

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

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

11 Representative(s) Sublette, Feeney, and Ball offered the
12 following:

14 **Amendment (with title amendment)**

15 On page 8, between lines 30 & 31,

17 insert:

18 Section 4. Section 784.085, Florida Statutes, is
19 created to read:

20 784.085 Battery of child by throwing, tossing,
21 projecting, or expelling certain fluids or materials.--

22 (1) It is unlawful for any person to knowingly cause
23 or attempt to cause a child to come into contact with blood,
24 seminal fluid, or urine or feces by throwing, tossing,
25 projecting, or expelling such fluid or material.

26 (2) Any person who violates this section commits
27 battery of a child, a felony of the third degree, punishable
28 as provided in s. 775.082, s. 775.083, or s. 775.084.

29 (3) As used in this section, the term "child" means a
30 person under 18 years of age.

31 Section 5. Paragraph (d) of subsection (3) of section

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1 921.0022, Florida Statutes, is amended to read:

2 921.0022 Criminal Punishment Code; offense severity
3 ranking chart.--

4 (3) OFFENSE SEVERITY RANKING CHART

	Florida Statute	Felony Degree	Description
5 6 7 8 9			
10			(d) LEVEL 4
11 12 13 14 15 16	316.1935(3)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a marked patrol vehicle with siren and lights activated.
17 18 19	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
20 21	784.075	3rd	Battery on detention or commitment facility staff.
22 23	784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
24 25	784.081(3)	3rd	Battery on specified official or employee.
26 27	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
28	784.083(3)	3rd	Battery on code inspector.
29 30 31	<u>784.085</u>	<u>3rd</u>	<u>Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.</u>

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1	787.03(1)	3rd	Interference with custody;
2			wrongly takes child from
3			appointed guardian.
4	787.04(2)	3rd	Take, entice, or remove child
5			beyond state limits with criminal
6			intent pending custody
7			proceedings.
8	787.04(3)	3rd	Carrying child beyond state lines
9			with criminal intent to avoid
10			producing child at custody
11			hearing or delivering to
12			designated person.
13	790.115(1)	3rd	Exhibiting firearm or weapon
14			within 1,000 feet of a school.
15	790.115(2)(b)	3rd	Possessing electric weapon or
16			device, destructive device, or
17			other weapon on school property.
18	790.115(2)(c)	3rd	Possessing firearm on school
19			property.
20	800.04(7)(c)	3rd	Lewd or lascivious exhibition;
21			offender less than 18 years.
22	810.02(4)(a)	3rd	Burglary, or attempted burglary,
23			of an unoccupied structure;
24			unarmed; no assault or battery.
25	810.02(4)(b)	3rd	Burglary, or attempted burglary,
26			of an unoccupied conveyance;
27			unarmed; no assault or battery.
28	810.06	3rd	Burglary; possession of tools.
29	810.08(2)(c)	3rd	Trespass on property, armed with
30			firearm or dangerous weapon.
31			

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1	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000
2			or more but less than \$20,000.
3	812.014		
4	(2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will,
5			firearm, motor vehicle,
6			livestock, etc.
7	817.563(1)	3rd	Sell or deliver substance other
8			than controlled substance agreed
9			upon, excluding s. 893.03(5)
10			drugs.
11	828.125(1)	2nd	Kill, maim, or cause great bodily
12			harm or permanent breeding
13			disability to any registered
14			horse or cattle.
15	837.02(1)	3rd	Perjury in official proceedings.
16	837.021(1)	3rd	Make contradictory statements in
17			official proceedings.
18	843.025	3rd	Deprive law enforcement,
19			correctional, or correctional
20			probation officer of means of
21			protection or communication.
22	843.15(1)(a)	3rd	Failure to appear while on bail
23			for felony (bond estreature or
24			bond jumping).
25	874.05(1)	3rd	Encouraging or recruiting another
26			to join a criminal street gang.
27	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s.
28			893.03(1)(a), (b), or (d), or
29			(2)(a) or (b) drugs).
30	914.14(2)	3rd	Witnesses accepting bribes.
31			

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- 1 914.22(1) 3rd Force, threaten, etc., witness,
- 2 victim, or informant.
- 3 914.23(2) 3rd Retaliation against a witness,
- 4 victim, or informant, no bodily
- 5 injury.
- 6 918.12 3rd Tampering with jurors.

===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 2, line 1, after the semicolon

12

13 insert:

14 creating s. 784.085, F.S.; prohibiting battery

15 of a child by throwing, tossing, projecting, or

16 expelling certain fluids; providing a penalty;

17 providing a definition; amending s. 921.0022,

18 F.S., relating to the criminal Punishment Code;

19 conforming provisions to changes made by the

20 act;

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