

Bill No. CS for CS for SB 1282

Amendment No. Barcode 105400

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Burt moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 Delete everything after the enacting clause

15 and insert:

16 Section 1. Section 812.012, Florida Statutes, is
17 amended to read:

18 812.012 Definitions.--As used in ss. 812.012-812.037:

19 (1) "Cargo" means partial or entire shipments,

20 containers, or cartons of property which are contained in or

21 on a trailer, motortruck, aircraft, vessel, warehouse, freight

22 station, freight consolidation facility, or air navigation

23 facility.

24 (2)(1) "Dealer in property" means any person in the
25 business of buying and selling property.

26 (3)(2) "Obtains or uses" means any manner of:

27 (a) Taking or exercising control over property.

28 (b) Making any unauthorized use, disposition, or

29 transfer of property.

30 (c) Obtaining property by fraud, willful

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1 misrepresentation of a future act, or false promise.

2 (d)1. Conduct previously known as stealing; larceny;
3 purloining; abstracting; embezzlement; misapplication;
4 misappropriation; conversion; or obtaining money or property
5 by false pretenses, fraud, or deception; or

6 2. Other conduct similar in nature.

7 ~~(4)(3)~~ "Property" means anything of value, and
8 includes:

9 (a) Real property, including things growing on,
10 affixed to, and found in land.

11 (b) Tangible or intangible personal property,
12 including rights, privileges, interests, and claims.

13 (c) Services.

14 ~~(5)(4)~~ "Property of another" means property in which a
15 person has an interest upon which another person is not
16 privileged to infringe without consent, whether or not the
17 other person also has an interest in the property.

18 ~~(6)(5)~~ "Services" means anything of value resulting
19 from a person's physical or mental labor or skill, or from the
20 use, possession, or presence of property, and includes:

21 (a) Repairs or improvements to property.

22 (b) Professional services.

23 (c) Private, public, or government communication,
24 transportation, power, water, or sanitation services.

25 (d) Lodging accommodations.

26 (e) Admissions to places of exhibition or
27 entertainment.

28 ~~(7)(6)~~ "Stolen property" means property that has been
29 the subject of any criminally wrongful taking.

30 ~~(8)(7)~~ "Traffic" means:

31 (a) To sell, transfer, distribute, dispense, or

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1 otherwise dispose of property.

2 (b) To buy, receive, possess, obtain control of, or
3 use property with the intent to sell, transfer, distribute,
4 dispense, or otherwise dispose of such property.

5 ~~(9)(8)~~ "Enterprise" means any individual, sole
6 proprietorship, partnership, corporation, business trust,
7 union chartered under the laws of this state, or other legal
8 entity, or any unchartered union, association, or group of
9 individuals associated in fact although not a legal entity.

10 ~~(10)(9)~~ "Value" means value determined according to
11 any of the following:

12 (a)1. Value means the market value of the property at
13 the time and place of the offense or, if such cannot be
14 satisfactorily ascertained, the cost of replacement of the
15 property within a reasonable time after the offense.

16 2. The value of a written instrument that does not
17 have a readily ascertainable market value, in the case of an
18 instrument such as a check, draft, or promissory note, is the
19 amount due or collectible or is, in the case of any other
20 instrument which creates, releases, discharges, or otherwise
21 affects any valuable legal right, privilege, or obligation,
22 the greatest amount of economic loss that the owner of the
23 instrument might reasonably suffer by virtue of the loss of
24 the instrument.

25 3. The value of a trade secret that does not have a
26 readily ascertainable market value is any reasonable value
27 representing the damage to the owner, suffered by reason of
28 losing an advantage over those who do not know of or use the
29 trade secret.

30 (b) If the value of property cannot be ascertained,
31 the trier of fact may find the value to be not less than a

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1 certain amount; if no such minimum value can be ascertained,
2 the value is an amount less than \$100.

3 (c) Amounts of value of separate properties involved
4 in thefts committed pursuant to one scheme or course of
5 conduct, whether the thefts are from the same person or from
6 several persons, may be aggregated in determining the grade of
7 the offense.

8 Section 2. Paragraphs (a) and (b) of subsection (2) of
9 section 812.014, Florida Statutes, are amended to read:

10 812.014 Theft.--

11 (2)(a)1. If the property stolen is valued at \$100,000
12 or more; or

13 2. If the property stolen is cargo valued at \$50,000
14 or more that has entered the stream of interstate or
15 intrastate commerce from the shipper's loading platform to the
16 consignee's receiving dock; or

17 ~~3.2.~~ If the offender commits any grand theft and:

18 a. In the course of committing the offense the
19 offender uses a motor vehicle as an instrumentality, other
20 than merely as a getaway vehicle, to assist in committing the
21 offense and thereby damages the real property of another; or

22 b. In the course of committing the offense the
23 offender causes damage to the real or personal property of
24 another in excess of \$1,000,

25
26 the offender commits grand theft in the first degree,
27 punishable as a felony of the first degree, as provided in s.
28 775.082, s. 775.083, or s. 775.084.

29 (b)1. If the property stolen is valued at \$20,000 or
30 more, but less than \$100,000,

31 2. The property stolen is cargo valued at less than

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1 \$50,000 that has entered the stream of interstate or
2 intrastate commerce from the shipper's loading platform to the
3 consignee's receiving dock, or

4 3. The property stolen is emergency medical equipment,
5 valued at \$300 or more, that is taken from a facility licensed
6 under chapter 395 or from an aircraft or vehicle permitted
7 under chapter 401,

8
9 the offender commits grand theft in the second degree,
10 punishable as a felony of the second degree, as provided in s.
11 775.082, s. 775.083, or s. 775.084. Emergency medical
12 equipment means mechanical or electronic apparatus used to
13 provide emergency services and care as defined in s.
14 395.002(10) or to treat medical emergencies.

15 Section 3. Paragraphs (d) and (h) of subsection (1)
16 and subsections (5) and (7) of section 812.015, Florida
17 Statutes, are amended, and subsections (8) and (9) are added
18 to said section, to read:

19 812.015 Retail and farm theft; transit fare evasion;
20 mandatory fine; alternative punishment; detention and arrest;
21 exemption from liability for false arrest; resisting arrest;
22 penalties.--

23 (1) As used in this section:

24 (d) "Retail theft" means the taking possession of or
25 carrying away of merchandise, property, money, or negotiable
26 documents; altering or removing a label, universal product
27 code, or price tag; transferring merchandise from one
28 container to another; or removing a shopping cart, with intent
29 to deprive the merchant of possession, use, benefit, or full
30 retail value.

31 (h) "Antishoplifting or inventory control device"

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1 means a mechanism or other device designed and operated for
2 the purpose of detecting the removal from a mercantile
3 establishment or similar enclosure, or from a protected area
4 within such an enclosure, of specially marked or tagged
5 merchandise. The term includes any electronic or digital
6 imaging or any video recording or other film used for security
7 purposes and the cash register tape or other record made of
8 the register receipt.

