Florida Senate - 2000

By Senator Saunders

25-378-00 A bill to be entitled 1 2 An act relating to sentencing; amending s. 921.0022, F.S., relating to the offense 3 4 severity ranking chart of the Criminal Punishment Code; ranking the offense of 5 knowingly transmitting or disseminating by 6 7 computer any notice or advertisement for the purpose of facilitating, encouraging, offering, 8 9 or soliciting sexual conduct of or with a 10 minor, or visually depicting such conduct; 11 providing an effective date. 12 13 Be It Enacted by the Legislature of the State of Florida: 14 Section 1. Paragraph (f) of subsection (3) of section 15 16 921.0022, Florida Statutes, is amended to read: 921.0022 Criminal Punishment Code; offense severity 17 ranking chart .--18 19 (3) OFFENSE SEVERITY RANKING CHART 20 21 Florida Felony 22 Statute Degree Description 23 24 25 (f) LEVEL 6 316.027(1)(b) Accident involving death, failure 26 2nd 27 to stop; leaving scene. Felony DUI, 4th or subsequent 316.193(2)(b) 28 3rd 29 conviction. 30 775.0875(1) 3rd Taking firearm from law enforcement officer. 31 1

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1	775.21(10)	3rd	Sexual predators; failure to
2			register; failure to renew
3			driver's license or
4			identification card.
5	784.021(1)(a)	3rd	Aggravated assault; deadly weapon
6			without intent to kill.
7	784.021(1)(b)	3rd	Aggravated assault; intent to
8			commit felony.
9	784.041	3rd	Felony battery.
10	784.048(3)	3rd	Aggravated stalking; credible
11			threat.
12	784.048(5)	3rd	Aggravated stalking of person
13			under 16.
14	784.07(2)(c)	2nd	Aggravated assault on law
15			enforcement officer.
16	784.08(2)(b)	2nd	Aggravated assault on a person 65
17			years of age or older.
18	784.081(2)	2nd	Aggravated assault on specified
19			official or employee.
20	784.082(2)	2nd	Aggravated assault by detained
21			person on visitor or other
22			detainee.
23	784.083(2)	2nd	Aggravated assault on code
24			inspector.
25	787.02(2)	3rd	False imprisonment; restraining
26			with purpose other than those in
27			s. 787.01.
28	790.115(2)(d)	2nd	Discharging firearm or weapon on
29			school property.
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SB 796

