

By Senator Saunders

25-378-00

1 A bill to be entitled
2 An act relating to sentencing; amending s.
3 921.0022, F.S., relating to the offense
4 severity ranking chart of the Criminal
5 Punishment Code; ranking the offense of
6 knowingly transmitting or disseminating by
7 computer any notice or advertisement for the
8 purpose of facilitating, encouraging, offering,
9 or soliciting sexual conduct of or with a
10 minor, or visually depicting such conduct;
11 providing an effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Paragraph (f) of subsection (3) of section
16 921.0022, Florida Statutes, is amended to read:
17 921.0022 Criminal Punishment Code; offense severity
18 ranking chart.--

19 (3) OFFENSE SEVERITY RANKING CHART

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Florida	Felony	
Statute	Degree	Description
316.027(1)(b)	2nd	(f) LEVEL 6 Accident involving death, failure to stop; leaving scene.
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
775.0875(1)	3rd	Taking firearm from law enforcement officer.

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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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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1	812.13(2)(c)	2nd	Robbery, no firearm or other
2			weapon (strong-arm robbery).
3	817.034(4)(a)1.	1st	Communications fraud, value
4			greater than \$50,000.
5	817.4821(5)	2nd	Possess cloning paraphernalia
6			with intent to create cloned
7			cellular telephones.
8	825.102(1)	3rd	Abuse of an elderly person or
9			disabled adult.
10	825.102(3)(c)	3rd	Neglect of an elderly person or
11			disabled adult.
12	825.1025(3)	3rd	Lewd or lascivious molestation of
13			an elderly person or disabled
14			adult.
15	825.103(2)(c)	3rd	Exploiting an elderly person or
16			disabled adult and property is
17			valued at less than \$20,000.
18	827.03(1)	3rd	Abuse of a child.
19	827.03(3)(c)	3rd	Neglect of a child.
20	827.071(2)&(3)	2nd	Use or induce a child in a sexual
21			performance, or promote or direct
22			such performance.
23	836.05	2nd	Threats; extortion.
24	836.10	2nd	Written threats to kill or do
25			bodily injury.
26	843.12	3rd	Aids or assists person to escape.
27	<u>847.0135(2)</u>	<u>3rd</u>	<u>Use of computer to facilitate or</u>
28			<u>solicit sexual conduct of or with</u>
29			<u>a minor.</u>
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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.

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27 SENATE SUMMARY

28 Ranks as a level 6 on the Criminal Punishment Code the
29 offense of knowingly transmitting or disseminating by
30 computer any notice or advertisement for the purpose of
31 facilitating or soliciting sexual conduct of or with a
minor and the offense of visually depicting such conduct.