9 (5)(a) A merchant, merchant's employee, farmer, or a
10 transit agency's employee or agent who takes a person into
11 custody, as provided in subsection (3), or who causes an
12 arrest, as provided in subsection (4), of a person for retail
13 theft, farm theft, transit fare evasion, or trespass shall not
14 be criminally or civilly liable for false arrest or false
15 imprisonment when the merchant, merchant's employee, farmer,
16 or a transit agency's employee or agent has probable cause to
17 believe that the person committed retail theft, farm theft,
18 transit fare evasion, or trespass.

19 (b) If a merchant or merchant's employee takes a
20 person into custody as provided in this section, or acts as a
21 witness with respect to any person taken into custody as
22 provided in this section, the merchant or merchant's employee
23 may provide his or her business address rather than home
24 address to any investigating law enforcement officer.

25 (7) It is unlawful to possess, or use or attempt to
26 use, any antishoplifting or inventory control device
27 countermeasure within any premises used for the retail
28 purchase or sale of any merchandise. Any person who possesses
29 any antishoplifting or inventory control device countermeasure
30 within any premises used for the retail purchase or sale of
31 any merchandise commits a felony ~~misdemeanor~~ of the third

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1 ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~ s.
2 775.083, or s. 775.084. Any person who uses or attempts to
3 use any antishoplifting or inventory control device
4 countermeasure within any premises used for the retail
5 purchase or sale of any merchandise commits a felony of the
6 third degree, punishable as provided in s. 775.082, s.
7 775.083, or s. 775.084.

8 (8) If a person commits retail theft, it is a felony
9 of the third degree, punishable as provided in s. 775.082, s.
10 775.083, or s. 775.084, if the property stolen is valued at
11 \$300 or more, and the person:

12 (a) Individually, or in concert with one or more other
13 persons, coordinates the activities of one or more individuals
14 in committing the offense, in which case the amount of each
15 individual theft is aggregated to determine the value of the
16 property stolen;

17 (b) Commits theft from more than one location within a
18 48-hour period, in which case the amount of each individual
19 theft is aggregated to determine the value of the property
20 stolen;

21 (c) Acts in concert with one or more other individuals
22 within one or more establishments to distract the merchant,
23 merchant's employee, or law enforcement officer in order to
24 carry out the offense, or acts in other ways to coordinate
25 efforts to carry out the offense; or

26 (d) Commits the offense through the purchase of
27 merchandise in a package or box that contains merchandise
28 other than, or in addition to, the merchandise purported to be
29 contained in the package or box.

30 (9) Any person who violates subsection (8) and who has
31 previously been convicted of a violation of subsection (8)

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

3 Section 4. Section 812.0155, Florida Statutes, is
4 created to read:

5 812.0155 Suspension of driver's license following an
6 adjudication of guilt for theft.--

7 (1) Except as provided in subsections (2) and (3), the
8 court may order the suspension of the driver's license of each
9 person adjudicated guilty of any misdemeanor violation of s.
10 812.014 or s. 812.015, regardless of the value of the property
11 stolen. The court shall order the suspension of the driver's
12 license of each person adjudicated guilty of any misdemeanor
13 violation of s. 812.014 or s. 812.015 who has previously been
14 convicted of such an offense. Upon ordering the suspension of
15 the driver's license of the person adjudicated guilty, the
16 court shall forward the driver's license of the person
17 adjudicated guilty to the Department of Highway Safety and
18 Motor Vehicles in accordance with s. 322.25.

19 (a) The first suspension of a driver's license under
20 this subsection shall be for a period of up to 6 months.

21 (b) A second or subsequent suspension of a driver's
22 license under this subsection shall be for 1 year.

23 (2) The court may revoke, suspend, or withhold
24 issuance of a driver's license of a person less than 18 years
25 of age who violates s. 812.014 or s. 812.015 as an alternative
26 to sentencing the person to:

27 (a) Probation as defined in s. 985.03 or commitment to
28 the Department of Juvenile Justice, if the person is
29 adjudicated delinquent for such violation and has not
30 previously been convicted of or adjudicated delinquent for any
31 criminal offense, regardless of whether adjudication was

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1 withheld.

2 (b) Probation as defined in s. 985.03, commitment to
3 the Department of Juvenile Justice, probation as defined in s.
4 948.01, community control, or incarceration, if the person is
5 convicted as an adult of such violation and has not previously
6 been convicted of or adjudicated delinquent for any criminal
7 offense, regardless of whether adjudication was withheld.

8 (3) As used in this subsection, the term "department"
9 means the Department of Highway Safety and Motor Vehicles. A
10 court that revokes, suspends, or withholds issuance of a
11 driver's license under subsection (2) shall:

12 (a) If the person is eligible by reason of age for a
13 driver's license or driving privilege, direct the department
14 to revoke or withhold issuance of the person's driver's
15 license or driving privilege for not less than 6 months and
16 not more than 1 year;

17 (b) If the person's driver's license is under
18 suspension or revocation for any reason, direct the department
19 to extend the period of suspension or revocation by not less
20 than 6 months and not more than 1 year; or

21 (c) If the person is ineligible by reason of age for a
22 driver's license or driving privilege, direct the department
23 to withhold issuance of the person's driver's license or
24 driving privilege for not less than 6 months and not more than
25 1 year after the date on which the person would otherwise
26 become eligible.

27 (4) Subsections (2) and (3) do not preclude the court
28 from imposing any sanction specified or not specified in
29 subsection (2) or subsection (3).

30 Section 5. Section 812.017, Florida Statutes, is
31 created to read:

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1 812.017 Use of a fraudulently obtained or false
2 receipt.--

3 (1) Any person who requests a refund of merchandise,
4 money, or any other thing of value through the use of a
5 fraudulently obtained receipt or false receipt commits a
6 misdemeanor of the second degree, punishable as provided in s.
7 775.082 or s. 775.083.

8 (2) Any person who obtains merchandise, money, or any
9 other thing of value through the use of a fraudulently
10 obtained receipt or false receipt commits a misdemeanor of the
11 first degree, punishable as provided in s. 775.082 or s.
12 775.083.

13 Section 6. Section 812.0195, Florida Statutes, is
14 created to read:

15 812.0195 Dealing in stolen property by use of the
16 Internet.--Any person in this state who uses the Internet to
17 sell or offer for sale any merchandise or other property that
18 the person knows, or has reasonable cause to believe, is
19 stolen commits:

20 (1) A misdemeanor of the second degree, punishable as
21 provided in s. 775.082 or s. 775.083, if the value of the
22 property is less than \$300; or

23 (2) A felony of the third degree, punishable as
24 provided in s. 775.082, s. 775.083, or s. 775.084, if the
25 value of the property is \$300 or more.

