

1                                   A bill to be entitled  
2           An act relating to criminal offenses; creating  
3           s. 934.215, F.S.; providing that the use of a  
4           two-way communications device to facilitate or  
5           further the commission of any felony offense is  
6           a felony of the third degree; amending s.  
7           921.0022, F.S., relating to the Criminal  
8           Punishment Code; ranking the offense of  
9           unlawfully using a two-way communications  
10          device on the offense severity ranking chart;  
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. Section 934.215, Florida Statutes, is  
16          created to read:

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18           934.215 Unlawful use of a two-way communications  
19          device.--Any person who uses a two-way communications device,  
20          including, but not limited to, a portable two-way wireless  
21          communications device, to facilitate or further the commission  
22          of any felony offense commits a felony of the third degree,  
23          punishable as provided in s. 775.082, s. 775.083, or s.  
24          775.084.

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25           Section 2. Paragraph (d) of subsection (3) of section  
26          921.0022, Florida Statutes, is amended to read:

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27           921.0022 Criminal Punishment Code; offense severity  
28          ranking chart.--

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29           (3) OFFENSE SEVERITY RANKING CHART

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1	Florida	Felony	Description
2	Statute	Degree	Description
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5			(d) LEVEL 4
6	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.
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12	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
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15	784.075	3rd	Battery on detention or commitment facility staff.
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17	784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
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19	784.081(3)	3rd	Battery on specified official or employee.
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21	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
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23	784.083(3)	3rd	Battery on code inspector.
24	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
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27	787.03(1)	3rd	Interference with custody; wrongly takes child from appointed guardian.
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1	787.04(2)	3rd	Take, entice, or remove child
2			beyond state limits with criminal
3			intent pending custody
4			proceedings.
5	787.04(3)	3rd	Carrying child beyond state lines
6			with criminal intent to avoid
7			producing child at custody
8			hearing or delivering to
9			designated person.
10	790.115(1)	3rd	Exhibiting firearm or weapon
11			within 1,000 feet of a school.
12	790.115(2)(b)	3rd	Possessing electric weapon or
13			device, destructive device, or
14			other weapon on school property.
15	790.115(2)(c)	3rd	Possessing firearm on school
16			property.
17	800.04(7)(d)	3rd	Lewd or lascivious exhibition;
18			offender less than 18 years.
19	810.02(4)(a)	3rd	Burglary, or attempted burglary,
20			of an unoccupied structure;
21			unarmed; no assault or battery.
22	810.02(4)(b)	3rd	Burglary, or attempted burglary,
23			of an unoccupied conveyance;
24			unarmed; no assault or battery.
25	810.06	3rd	Burglary; possession of tools.
26	810.08(2)(c)	3rd	Trespass on property, armed with
27			firearm or dangerous weapon.
28	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000
29			or more but less than \$20,000.
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1	812.014		
2	(2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will,
3			firearm, motor vehicle,
4			livestock, etc.
5	817.563(1)	3rd	Sell or deliver substance other
6			than controlled substance agreed
7			upon, excluding s. 893.03(5)
8			drugs.
9	828.125(1)	2nd	Kill, maim, or cause great bodily
10			harm or permanent breeding
11			disability to any registered
12			horse or cattle.
13	837.02(1)	3rd	Perjury in official proceedings.
14	837.021(1)	3rd	Make contradictory statements in
15			official proceedings.
16	843.021	3rd	Possession of a concealed
17			handcuff key by a person in
18			custody.
19	843.025	3rd	Deprive law enforcement,
20			correctional, or correctional
21			probation officer of means of
22			protection or communication.
23	843.15(1)(a)	3rd	Failure to appear while on bail
24			for felony (bond estreature or
25			bond jumping).
26	874.05(1)	3rd	Encouraging or recruiting another
27			to join a criminal street gang.
28	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s.
29			893.03(1)(a), (b), or (d),
30			(2)(a), (2)(b), or (2)(c)4.
31			drugs).

1	914.14(2)	3rd	Witnesses accepting bribes.
2	914.22(1)	3rd	Force, threaten, etc., witness,
3			victim, or informant.
4	914.23(2)	3rd	Retaliation against a witness,
5			victim, or informant, no bodily
6			injury.
7	918.12	3rd	Tampering with jurors.
8	<u>934.215</u>	<u>3rd</u>	<u>Use of two-way communications</u>
9			<u>device to facilitate commission</u>
10			<u>of a crime.</u>

11           Section 3. This act shall take effect July 1, 2001.

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