

Amendment No. 07 (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 (with title amendment)

On page 27, line 11 through page 28, line 27
remove from the bill: all of said lines,

and insert in lieu thereof:

655.50 Florida Control of Money Laundering in
Financial Institutions Act; reports of transactions involving
currency or monetary instruments; when required; purpose;
definitions; penalties.--

(10)(a) Except as provided in paragraph (b), a person
who willfully violates any provision of this section, ~~chapter~~
~~896, or any similar state or federal law~~ is guilty of a
misdemeanor of the first degree, punishable as provided in s.
775.082 or s. 775.083.

(b) A person who willfully violates or knowingly
causes another to violate any provision of this section,
~~chapter 896, or any similar state or federal law,~~ when the
violation involves is:

- ~~Committed in furtherance of the commission of any~~

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1 ~~other violation of Florida law; or~~
2 ~~2. Committed as part of a pattern of illegal activity~~
3 ~~involving~~ Financial transactions exceeding \$300 but less than
4 \$20,000 in any 12-month period, is guilty of a felony of the
5 third degree, punishable as provided in s. 775.082 or
6 775.083; or
7 ~~2.3. Committed as part of a pattern of illegal~~
8 ~~activity involving~~ Financial transactions exceeding \$20,000
9 but less than \$100,000 in any 12-month period is guilty of a
10 felony of the second degree, punishable as provided in s.
11 775.082 or 775.083 ; or
12 ~~3.4. Committed as part of a pattern of illegal~~
13 ~~activity involving~~ Financial transactions exceeding \$100,000
14 in any 12-month period is guilty of a felony of the first
15 degree.
16 (c) In addition to the penalties otherwise authorized
17 by ss. 775.082 and 775.083, a person who has been convicted of
18 or who has pleaded guilty or nolo contendere to having
19 violated paragraph (b) may be sentenced to pay a fine not
20 exceeding \$250,000 or twice the value of the financial
21 transaction, whichever is greater, except that on a second or
22 subsequent conviction for or plea of guilty or nolo contendere
23 to a violation of paragraph (b), the fine may be up to
24 \$500,000 or quintuple the value of the financial transaction,
25 whichever is greater.
26 (d) A financial institution as defined in s. 655.005,
27 ~~person~~ who willfully violates this section, ~~chapter 896, or~~
28 ~~any similar state or federal law~~ is also liable for a civil
29 penalty of not more than the greater of the value of the
30 financial transaction involved or \$25,000. However, the civil
31 penalty may not exceed \$100,000.

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1 (e) A person other than a financial institution as
2 defined in s. 655.005, who violates this section is also
3 liable for a civil penalty of not more than the greater of the
4 value of the financial transaction involved or \$25,000.
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