26 Section 7. Section 817.625, Florida Statutes, is
27 created to read:

28 817.625 Use of scanning device or reencoder to
29 defraud; penalties.--

30 (1) As used in this section, the term:

31 (a) "Scanning device" means a scanner, reader, or any

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1 other electronic device that is used to access, read, scan,
2 obtain, memorize, or store, temporarily or permanently,
3 information encoded on the magnetic strip or stripe of a
4 payment card.

5 (b) "Reencoder" means an electronic device that places
6 encoded information from the magnetic strip or stripe of a
7 payment card onto the magnetic strip or stripe of a different
8 payment card.

9 (c) "Payment card" means a credit card, charge card,
10 debit card, or any other card that is issued to an authorized
11 card user and that allows the user to obtain, purchase, or
12 receive goods, services, money, or anything else of value from
13 a merchant.

14 (d) "Merchant" means a person who receives from an
15 authorized user of a payment card, or someone the person
16 believes to be an authorized user, a payment card or
17 information from a payment card, or what the person believes
18 to be a payment card or information from a payment card, as
19 the instrument for obtaining, purchasing, or receiving goods,
20 services, money, or anything else of value from the person.

21 (2)(a) It is a felony of the third degree, punishable
22 as provided in s. 775.082, s. 775.083, or s. 775.084, for a
23 person to use:

24 1. A scanning device to access, read, obtain,
25 memorize, or store, temporarily or permanently, information
26 encoded on the magnetic strip or stripe of a payment card
27 without the permission of the authorized user of the payment
28 card and with the intent to defraud the authorized user, the
29 issuer of the authorized user's payment card, or a merchant.

30 2. A reencoder to place information encoded on the
31 magnetic strip or stripe of a payment card onto the magnetic

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1 strip or stripe of a different card without the permission of
2 the authorized user of the card from which the information is
3 being reencoded and with the intent to defraud the authorized
4 user, the issuer of the authorized user's payment card, or a
5 merchant.

6 (b) Any person who violates subparagraph (a)1. or
7 subparagraph (a)2. a second or subsequent time commits a
8 felony of the second degree, punishable as provided in s.
9 775.082, s. 775.083, or s. 775.084.

10 (c) Any person who violates subparagraph (a)1. or
11 subparagraph (a)2. shall also be subject to the provisions of
12 ss. 932.701-932.707.

13 Section 8. Section 831.07, Florida Statutes, is
14 amended to read:

15 831.07 Forging bank bills, checks, drafts, or
16 promissory notes.--Whoever falsely makes, alters, forges or
17 counterfeits a bank bill, check, draft, or promissory note
18 payable to the bearer thereof, or to the order of any person,
19 issued by an incorporated banking company established in this
20 state, or within the United States, or any foreign province,
21 state, or government, with intent to injure any person,
22 commits ~~shall be guilty of~~ a felony of the third degree,
23 punishable as provided in s. 775.082, s. 775.083, or s.
24 775.084.

25 Section 9. Section 831.08, Florida Statutes, is
26 amended to read:

27 831.08 Possessing certain forged notes, ~~or bills,~~
28 checks, or drafts.--Whoever has in his or her possession 10 or
29 more similar false, altered, forged, or counterfeit notes,
30 bills of credit, bank bills, checks, drafts, or notes, such as
31 are mentioned in any of the preceding sections of this

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1 chapter, payable to the bearer thereof or to the order of any
2 person, knowing the same to be false, altered, forged, or
3 counterfeit, with intent to utter and pass the same as true,
4 and thereby to injure or defraud any person, commits ~~shall be~~
5 ~~guilty~~ of a felony of the third degree, punishable as provided
6 in s. 775.082, s. 775.083, or s. 775.084.

7 Section 10. Section 831.09, Florida Statutes, is
8 amended to read:

9 831.09 Uttering forged bills, checks, drafts, or
10 notes.--Whoever utters or passes or tenders in payment as
11 true, any such false, altered, forged, or counterfeit note, or
12 any bank bill, check, draft, or promissory note, payable to
13 the bearer thereof or to the order of any person, issued as
14 aforesaid, knowing the same to be false, altered, forged, or
15 counterfeit, with intent to injure or defraud any person,
16 commits ~~shall be guilty~~ of a felony of the third degree,
17 punishable as provided in s. 775.082, s. 775.083, or s.
18 775.084.

19 Section 11. For the purpose of incorporating the
20 amendments made by this act to section 831.09, Florida
21 Statutes, in references thereto, section 831.10, Florida
22 Statutes, is reenacted to read:

23 831.10 Second conviction of uttering forged
24 bills.--Whoever, having been convicted of the offense
25 mentioned in s. 831.09 is again convicted of the like offense
26 committed after the former conviction, and whoever is at the
27 same term of the court convicted upon three distinct charges
28 of such offense, shall be deemed a common utterer of
29 counterfeit bills, and shall be punished as provided in s.
30 775.084.

31 Section 12. Section 831.11, Florida Statutes, is

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1 amended to read:

2 831.11 Bringing into the state forged bank bills,
3 checks, drafts, or notes.--Whoever brings into this state or
4 has in his or her possession a false, forged, or counterfeit
5 bill, check, draft, or note in the similitude of the bills or
6 notes payable to the bearer thereof or to the order of any
7 person issued by or for any bank or banking company
8 established in this state, or within the United States, or any
9 foreign province, state or government, with intent to utter
10 and pass the same or to render the same current as true,
11 knowing the same to be false, forged, or counterfeit, commits
12 ~~shall be guilty of~~ a felony of the third degree, punishable as
13 provided in s. 775.082, s. 775.083, or s. 775.084.

14 Section 13. Section 831.12, Florida Statutes, is
15 amended to read:

16 831.12 Fraudulently connecting parts of genuine
17 instrument.--Whoever fraudulently connects together parts of
18 several banknotes, checks, drafts, or other genuine
19 instruments in such a manner as to produce one additional
20 note, check, draft, or instrument, with intent to pass all of
21 them as genuine, commits ~~shall be deemed guilty of~~ forgery in
22 ~~like manner~~ as if each of them had been falsely made or
23 forged.

24 Section 14. Section 831.28, Florida Statutes, is
25 created to read:

26 831.28 Counterfeiting a payment instrument; possessing
27 a counterfeit payment instrument; penalties.--

28 (1) As used in this section, the term "counterfeit"
29 means the manufacture of or arrangement to manufacture a
30 payment instrument, as defined in s. 560.103, without the
31 permission of the financial institution, account holder, or

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1 organization whose name, routing number, or account number
2 appears on the payment instrument, or the manufacture of any
3 payment instrument with a fictitious name, routing number, or
4 account number.

