

By Senator Constantine

9-748-01

1                                   A bill to be entitled  
2           An act relating to robbery; amending s. 812.13,  
3           F.S.; providing that certain enhanced penalties  
4           apply to the offense of robbery if, in the  
5           course of committing robbery, the offender used  
6           a firearm, deadly weapon, or other weapon;  
7           providing that robbery is a second-degree  
8           felony if a firearm, deadly weapon, or other  
9           weapon is not used in the course of committing  
10          the robbery; providing an effective date.

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

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14           Section 1. Subsections (1) and (2) of section 812.13,  
15 Florida Statutes, are amended to read:

16           812.13 Robbery.--

17           (1) "Robbery" means the taking of money or other  
18 property that ~~which~~ may be the subject of larceny from the  
19 person or custody of another, with intent to either  
20 permanently or temporarily deprive the person or the owner of  
21 the money or other property, when in the course of the taking  
22 there is the use of force, violence, assault, or putting in  
23 fear.

24           (2)(a) If in the course of committing the robbery the  
25 offender carried or used a firearm or other deadly weapon,  
26 then the robbery is a felony of the first degree, punishable  
27 by imprisonment for a term of years not exceeding life  
28 imprisonment or as provided in s. 775.082, s. 775.083, or s.  
29 775.084.

30           (b) If in the course of committing the robbery the  
31 offender carried or used a weapon, then the robbery is a

1 felony of the first degree, punishable as provided in s.  
2 775.082, s. 775.083, or s. 775.084.

3 (c) If in the course of committing the robbery the  
4 offender carried or used no firearm, deadly weapon, or other  
5 weapon, then the robbery is a felony of the second degree,  
6 punishable as provided in s. 775.082, s. 775.083, or s.  
7 775.084.

8 Section 2. This act shall take effect July 1, 2001.

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11 SENATE SUMMARY

12 Revises the elements of the offense of robbery to provide  
13 that robbery is a first-degree felony, punishable by life  
14 imprisonment if, in the course of committing a robbery,  
15 the offender used a firearm or deadly weapon. Provides  
16 that robbery is a first-degree felony if the offender  
17 used a weapon. Provides that robbery is a second-degree  
18 felony if the offender did not use a firearm, deadly  
19 weapon, or other weapon.  
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