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1	790.161(2)	2nd	Make, possess, or throw
2			destructive device with intent to
3			do bodily harm or damage
4			property.
5	790.164(1)	2nd	False report of deadly explosive
6			or act of arson or violence to
7			state property.
8	790.19	2nd	Shooting or throwing deadly
9			missiles into dwellings, vessels,
10			or vehicles.
11	794.011(8)(a)	3rd	Solicitation of minor to
12			participate in sexual activity by
13			custodial adult.
14	794.05(1)	2nd	Unlawful sexual activity with
15			specified minor.
16	800.04(5)(d)	3rd	Lewd or lascivious molestation;
17			victim 12 years of age or older
18			but less than 16 years; offender
19			less than 18 years.
20	800.04(6)(b)	2nd	Lewd or lascivious conduct;
21			offender 18 years of age or
22			older.
23	806.031(2)	2nd	Arson resulting in great bodily
24			harm to firefighter or any other
25			person.
26	810.02(3)(c)	2nd	Burglary of occupied structure;
27			unarmed; no assault or battery.
28	812.014(2)(b)	2nd	Property stolen \$20,000 or more,
29			but less than \$100,000, grand
30			theft in 2nd degree.
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2weapon (strong-arm robbery).3817.034(4)(a)1.1stCommunications fraud, value greater than \$50,000.5817.4821(5)2ndPossess cloning paraphernalia with intent to create cloned cellular telephones.6with intent to create cloned delular telephones.7825.102(1)3rdAbuse of an elderly person or disabled adult.10825.102(3)(c)3rdNeglect of an elderly person or disabled adult.12825.1025(3)3rdLewd or lascivious molestation of an elderly person or disabled adult.13825.103(2)(c)3rdExploiting an elderly person or disabled adult.14825.103(2)(c)3rdAbuse of a child.15827.03(1)3rdAbuse of a child.1627.03(3)(c)3rdNeglect of a child.17yalued at less than \$20,000.827.071(2)&(3)18827.03(1)3rdNeglect of a child.203rdUse or induce a child in a sexual performance, or promote or direct such performance.21836.052ndThreats; extortion.22836.102ndWritten threats to kill or do bodily injury.26843.123rdAids or assists person to escape.27847.0135(2)3rdUse of computer to facilitate or solicit sexual conduct of or with a minor.30313131	1	812.13(2)(c)	2nd	Robbery, no firearm or other
4greater than \$50,000.5817.4821(5)2ndPossess cloning paraphernalia with intent to create cloned cellular telephones.73rdAbuse of an elderly person or disabled adult.10825.102(3)(c)3rdNeglect of an elderly person or disabled adult.12825.102(3)(c)3rdLewd or lascivious molestation of an elderly person or disabled adult.14825.102(3)(c)3rdExploiting an elderly person or disabled adult.15825.103(2)(c)3rdExploiting an elderly person or disabled adult and property is valued at less than \$20,000.18827.03(1)3rdAbuse of a child.19827.03(3)(c)3rdNeglect of a child.202003rdNeglect of a child.212121performance, or promote or direct such performance.23836.052ndThreats; extortion.24843.123rdAids or assists person to escape.27847.0135(2)3rdUse of computer to facilitate or solicit sexual conduct of or with a minor.293037d37d	2			weapon (strong-arm robbery).
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21performance, or promote or direct22such performance.23836.052nd24836.102nd25written threats to kill or do26843.123rd27 <u>847.0135(2)</u> <u>3rd</u> 28 <u>solicit sexual conduct of or with29a minor.3030</u>	19	827.03(3)(c)	3rd	Neglect of a child.
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25bodily injury.26843.123rdAids or assists person to escape.27847.0135(2)3rdUse of computer to facilitate or solicit sexual conduct of or with a minor.283030	23	836.05	2nd	Threats; extortion.
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27 847.0135(2) 3rd Use of computer to facilitate or 28 solicit sexual conduct of or with 29 a minor. 30	25			bodily injury.
28 29 30 solicit sexual conduct of or with a minor.	26	843.12	3rd	Aids or assists person to escape.
29 <u>a minor.</u> 30	27	847.0135(2)	3rd	Use of computer to facilitate or
30	28			solicit sexual conduct of or with
	29			<u>a minor.</u>
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CODING:Words stricken are deletions; words <u>underlined</u> are additions.

1	847.0135(3)	3rd	Solicitation of a child, via a		
2			computer service, to commit an		
3			unlawful sex act.		
4	914.23	2nd	Retaliation against a witness,		
5			victim, or informant, with bodily		
6			injury.		
7	943.0435(9)	3rd	Sex offenders; failure to comply		
8			with reporting requirements.		
9	944.35(3)(a)2.	3rd	Committing malicious battery upon		
10			or inflicting cruel or inhuman		
11			treatment on an inmate or		
12			offender on community		
13			supervision, resulting in great		
14			bodily harm.		
15	944.40	2nd	Escapes.		
16	944.46	3rd	Harboring, concealing, aiding		
17			escaped prisoners.		
18	944.47(1)(a)5.	2nd	Introduction of contraband		
19			(firearm, weapon, or explosive)		
20			into correctional facility.		
21	951.22(1)	3rd	Intoxicating drug, firearm, or		
22			weapon introduced into county		
23			facility.		
24	Section 2.	This act	shall take effect July 1, 2000.		
25					
26	* * * * * * * * * * * * * * * * * * * *				
27		SEN	ATE SUMMARY		
28	Ranks as a level 6 on the Criminal Punishment Code the offense of knowingly transmitting or disseminating by				
29	computer any not	ice or ad	vertisement for the purpose of g sexual conduct of or with a		
30	minor and the of:	fense of	visually depicting such conduct.		
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