5 (2)(a) It is unlawful to counterfeit a payment
6 instrument with the intent to defraud a financial institution,
7 account holder, or any other person or organization or for a
8 person to have any counterfeit payment instrument in such
9 person's possession. Any person who violates this subsection
10 commits a felony of the third degree, punishable as provided
11 in s. 775.082, s. 775.083, or s. 775.084.

12 (b) The printing of a payment instrument in the name
13 of a person or entity or with the routing number or account
14 number of a person or entity without the permission of the
15 person or entity to manufacture or reproduce such payment
16 instrument with such name, routing number, or account number
17 is prima facie evidence of intent to defraud.

18 (3) This section does not apply to a law enforcement
19 agency that produces or displays counterfeit payment
20 instruments for investigative or educational purposes.

21 Section 15. Subsection (10) is added to section
22 832.05, Florida Statutes, to read:

23 832.05 Giving worthless checks, drafts, and debit card
24 orders; penalty; duty of drawee; evidence; costs; complaint
25 form.--

26 (10) CONSTRUCTION; PAYEE OR HOLDER; INSUFFICIENT
27 FUNDS.--For the purposes of construction of this section, a
28 payee or holder does not have knowledge, express notification,
29 or reason to believe that the maker or drawer has insufficient
30 funds to ensure payment of a check, draft, or debit card
31 solely because the maker or drawer has previously drawn or

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1 issued a worthless check, draft, or debit card order to the
 2 payee or holder.

3 Section 16. Paragraphs (b), (c), (d), (e), (f), and
 4 (g) of subsection (3) of section 921.0022, Florida Statutes,
 5 are amended to read:

6 921.0022 Criminal Punishment Code; offense severity
 7 ranking chart.--

8 (3) OFFENSE SEVERITY RANKING CHART

10 Florida Statute	Felony Degree	Description
14		(b) LEVEL 2
15 403.413(5)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
20 517.07	3rd	Registration of securities and furnishing of prospectus required.
23 590.28(1)	3rd	Willful, malicious, or intentional burning.
25 784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
29 787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.

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1	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000
2			or more to public communication
3			or any other public service.
4	810.09(2)(e)	3rd	Trespassing on posted commerical
5			horticulture property.
6	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or
7			more but less than \$5,000.
8	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or
9			more but less than \$300, taken
10			from unenclosed curtilage of
11			dwelling.
12	<u>812.015(7)</u>	<u>3rd</u>	<u>Possession, use, or attempted use</u>
13			<u>of an antishoplifting or</u>
14			<u>inventory control device</u>
15			<u>countermeasure.</u>
16	817.234(1)(a)2.	3rd	False statement in support of
17			insurance claim.
18	817.481(3)(a)	3rd	Obtain credit or purchase with
19			false, expired, counterfeit,
20			etc., credit card, value over
21			\$300.
22	817.52(3)	3rd	Failure to redeliver hired
23			vehicle.
24	817.54	3rd	With intent to defraud, obtain
25			mortgage note, etc., by false
26			representation.
27	817.60(5)	3rd	Dealing in credit cards of
28			another.
29	817.60(6)(a)	3rd	Forgery; purchase goods, services
30			with false card.
31			

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1	817.61	3rd	Fraudulent use of credit cards
2			over \$100 or more within 6
3			months.
4	826.04	3rd	Knowingly marries or has sexual
5			intercourse with person to whom
6			related.
7	831.01	3rd	Forgery.
8	831.02	3rd	Uttering forged instrument;
9			utters or publishes alteration
10			with intent to defraud.
11	831.07	3rd	Forging bank bills, <u>checks,</u>
12			<u>drafts,</u> or promissory <u>notes</u> note.
13	831.08	3rd	Possessing <u>Possession of</u> 10 or
14			more forged notes, <u>bills, checks,</u>
15			<u>or drafts.</u>
16	831.09	3rd	Uttering forged <u>notes, bills,</u>
17			<u>checks, drafts, or promissory</u>
18			<u>notes;</u> passes as bank bill or
19			promissory note.
20	<u>831.11</u>	<u>3rd</u>	<u>Bringing into the state forged</u>
21			<u>bank bills, checks, drafts, or</u>
22			<u>notes.</u>
23	832.05(3)(a)	3rd	Cashing or depositing item with
24			intent to defraud.
25	843.08	3rd	Falsely impersonating an officer.
26	893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c),
27			(2)(c)1., (2)(c)2., (2)(c)3.,
28			(2)(c)5., (2)(c)6., (2)(c)7.,
29			(2)(c)8., (2)(c)9., (3), or (4)
30			drugs other than cannabis.
31			

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1	893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.
2			
3			(c) LEVEL 3
4	316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in marked patrol vehicle with siren and lights activated.
5			
6			
7			
8	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
9			
10			
11	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
12			
13			
14	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
15			
16	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
17			
18			
19			
20	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
21			
22			
23			
24	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
25			
26			
27	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
28			
29			
30	501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially
31			

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1			false/misleading information.
2	697.08	3rd	Equity skimming.
3	790.15(3)	3rd	Person directs another to
4			discharge firearm from a vehicle.
5	796.05(1)	3rd	Live on earnings of a prostitute.
6	806.10(1)	3rd	Maliciously injure, destroy, or
7			interfere with vehicles or
8			equipment used in firefighting.
9	806.10(2)	3rd	Interferes with or assaults
10			firefighter in performance of
11			duty.
12	810.09(2)(c)	3rd	Trespass on property other than
13			structure or conveyance armed
14			with firearm or dangerous weapon.
15	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but
16			less than \$10,000.
17	815.04(4)(b)	2nd	Computer offense devised to
18			defraud or obtain property.
19	817.034(4)(a)3.	3rd	Engages in scheme to defraud
20			(Florida Communications Fraud
21			Act), property valued at less
22			than \$20,000.
23	817.233	3rd	Burning to defraud insurer.
24	828.12(2)	3rd	Tortures any animal with intent
25			to inflict intense pain, serious
26			physical injury, or death.
27	<u>831.28(2)(a)</u>	<u>3rd</u>	<u>Counterfeiting a payment</u>
28			<u>instrument with intent to defraud</u>
29			<u>or possessing a counterfeit</u>
30			<u>payment instrument.</u>
31			

