.07(2)(d)	1st	Aggravated battery on law
20			enforcement officer.
21	784.08(2)(a)	1st	Aggravated battery on a person 65
22			years of age or older.
23	784.081(1)	1st	Aggravated battery on specified
24			official or employee.
25	784.082(1)	1st	Aggravated battery by detained
26			person on visitor or other
27			detainee.
28	784.083(1)	1st	Aggravated battery on code
29			inspector.
30	790.07(4)	1st	Specified weapons violation
31			subsequent to previous conviction

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1			of s. 790.07(1) or (2).
2	790.16(1)	1st	Discharge of a machine gun under
3			specified circumstances.
4	796.03	2nd	Procuring any person under 16
5			years for prostitution.
6	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
7			victim less than 12 years of age;
8			offender less than 18 years.
9	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
10			victim 12 years of age or older
11			but less than 16 years; offender
12			18 years or older.
13	806.01(2)	2nd	Maliciously damage structure by
14			fire or explosive.
15	810.02(3)(a)	2nd	Burglary of occupied dwelling;
16			unarmed; no assault or battery.
17	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
18			unarmed; no assault or battery.
19	810.02(3)(d)	2nd	Burglary of occupied conveyance;
20			unarmed; no assault or battery.
21	812.014(2)(a)	1st	Property stolen, valued at
22			\$100,000 or more; property stolen
23			while causing other property
24			damage; 1st degree grand theft.
25	812.019(2)	1st	Stolen property; initiates,
26			organizes, plans, etc., the theft
27			of property and traffics in
28			stolen property.
29	812.131(2)(a)	2nd	Robbery by sudden snatching.
30	812.133(2)(b)	1st	Carjacking; no firearm, deadly
31			weapon, or other weapon.

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1	825.102(3)(b)	2nd	Neglecting an elderly person or
2			disabled adult causing great
3			bodily harm, disability, or
4			disfigurement.
5	825.1025(2)	2nd	Lewd or lascivious battery upon
6			an elderly person or disabled
7			adult.
8	825.103(2)(b)	2nd	Exploiting an elderly person or
9			disabled adult and property is
10			valued at \$20,000 or more, but
11			less than \$100,000.
12	827.03(3)(b)	2nd	Neglect of a child causing great
13			bodily harm, disability, or
14			disfigurement.
15	827.04(3)	3rd	Impregnation of a child under 16
16			years of age by person 21 years
17			of age or older.
18	837.05(2)	3rd	Giving false information about
19			alleged capital felony to a law
20			enforcement officer.
21	872.06	2nd	Abuse of a dead human body.
22	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
23			cocaine (or other drug prohibited
24			under s. 893.03(1)(a), (1)(b),
25			(1)(d), (2)(a), or (2)(b)) within
26			1,000 feet of a child care
27			facility or school.
28	893.13(1)(e)	1st	Sell, manufacture, or deliver
29			cocaine or other drug prohibited
30			under s. 893.03(1)(a), (1)(b),
31			(1)(d), (2)(a), or (2)(b), within

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1			1,000 feet of property used for
2			religious services or a specified
3			business site.
4	893.13(4)(a)	1st	Deliver to minor cocaine (or
5			other s. 893.03(1)(a), (1)(b),
6			(1)(d), (2)(a), or (2)(b) drugs).
7	893.135(1)(a)1.	1st	Trafficking in cannabis, more
8			than 50 lbs., less than 2,000
9			lbs.
10	893.135		
11	(1)(b)1.a.	1st	Trafficking in cocaine, more than
12			28 grams, less than 200 grams.
13	893.135		
14	(1)(c)1.a.	1st	Trafficking in illegal drugs,
15			more than 4 grams, less than 14
16			grams.
17	893.135		
18	(1)(d)1.	1st	Trafficking in phencyclidine,
19			more than 28 grams, less than 200
20			grams.
21	893.135(1)(e)1.	1st	Trafficking in methaqualone, more
22			than 200 grams, less than 5
23			kilograms.
24	893.135(1)(f)1.	1st	Trafficking in amphetamine, more
25			than 14 grams, less than 28
26			grams.
27	893.135		
28	(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4
29			grams or more, less than 14
30			grams.
31			