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1	831.29	2nd	Possession of instruments for
2			counterfeiting drivers' licenses
3			or identification cards.
4	838.021(3)(b)	3rd	Threatens unlawful harm to public
5			servant.
6	843.19	3rd	Injure, disable, or kill police
7			dog or horse.
8	870.01(2)	3rd	Riot; inciting or encouraging.
9	893.13(1)(a)2.	3rd	Sell, manufacture, or deliver
10			cannabis (or other s.
11			893.03(1)(c), (2)(c)1., (2)(c)2.,
12			(2)(c)3., (2)(c)5., (2)(c)6.,
13			(2)(c)7., (2)(c)8., (2)(c)9.,
14			(3), or (4) drugs).
15	893.13(1)(d)2.	2nd	Sell, manufacture, or deliver s.
16			893.03(1)(c), (2)(c)1., (2)(c)2.,
17			(2)(c)3., (2)(c)5., (2)(c)6.,
18			(2)(c)7., (2)(c)8., (2)(c)9.,
19			(3), or (4) drugs within 200 feet
20			of university or public park.
21	893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s.
22			893.03(1)(c), (2)(c)1., (2)(c)2.,
23			(2)(c)3., (2)(c)5., (2)(c)6.,
24			(2)(c)7., (2)(c)8., (2)(c)9.,
25			(3), or (4) drugs within 200 feet
26			of public housing facility.
27	893.13(6)(a)	3rd	Possession of any controlled
28			substance other than felony
29			possession of cannabis.
30	893.13(7)(a)9.	3rd	Obtain or attempt to obtain
31			controlled substance by fraud,

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1			forgery, misrepresentation, etc.
2	893.13(7)(a)11.	3rd	Furnish false or fraudulent
3			material information on any
4			document or record required by
5			chapter 893.
6	918.13(1)(a)	3rd	Alter, destroy, or conceal
7			investigation evidence.
8	944.47		
9	(1)(a)1.-2.	3rd	Introduce contraband to
10			correctional facility.
11	944.47(1)(c)	2nd	Possess contraband while upon the
12			grounds of a correctional
13			institution.
14	985.3141	3rd	Escapes from a juvenile facility
15			(secure detention or residential
16			commitment facility).
17			(d) LEVEL 4
18	316.1935(3)	2nd	Driving at high speed or with
19			wanton disregard for safety while
20			fleeing or attempting to elude
21			law enforcement officer who is in
22			a marked patrol vehicle with
23			siren and lights activated.
24	784.07(2)(b)	3rd	Battery of law enforcement
25			officer, firefighter, intake
26			officer, etc.
27	784.075	3rd	Battery on detention or
28			commitment facility staff.
29	784.08(2)(c)	3rd	Battery on a person 65 years of
30			age or older.
31			

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1	784.081(3)	3rd	Battery on specified official or
2			employee.
3	784.082(3)	3rd	Battery by detained person on
4			visitor or other detainee.
5	784.083(3)	3rd	Battery on code inspector.
6	784.085	3rd	Battery of child by throwing,
7			tossing, projecting, or expelling
8			certain fluids or materials.
9	787.03(1)	3rd	Interference with custody;
10			wrongly takes child from
11			appointed guardian.
12	787.04(2)	3rd	Take, entice, or remove child
13			beyond state limits with criminal
14			intent pending custody
15			proceedings.
16	787.04(3)	3rd	Carrying child beyond state lines
17			with criminal intent to avoid
18			producing child at custody
19			hearing or delivering to
20			designated person.
21	790.115(1)	3rd	Exhibiting firearm or weapon
22			within 1,000 feet of a school.
23	790.115(2)(b)	3rd	Possessing electric weapon or
24			device, destructive device, or
25			other weapon on school property.
26	790.115(2)(c)	3rd	Possessing firearm on school
27			property.
28	800.04(7)(d)	3rd	Lewd or lascivious exhibition;
29			offender less than 18 years.
30	810.02(4)(a)	3rd	Burglary, or attempted burglary,
31			of an unoccupied structure;

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1			unarmed; no assault or battery.
2	810.02(4)(b)	3rd	Burglary, or attempted burglary,
3			of an unoccupied conveyance;
4			unarmed; no assault or battery.
5	810.06	3rd	Burglary; possession of tools.
6	810.08(2)(c)	3rd	Trespass on property, armed with
7			firearm or dangerous weapon.
8	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000
9			or more but less than \$20,000.
10	812.014		
11	(2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will,
12			firearm, motor vehicle,
13			livestock, etc.
14	<u>812.0195(2)</u>	<u>3rd</u>	<u>Dealing in stolen property by use</u>
15			<u>of the Internet; property stolen</u>
16			<u>\$300 or more.</u>
17	817.563(1)	3rd	Sell or deliver substance other
18			than controlled substance agreed
19			upon, excluding s. 893.03(5)
20			drugs.
21	<u>817.625(2)(a)</u>	<u>3rd</u>	<u>Fraudulent use of scanning device</u>
22			<u>or reencoder.</u>
23	828.125(1)	2nd	Kill, maim, or cause great bodily
24			harm or permanent breeding
25			disability to any registered
26			horse or cattle.
27	837.02(1)	3rd	Perjury in official proceedings.
28	837.021(1)	3rd	Make contradictory statements in
29			official proceedings.
30	843.021	3rd	Possession of a concealed
31			handcuff key by a person in

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1			custody.
2	843.025	3rd	Deprive law enforcement,
3			correctional, or correctional
4			probation officer of means of
5			protection or communication.
6	843.15(1)(a)	3rd	Failure to appear while on bail
7			for felony (bond estreature or
8			bond jumping).
9	874.05(1)	3rd	Encouraging or recruiting another
10			to join a criminal street gang.
11	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s.
12			893.03(1)(a), (b), or (d),
13			(2)(a), (2)(b), or (2)(c)4.
14			drugs).
15	914.14(2)	3rd	Witnesses accepting bribes.
16	914.22(1)	3rd	Force, threaten, etc., witness,
17			victim, or informant.
18	914.23(2)	3rd	Retaliation against a witness,
19			victim, or informant, no bodily
20			injury.
21	918.12	3rd	Tampering with jurors.
22			(e) LEVEL 5
23	316.027(1)(a)	3rd	Accidents involving personal
24			injuries, failure to stop;
25			leaving scene.
26	316.1935(4)	2nd	Aggravated fleeing or eluding.
27	322.34(6)	3rd	Careless operation of motor
28			vehicle with suspended license,
29			resulting in death or serious
30			bodily injury.
31			

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1	327.30(5)	3rd	Vessel accidents involving
2			personal injury; leaving scene.
3	381.0041(11)(b)	3rd	Donate blood, plasma, or organs
4			knowing HIV positive.
5	790.01(2)	3rd	Carrying a concealed firearm.
6	790.162	2nd	Threat to throw or discharge
7			destructive device.
8	790.163	2nd	False report of deadly explosive.
9	790.165(2)	3rd	Manufacture, sell, possess, or
10			deliver hoax bomb.
11	790.221(1)	2nd	Possession of short-barreled
12			shotgun or machine gun.
13	790.23	2nd	Felons in possession of firearms
14			or electronic weapons or devices.
15	800.04(6)(c)	3rd	Lewd or lascivious conduct;
16			offender less than 18 years.
17	800.04(7)(c)	2nd	Lewd or lascivious exhibition;
18			offender 18 years or older.
19	806.111(1)	3rd	Possess, manufacture, or dispense
20			fire bomb with intent to damage
21			any structure or property.
22	<u>812.015(8)</u>	<u>3rd</u>	<u>Retail theft; property stolen is</u>
23			<u>valued at \$300 or more and one or</u>
24			<u>more specified acts.</u>
25	812.019(1)	2nd	Stolen property; dealing in or
26			trafficking in.
27	812.131(2)(b)	3rd	Robbery by sudden snatching.
28	812.16(2)	3rd	Owning, operating, or conducting
29			a chop shop.
30	817.034(4)(a)2.	2nd	Communications fraud, value
31			\$20,000 to \$50,000.

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1	<u>817.625(2)(b)</u>	<u>2nd</u>	<u>Second or subsequent fraudulent</u>
2			<u>use of scanning device or</u>
3			<u>reencoder.</u>
4	825.1025(4)	3rd	Lewd or lascivious exhibition in
5			the presence of an elderly person
6			or disabled adult.
7	827.071(4)	2nd	Possess with intent to promote
8			any photographic material, motion
9			picture, etc., which includes
10			sexual conduct by a child.
11	843.01	3rd	Resist officer with violence to
12			person; resist arrest with
13			violence.
14	874.05(2)	2nd	Encouraging or recruiting another
15			to join a criminal street gang;
16			second or subsequent offense.
17	893.13(1)(a)1.	2nd	Sell, manufacture, or deliver
18			cocaine (or other s.
19			893.03(1)(a), (1)(b), (1)(d),
20			(2)(a), (2)(b), or (2)(c)4.
21			drugs).
22	893.13(1)(c)2.	2nd	Sell, manufacture, or deliver
23			cannabis (or other s.
24			893.03(1)(c), (2)(c)1., (2)(c)2.,
25			(2)(c)3., (2)(c)5., (2)(c)6.,
26			(2)(c)7., (2)(c)8., (2)(c)9.,
27			(3), or (4) drugs) within 1,000
28			feet of a child care facility or
29			school.
30	893.13(1)(d)1.	1st	Sell, manufacture, or deliver
31			cocaine (or other s.

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1			893.03(1)(a), (1)(b), (1)(d),
2			(2)(a), (2)(b), or (2)(c)4.
3			drugs) within 200 feet of
4			university or public park.
5	893.13(1)(e)2.	2nd	Sell, manufacture, or deliver
6			cannabis or other drug prohibited
7			under s. 893.03(1)(c), (2)(c)1.,
8			(2)(c)2., (2)(c)3., (2)(c)5.,
9			(2)(c)6., (2)(c)7., (2)(c)8.,
10			(2)(c)9., (3), or (4) within
11			1,000 feet of property used for
12			religious services or a specified
13			business site.
14	893.13(1)(f)1.	1st	Sell, manufacture, or deliver
15			cocaine (or other s.
16			893.03(1)(a), (1)(b), (1)(d), or
17			(2)(a), (2)(b), or (2)(c)4.
18			drugs) within 200 feet of public
19			housing facility.
20	893.13(4)(b)	2nd	Deliver to minor cannabis (or
21			other s. 893.03(1)(c), (2)(c)1.,
22			(2)(c)2., (2)(c)3., (2)(c)5.,
23			(2)(c)6., (2)(c)7., (2)(c)8.,
24			(2)(c)9., (3), or (4) drugs).
25			(f) LEVEL 6
26	316.027(1)(b)	2nd	Accident involving death, failure
27			to stop; leaving scene.
28	316.193(2)(b)	3rd	Felony DUI, 4th or subsequent
29			conviction.
30	775.0875(1)	3rd	Taking firearm from law
31			enforcement officer.

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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.
30	790.161(2)	2nd	Make, possess, or throw
31			destructive device with intent to

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1			do bodily harm or damage
2			property.
3	790.164(1)	2nd	False report of deadly explosive
4			or act of arson or violence to
5			state property.
6	790.19	2nd	Shooting or throwing deadly
7			missiles into dwellings, vessels,
8			or vehicles.
9	794.011(8)(a)	3rd	Solicitation of minor to
10			participate in sexual activity by
11			custodial adult.
12	794.05(1)	2nd	Unlawful sexual activity with
13			specified minor.
14	800.04(5)(d)	3rd	Lewd or lascivious molestation;
15			victim 12 years of age or older
16			but less than 16 years; offender
17			less than 18 years.
18	800.04(6)(b)	2nd	Lewd or lascivious conduct;
19			offender 18 years of age or
20			older.
21	806.031(2)	2nd	Arson resulting in great bodily
22			harm to firefighter or any other
23			person.
24	810.02(3)(c)	2nd	Burglary of occupied structure;
25			unarmed; no assault or battery.
26	812.014(2)(b) <u>1.</u>	2nd	Property stolen \$20,000 or more,
27			but less than \$100,000, grand
28			theft in 2nd degree.
29	<u>812.014(2)(b)2.</u>	<u>2nd</u>	<u>Property stolen cargo valued at</u>
30			<u>less than \$50,000, grand theft in</u>
31			<u>2nd degree.</u>

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1	<u>812.015(9)</u>	<u>2nd</u>	<u>Retail theft; property stolen</u>
2			<u>\$300 or more; second or</u>
3			<u>subsequent conviction.</u>
4	812.13(2)(c)	2nd	Robbery, no firearm or other
5			weapon (strong-arm robbery).
6	817.034(4)(a)1.	1st	Communications fraud, value
7			greater than \$50,000.
8	817.4821(5)	2nd	Possess cloning paraphernalia
9			with intent to create cloned
10			cellular telephones.
11	825.102(1)	3rd	Abuse of an elderly person or
12			disabled adult.
13	825.102(3)(c)	3rd	Neglect of an elderly person or
14			disabled adult.
15	825.1025(3)	3rd	Lewd or lascivious molestation of
16			an elderly person or disabled
17			adult.
18	825.103(2)(c)	3rd	Exploiting an elderly person or
19			disabled adult and property is
20			valued at less than \$20,000.
21	827.03(1)	3rd	Abuse of a child.
22	827.03(3)(c)	3rd	Neglect of a child.
23	827.071(2)&(3)	2nd	Use or induce a child in a sexual
24			performance, or promote or direct
25			such performance.
26	836.05	2nd	Threats; extortion.
27	836.10	2nd	Written threats to kill or do
28			bodily injury.
29	843.12	3rd	Aids or assists person to escape.
30	847.0135(3)	3rd	Solicitation of a child, via a
31			computer service, to commit an

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1			unlawful sex act.
2	914.23	2nd	Retaliation against a witness,
3			victim, or informant, with bodily
4			injury.
5	943.0435(9)	3rd	Sex offenders; failure to comply
6			with reporting requirements.
7	944.35(3)(a)2.	3rd	Committing malicious battery upon
8			or inflicting cruel or inhuman
9			treatment on an inmate or
10			offender on community
11			supervision, resulting in great
12			bodily harm.
13	944.40	2nd	Escapes.
14	944.46	3rd	Harboring, concealing, aiding
15			escaped prisoners.
16	944.47(1)(a)5.	2nd	Introduction of contraband
17			(firearm, weapon, or explosive)
18			into correctional facility.
19	951.22(1)	3rd	Intoxicating drug, firearm, or
20			weapon introduced into county
21			facility.
22			(g) LEVEL 7
23	316.193(3)(c)2.	3rd	DUI resulting in serious bodily
24			injury.
25	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
26			bodily injury.
27	402.319(2)	2nd	Misrepresentation and negligence
28			or intentional act resulting in
29			great bodily harm, permanent
30			disfiguration, permanent
31			disability, or death.