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1	<u>896.101(5)(a)</u>	<u>3rd</u>	<u>Money laundering, monetary</u>
2			<u>instruments exceeding \$300 but</u>
3			<u>less than \$20,000.</u>
4	<u>896.104(3)(a)1.</u>	<u>3rd</u>	<u>Structuring transactions to evade</u>
5			<u>reporting or registration</u>
6			<u>requirements, monetary</u>
7			<u>instruments exceeding \$300 but</u>
8			<u>less than \$200,000.</u>
9			(h) LEVEL 8
10	316.193		
11	(3)(c)3.a.	2nd	DUI manslaughter.
12	327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
13	<u>560.123(8)(a)2.</u>	<u>2nd</u>	<u>Failure to report currency or</u>
14			<u>payment instruments totaling or</u>
15			<u>exceeding \$20,000 but less than</u>
16			<u>\$100,000 by money transmitter.</u>
17	<u>560.125(5)(b)</u>	<u>2nd</u>	<u>Money transmitter business by</u>
18			<u>unauthorized person, currency or</u>
19			<u>payment instruments totaling or</u>
20			<u>exceeding \$20,000 but less than</u>
21			<u>\$100,000.</u>
22	<u>655.50(10)(a)2.</u>	<u>2nd</u>	<u>Failure to report monetary</u>
23			<u>instruments totaling or exceeding</u>
24			<u>\$20,000 but less than \$100,000 by</u>
25			<u>financial institutions.</u>
26	777.03(2)(a)	1st	Accessory after the fact, capital
27			felony.
28	782.04(4)	2nd	Killing of human without design
29			when engaged in act or attempt of
30			any felony other than arson,
31			sexual battery, robbery,

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1			burglary, kidnapping, aircraft
2			piracy, or unlawfully discharging
3			bomb.
4	782.051(2)	1st	Attempted felony murder while
5			perpetrating or attempting to
6			perpetrate a felony not
7			enumerated in s. 782.04(3).
8	782.071(2)	1st	Committing vehicular homicide and
9			failing to render aid or give
10			information.
11	782.072(2)	1st	Committing vessel homicide and
12			failing to render aid or give
13			information.
14	790.161(3)	1st	Discharging a destructive device
15			which results in bodily harm or
16			property damage.
17	794.011(5)	2nd	Sexual battery, victim 12 years
18			or over, offender does not use
19			physical force likely to cause
20			serious injury.
21	800.04(4)	2nd	Lewd or lascivious battery.
22	806.01(1)	1st	Maliciously damage dwelling or
23			structure by fire or explosive,
24			believing person in structure.
25	810.02(2)(a)	1st,PBL	Burglary with assault or battery.
26	810.02(2)(b)	1st,PBL	Burglary; armed with explosives
27			or dangerous weapon.
28	810.02(2)(c)	1st	Burglary of a dwelling or
29			structure causing structural
30			damage or \$1,000 or more property
31			damage.

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1	812.13(2)(b)	1st	Robbery with a weapon.
2	812.135(2)	1st	Home-invasion robbery.
3	825.102(2)	2nd	Aggravated abuse of an elderly
4			person or disabled adult.
5	825.103(2)(a)	1st	Exploiting an elderly person or
6			disabled adult and property is
7			valued at \$100,000 or more.
8	837.02(2)	2nd	Perjury in official proceedings
9			relating to prosecution of a
10			capital felony.
11	837.021(2)	2nd	Making contradictory statements
12			in official proceedings relating
13			to prosecution of a capital
14			felony.
15	860.121(2)(c)	1st	Shooting at or throwing any
16			object in path of railroad
17			vehicle resulting in great bodily
18			harm.
19	860.16	1st	Aircraft piracy.
20	893.13(1)(b)	1st	Sell or deliver in excess of 10
21			grams of any substance specified
22			in s. 893.03(1)(a) or (b).
23	893.13(2)(b)	1st	Purchase in excess of 10 grams of
24			any substance specified in s.
25			893.03(1)(a) or (b).
26	893.13(6)(c)	1st	Possess in excess of 10 grams of
27			any substance specified in s.
28			893.03(1)(a) or (b).
29	893.135(1)(a)2.	1st	Trafficking in cannabis, more
30			than 2,000 lbs., less than 10,000
31			lbs.