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1	409.920(2)	3rd	Medicaid provider fraud.
2	456.065(2)	3rd	Practicing a health care
3			profession without a license.
4	456.065(2)	2nd	Practicing a health care
5			profession without a license
6			which results in serious bodily
7			injury.
8	458.327(1)	3rd	Practicing medicine without a
9			license.
10	459.013(1)	3rd	Practicing osteopathic medicine
11			without a license.
12	460.411(1)	3rd	Practicing chiropractic medicine
13			without a license.
14	461.012(1)	3rd	Practicing podiatric medicine
15			without a license.
16	462.17	3rd	Practicing naturopathy without a
17			license.
18	463.015(1)	3rd	Practicing optometry without a
19			license.
20	464.016(1)	3rd	Practicing nursing without a
21			license.
22	465.015(2)	3rd	Practicing pharmacy without a
23			license.
24	466.026(1)	3rd	Practicing dentistry or dental
25			hygiene without a license.
26	467.201	3rd	Practicing midwifery without a
27			license.
28	468.366	3rd	Delivering respiratory care
29			services without a license.
30	483.828(1)	3rd	Practicing as clinical laboratory
31			personnel without a license.

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1	483.901(9)	3rd	Practicing medical physics
2			without a license.
3	484.053	3rd	Dispensing hearing aids without a
4			license.
5	494.0018(2)	1st	Conviction of any violation of
6			ss. 494.001-494.0077 in which the
7			total money and property
8			unlawfully obtained exceeded
9			\$50,000 and there were five or
10			more victims.
11	560.123(8)(b)1.	3rd	Failure to report currency or
12			payment instruments exceeding
13			\$300 but less than \$20,000 by
14			money transmitter.
15	560.125(5)(a)	3rd	Money transmitter business by
16			unauthorized person, currency or
17			payment instruments exceeding
18			\$300 but less than \$20,000.
19	655.50(10)(b)1.	3rd	Failure to report financial
20			transactions exceeding \$300 but
21			less than \$20,000 by financial
22			institution.
23	782.051(3)	2nd	Attempted felony murder of a
24			person by a person other than the
25			perpetrator or the perpetrator of
26			an attempted felony.
27	782.07(1)	2nd	Killing of a human being by the
28			act, procurement, or culpable
29			negligence of another
30			(manslaughter).
31			

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1	782.071	2nd	Killing of human being or viable
2			fetus by the operation of a motor
3			vehicle in a reckless manner
4			(vehicular homicide).
5	782.072	2nd	Killing of a human being by the
6			operation of a vessel in a
7			reckless manner (vessel
8			homicide).
9	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
10			causing great bodily harm or
11			disfigurement.
12	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
13			weapon.
14	784.045(1)(b)	2nd	Aggravated battery; perpetrator
15			aware victim pregnant.
16	784.048(4)	3rd	Aggravated stalking; violation of
17			injunction or court order.
18	784.07(2)(d)	1st	Aggravated battery on law
19			enforcement officer.
20	784.08(2)(a)	1st	Aggravated battery on a person 65
21			years of age or older.
22	784.081(1)	1st	Aggravated battery on specified
23			official or employee.
24	784.082(1)	1st	Aggravated battery by detained
25			person on visitor or other
26			detainee.
27	784.083(1)	1st	Aggravated battery on code
28			inspector.
29	790.07(4)	1st	Specified weapons violation
30			subsequent to previous conviction
31			of s. 790.07(1) or (2).

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1	790.16(1)	1st	Discharge of a machine gun under
2			specified circumstances.
3	790.166(3)	2nd	Possessing, selling, using, or
4			attempting to use a hoax weapon
5			of mass destruction.
6	796.03	2nd	Procuring any person under 16
7			years for prostitution.
8	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
9			victim less than 12 years of age;
10			offender less than 18 years.
11	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
12			victim 12 years of age or older
13			but less than 16 years; offender
14			18 years or older.
15	806.01(2)	2nd	Maliciously damage structure by
16			fire or explosive.
17	810.02(3)(a)	2nd	Burglary of occupied dwelling;
18			unarmed; no assault or battery.
19	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
20			unarmed; no assault or battery.
21	810.02(3)(d)	2nd	Burglary of occupied conveyance;
22			unarmed; no assault or battery.
23	812.014(2)(a)	1st	Property stolen, valued at
24			\$100,000 or more; <u>cargo stolen</u>
25			<u>valued at \$50,000, or more;</u>
26			property stolen while causing
27			other property damage; 1st degree
28			grand theft.
29	<u>812.014(2)(b)2.</u>	<u>2nd</u>	<u>Property stolen, emergency</u>
30			<u>medical equipment; 2nd degree</u>
31			<u>grand theft.</u>

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1	812.019(2)	1st	Stolen property; initiates,
2			organizes, plans, etc., the theft
3			of property and traffics in
4			stolen property.
5	812.131(2)(a)	2nd	Robbery by sudden snatching.
6	812.133(2)(b)	1st	Carjacking; no firearm, deadly
7			weapon, or other weapon.
8	825.102(3)(b)	2nd	Neglecting an elderly person or
9			disabled adult causing great
10			bodily harm, disability, or
11			disfigurement.
12	825.1025(2)	2nd	Lewd or lascivious battery upon
13			an elderly person or disabled
14			adult.
15	825.103(2)(b)	2nd	Exploiting an elderly person or
16			disabled adult and property is
17			valued at \$20,000 or more, but
18			less than \$100,000.
19	827.03(3)(b)	2nd	Neglect of a child causing great
20			bodily harm, disability, or
21			disfigurement.
22	827.04(3)	3rd	Impregnation of a child under 16
23			years of age by person 21 years
24			of age or older.
25	837.05(2)	3rd	Giving false information about
26			alleged capital felony to a law
27			enforcement officer.
28	872.06	2nd	Abuse of a dead human body.
29	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
30			cocaine (or other drug prohibited
31			under s. 893.03(1)(a), (1)(b),