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1	893.135		
2	(1)(b)1.b.	1st	Trafficking in cocaine, more than
3			200 grams, less than 400 grams.
4	893.135		
5	(1)(c)1.b.	1st	Trafficking in illegal drugs,
6			more than 14 grams, less than 28
7			grams.
8	893.135		
9	(1)(d)1.b.	1st	Trafficking in phencyclidine,
10			more than 200 grams, less than
11			400 grams.
12	893.135		
13	(1)(e)1.b.	1st	Trafficking in methaqualone, more
14			than 5 kilograms, less than 25
15			kilograms.
16	893.135		
17	(1)(f)1.b.	1st	Trafficking in amphetamine, more
18			than 28 grams, less than 200
19			grams.
20	893.135		
21	(1)(g)1.b.	1st	Trafficking in flunitrazepam, 14
22			grams or more, less than 28
23			grams.
24	895.03(1)	1st	Use or invest proceeds derived
25			from pattern of racketeering
26			activity.
27	895.03(2)	1st	Acquire or maintain through
28			racketeering activity any
29			interest in or control of any
30			enterprise or real property.
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1	895.03(3)	1st	Conduct or participate in any
2			enterprise through pattern of
3			racketeering activity.
4	<u>896.101(5)(b)</u>	<u>2nd</u>	<u>Money laundering, monetary</u>
5			<u>instruments totaling or exceeding</u>
6			<u>\$20,000 but less than \$100,000.</u>
7	<u>896.104(3)(a)2.</u>	<u>2nd</u>	<u>Structuring transactions to evade</u>
8			<u>reporting or registration</u>
9			<u>requirements, monetary</u>
10			<u>instruments totaling or exceeding</u>
11			<u>\$20,000 but less than \$100,000.</u>
12			(i) LEVEL 9
13	316.193		
14	(3)(c)3.b.	1st	DUI manslaughter; failing to
15			render aid or give information.
16	<u>560.123(8)(a)3.</u>	<u>1st</u>	<u>Failure to report currency or</u>
17			<u>payment instruments totaling or</u>
18			<u>exceeding \$100,000 by money</u>
19			<u>transmitter.</u>
20	<u>560.125(5)(c)</u>	<u>1st</u>	<u>Money transmitter business by</u>
21			<u>unauthorized person, currency, or</u>
22			<u>payment instruments totaling or</u>
23			<u>exceeding \$100,000.</u>
24	<u>655.50(10)(a)3.</u>	<u>1st</u>	<u>Failure to report monetary</u>
25			<u>instruments totaling or exceeding</u>
26			<u>\$100,000 by financial</u>
27			<u>institution.</u>
28	782.04(1)	1st	Attempt, conspire, or solicit to
29			commit premeditated murder.
30	782.04(3)	1st,PBL	Accomplice to murder in
31			connection with arson, sexual

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1			battery, robbery, burglary, and
2			other specified felonies.
3	782.051(1)	1st	Attempted felony murder while
4			perpetrating or attempting to
5			perpetrate a felony enumerated in
6			s. 782.04(3).
7	782.07(2)	1st	Aggravated manslaughter of an
8			elderly person or disabled adult.
9	787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or
10			reward or as a shield or hostage.
11	787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit
12			or facilitate commission of any
13			felony.
14	787.01(1)(a)4.	1st,PBL	Kidnapping with intent to
15			interfere with performance of any
16			governmental or political
17			function.
18	787.02(3)(a)	1st	False imprisonment; child under
19			age 13; perpetrator also commits
20			aggravated child abuse, sexual
21			battery, or lewd or lascivious
22			battery, molestation, conduct, or
23			exhibition.
24	790.161	1st	Attempted capital destructive
25			device offense.
26	794.011(2)	1st	Attempted sexual battery; victim
27			less than 12 years of age.
28	794.011(2)	Life	Sexual battery; offender younger
29			than 18 years and commits sexual
30			battery on a person less than 12
31			years.

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1	794.011(4)	1st	Sexual battery; victim 12 years
2			or older, certain circumstances.
3	794.011(8)(b)	1st	Sexual battery; engage in sexual
4			conduct with minor 12 to 18 years
5			by person in familial or
6			custodial authority.
7	800.04(5)(b)	1st	Lewd or lascivious molestation;
8			victim less than 12 years;
9			offender 18 years or older.
10	812.13(2)(a)	1st,PBL	Robbery with firearm or other
11			deadly weapon.
12	812.133(2)(a)	1st,PBL	Carjacking; firearm or other
13			deadly weapon.
14	827.03(2)	1st	Aggravated child abuse.
15	847.0145(1)	1st	Selling, or otherwise
16			transferring custody or control,
17			of a minor.
18	847.0145(2)	1st	Purchasing, or otherwise
19			obtaining custody or control, of
20			a minor.
21	859.01	1st	Poisoning food, drink, medicine,
22			or water with intent to kill or
23			injure another person.
24	893.135	1st	Attempted capital trafficking
25			offense.
26	893.135(1)(a)3.	1st	Trafficking in cannabis, more
27			than 10,000 lbs.
28	893.135		
29	(1)(b)1.c.	1st	Trafficking in cocaine, more than
30			400 grams, less than 150
31			kilograms.

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1 893.135
2 (1)(c)1.c. 1st Trafficking in illegal drugs,
3 more than 28 grams, less than 30
4 kilograms.
5 893.135
6 (1)(d)1.c. 1st Trafficking in phencyclidine,
7 more than 400 grams.
8 893.135
9 (1)(e)1.c. 1st Trafficking in methaqualone, more
10 than 25 kilograms.
11 893.135
12 (1)(f)1.c. 1st Trafficking in amphetamine, more
13 than 200 grams.
14 896.101(5)(c) 1st Money laundering, monetary
15 instruments totaling or exceeding
16 \$100,000.
17 896.104(3)(a)3. 1st Structuring transactions to evade
18 reporting or registration
19 requirements, monetary
20 instruments totaling or exceeding
21 \$100,000.
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