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1			(1)(d), (2)(a), (2)(b), or
2			(2)(c)4.) within 1,000 feet of a
3			child care facility or school.
4	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
5			cocaine or other drug prohibited
6			under s. 893.03(1)(a), (1)(b),
7			(1)(d), (2)(a), (2)(b), or
8			(2)(c)4., within 1,000 feet of
9			property used for religious
10			services or a specified business
11			site.
12	893.13(4)(a)	1st	Deliver to minor cocaine (or
13			other s. 893.03(1)(a), (1)(b),
14			(1)(d), (2)(a), (2)(b), or
15			(2)(c)4. drugs).
16	893.135(1)(a)1.	1st	Trafficking in cannabis, more
17			than 50 lbs., less than 2,000
18			lbs.
19	893.135		
20	(1)(b)1.a.	1st	Trafficking in cocaine, more than
21			28 grams, less than 200 grams.
22	893.135		
23	(1)(c)1.a.	1st	Trafficking in illegal drugs,
24			more than 4 grams, less than 14
25			grams.
26	893.135		
27	(1)(d)1.	1st	Trafficking in phencyclidine,
28			more than 28 grams, less than 200
29			grams.
30	893.135(1)(e)1.	1st	Trafficking in methaqualone, more
31			than 200 grams, less than 5

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1			kilograms.
2	893.135(1)(f)1.	1st	Trafficking in amphetamine, more
3			than 14 grams, less than 28
4			grams.
5	893.135		
6	(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4
7			grams or more, less than 14
8			grams.
9	893.135		
10	(1)(h)1.a.	1st	Trafficking in
11			gamma-hydroxybutyric acid (GHB),
12			1 kilogram or more, less than 5
13			kilograms.
14	893.135		
15	(1)(i)1.a.	1st	Trafficking in 1,4-Butanediol, 1
16			kilogram or more, less then 5
17			kilograms.
18	893.135		
19	(1)(j)2.a.	1st	Trafficking in Phenethylamines,
20			10 grams or more, less than 200
21			grams.
22	896.101(5)(a)	3rd	Money laundering, financial
23			transactions exceeding \$300 but
24			less than \$20,000.
25	896.104(4)(a)1.	3rd	Structuring transactions to evade
26			reporting or registration
27			requirements, financial
28			transactions exceeding \$300 but
29			less than \$20,000.

30 Section 17. Local task force on retail crime.--The
 31 Legislature encourages local law enforcement agencies to

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1 establish a task force on retail crime. The task force should
2 act as an advisory body to study the problem of retail crime
3 and develop recommendations for handling retail crime and
4 theft in an expeditious and uniform manner. The task force
5 should submit its recommendations to the sheriff or chief
6 officer of the local law enforcement agency, the state
7 attorney, and the chief judge of the judicial circuit. The
8 sheriff or chief officer of the local law enforcement agency
9 should appoint the members of the task force. A majority of
10 the membership of the task force should consist of persons
11 actively engaged in a retail business or employees of persons
12 actively engaged in a retail business. The task force should
13 terminate existence upon completing its assignment.

14 Section 18. If any provision of this act or the
15 applications thereof to any person or circumstance is held
16 invalid, the invalidity does not affect other provisions or
17 applications of the act which can be given effect without the
18 invalid provision or application, and to this end the
19 provisions of this act are declared severable.

20 Section 19. This act shall take effect July 1, 2001.

21
22

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

24 And the title is amended as follows:

25 Delete everything before the enacting clause

26

27 and insert:

28

A bill to be entitled

29

An act relating to property crimes; amending s.

30

812.012, F.S.; providing a definition of cargo;

31

amending s. 812.014, F.S.; providing

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1 second-degree felony penalties for theft of
2 certain emergency medical equipment and theft
3 of certain cargo; providing a penalty for
4 subsequent convictions for stealing cargo;
5 amending s. 812.015, F.S.; revising certain
6 definitions; authorizing a merchant or
7 merchant's employee to provide a business
8 address for purposes of any investigation with
9 respect to the offense of retail theft;
10 providing a felony penalty for unlawfully
11 possessing antishoplifting or inventory control
12 device countermeasures; providing a
13 third-degree felony penalty for certain
14 commission of retail theft; providing a
15 second-degree felony penalty for second or
16 subsequent violations of such retail theft;
17 creating s. 812.0155, F.S.; authorizing a court
18 to suspend the driver's license of certain
19 persons under certain circumstances; requiring
20 a court to suspend the driver's license of such
21 persons for second or subsequent offenses;
22 providing for increased periods of suspension
23 for second or subsequent adjudications;
24 providing requirements of court for revoking,
25 suspending, or withholding issuance of the
26 driver's license of certain persons; providing
27 construction; creating s. 812.017, F.S.;
28 providing misdemeanor penalties for the use of
29 a fraudulently obtained or false receipt to
30 request a refund or obtain merchandise;
31 creating s. 812.0195, F.S.; providing criminal

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1 penalties for dealing in stolen property by use
2 of the Internet; creating s. 817.625, F.S.;
3 providing definitions; providing a felony
4 penalty for using a scanning device to access,
5 read, obtain, memorize, or store information
6 encoded on a payment card without the
7 permission of, and with intent to defraud, the
8 authorized user of the payment card, issuer of
9 the payment card, or merchant; providing a
10 felony penalty for using a reencoder to place
11 information onto a payment card without the
12 permission of, and with intent to defraud, the
13 authorized user of the payment card; providing
14 an enhanced penalty for a second or subsequent
15 violation of the act; subjecting certain
16 violations to the Florida Contraband Forfeiture
17 Act; amending ss. 831.07, 831.08, 831.09, F.S.;
18 prohibiting forging a check or draft or
19 possessing or passing a forged check or draft;
20 providing penalties; reenacting s. 831.10,
21 F.S., relating to second conviction of uttering
22 forged bills, to incorporate a reference;
23 amending s. 831.11, F.S.; prohibiting bringing
24 a forged or counterfeit check or draft into the
25 state; providing a penalty; amending s. 831.12,
26 F.S.; providing that connecting together checks
27 or drafts to produce an additional check or
28 draft constitutes the offense of forgery;
29 creating s. 831.28, F.S.; providing a
30 definition; making unlawful the counterfeiting
31 of payment instruments with intent to defraud

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1 or possessing counterfeit payment instruments;
2 providing a felony penalty; specifying acts
3 that constitute prima facie evidence of intent
4 to defraud; authorizing a law enforcement
5 agency to produce or display a counterfeit
6 payment instrument for training purposes;
7 amending s. 832.05, F.S.; providing that prior
8 passing of a worthless check or draft is not
9 notice to the payee of insufficient funds to
10 ensure payment of a subsequent check or draft;
11 amending s. 921.0022, F.S.; conforming
12 provisions of the Offense Severity Ranking
13 Chart of the Criminal Punishment Code to
14 changes made by the act; encouraging local law
15 enforcement agencies to establish a task force
16 on retail crime; providing direction on the
17 composition, operation, and termination of such
18 a task force; providing severability; providing
19 an effective date.

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