

Amendment No. 03 (for drafter's use only)

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

The Council for Healthy Communities offered the following:

Amendment to Amendment (675103)

On page 5, line 1 through page 9, line 3,
remove from the amendment: all said lines

and insert in lieu thereof:

	Florida Statute	Felony Degree	Description
			(f) LEVEL 6
23	316.027(1)(b)	2nd	Accident involving death, failure to stop; leaving scene.
25	316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
27	<u>316.193(2)(c)</u>	<u>3rd</u>	<u>Felony DUI, 3rd conviction within 10-year period.</u>
29	<u>316.193(2)(e)</u>	<u>3rd</u>	<u>Felony DUI; driving with suspended, canceled, or revoked license.</u>

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1	<u>316.193(2)(f)</u>	<u>3rd</u>	<u>Felony DUI; driving with license</u>
2			<u>restricted to business or</u>
3			<u>employment purposes.</u>
4	775.0875(1)	3rd	Taking firearm from law
5			enforcement officer.
6	775.21(10)	3rd	Sexual predators; failure to
7			register; failure to renew
8			driver's license or
9			identification card.
10	784.021(1)(a)	3rd	Aggravated assault; deadly weapon
11			without intent to kill.
12	784.021(1)(b)	3rd	Aggravated assault; intent to
13			commit felony.
14	784.041	3rd	Felony battery.
15	784.048(3)	3rd	Aggravated stalking; credible
16			threat.
17	784.048(5)	3rd	Aggravated stalking of person
18			under 16.
19	784.07(2)(c)	2nd	Aggravated assault on law
20			enforcement officer.
21	784.08(2)(b)	2nd	Aggravated assault on a person 65
22			years of age or older.
23	784.081(2)	2nd	Aggravated assault on specified
24			official or employee.
25	784.082(2)	2nd	Aggravated assault by detained
26			person on visitor or other
27			detainee.
28	784.083(2)	2nd	Aggravated assault on code
29			inspector.
30	787.02(2)	3rd	False imprisonment; restraining
31			with purpose other than those in

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1			s. 787.01.
2	790.115(2)(d)	2nd	Discharging firearm or weapon on
3			school property.
4	790.161(2)	2nd	Make, possess, or throw
5			destructive device with intent to
6			do bodily harm or damage
7			property.
8	790.164(1)	2nd	False report of deadly explosive
9			or act of arson or violence to
10			state property.
11	790.19	2nd	Shooting or throwing deadly
12			missiles into dwellings, vessels,
13			or vehicles.
14	794.011(8)(a)	3rd	Solicitation of minor to
15			participate in sexual activity by
16			custodial adult.
17	794.05(1)	2nd	Unlawful sexual activity with
18			specified minor.
19	800.04(5)(d)	3rd	Lewd or lascivious molestation;
20			victim 12 years of age or older
21			but less than 16 years; offender
22			less than 18 years.
23	800.04(6)(b)	2nd	Lewd or lascivious conduct;
24			offender 18 years of age or
25			older.
26	806.031(2)	2nd	Arson resulting in great bodily
27			harm to firefighter or any other
28			person.
29	810.02(3)(c)	2nd	Burglary of occupied structure;
30			unarmed; no assault or battery.
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1	812.014(2)(b)	2nd	Property stolen \$20,000 or more,
2			but less than \$100,000, grand
3			theft in 2nd degree.
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			
23	Florida	Felony	
24	Statute	Degree	Description
25			
26			(g) LEVEL 7
27	<u>316.193(2)(d)</u>	<u>3rd</u>	<u>Felony DUI, 4th or subsequent</u>
28			<u>conviction within 10 years.</u>
29	316.193(3)(c)2.	3rd	DUI resulting in serious bodily
30			injury.
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1	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
2			bodily injury.
3	402.319(2)	2nd	Misrepresentation and negligence
4			or intentional act resulting in
5			great bodily harm, permanent
6			disfiguration, permanent
7			disability, or death.
8	409.920(2)	3rd	Medicaid provider fraud.
9	456.065(2)	3rd	Practicing a health care
10			profession without a license.
11	456.065(2)	2nd	Practicing a health care
12			profession without a license
13			which results in serious bodily
14			injury.
15	458.327(1)	3rd	Practicing medicine without a
16			license.
17	459.013(1)	3rd	Practicing osteopathic medicine
18			without a license.
19	460.411(1)	3rd	Practicing chiropractic medicine
20			without a license.
21	461.012(1)	3rd	Practicing podiatric medicine
22			without a license.
23	462.17	3rd	Practicing naturopathy without a
24			license.
25	463.015(1)	3rd	Practicing optometry without a
26			license.
27	464.016(1)	3rd	Practicing nursing without a
28			license.
29	465.015(2)	3rd	Practicing pharmacy without a
30			license.
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1	466.026(1)	3rd	Practicing dentistry or dental
2			hygiene without a license.
3	467.201	3rd	Practicing midwifery without a
4			license.
5	468.366	3rd	Delivering respiratory care
6			services without a license.
7	483.828(1)	3rd	Practicing as clinical laboratory
8			personnel without a license.
9	483.901(9)	3rd	Practicing medical physics
10			without a license.
11	484.053	3rd	Dispensing hearing aids without a
12			license.
13	494.0018(2)	1st	Conviction of any violation of
14			ss. 494.001-494.0077 in which the
15			total money and property
16			unlawfully obtained exceeded
17			\$50,000 and there were five or
18			more victims.
19	560.123(8)(b)1.	3rd	Failure to report currency or
20			payment instruments exceeding
21			\$300 but less than \$20,000 by
22			money transmitter.
23	560.125(5)(a)	3rd	Money transmitter business by
24			unauthorized person, currency or
25			payment instruments exceeding
26			\$300 but less than \$20,000.
27	655.50(10)(b)1.	3rd	Failure to report financial
28			transactions exceeding \$300 but
29			less than \$20,000 by financial
30			institution.
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1	782.051(3)	2nd	Attempted felony murder of a
2			person by a person other than the
3			perpetrator or the perpetrator of
4			an attempted felony.
5	782.07(1)	2nd	Killing of a human being by the
6			act, procurement, or culpable
7			negligence of another
8			(manslaughter).
9	782.071	2nd	Killing of human being or viable
10			fetus by the operation of a motor
11			vehicle in a reckless manner
12			(vehicular homicide).
13	782.072	2nd	Killing of a human being by the
14			operation of a vessel in a
15			reckless manner (vessel
16			homicide).
17	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
18			causing great bodily harm or
19			disfigurement.
20	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
21			weapon.
22	784.045(1)(b)	2nd	Aggravated battery; perpetrator
23			aware victim pregnant.
24	784.048(4)	3rd	Aggravated stalking; violation of
25			injunction or court order.
26	784.07(2)(d)	1st	Aggravated battery on law
27			enforcement officer.
28	784.08(2)(a)	1st	Aggravated battery on a person 65
29			years of age or older.
30	784.081(1)	1st	Aggravated battery on specified
31			official or employee.

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1	784.082(1)	1st	Aggravated battery by detained
2			person on visitor or other
3			detainee.
4	784.083(1)	1st	Aggravated battery on code
5			inspector.
6	790.07(4)	1st	Specified weapons violation
7			subsequent to previous conviction
8			of s. 790.07(1) or (2).
9	790.16(1)	1st	Discharge of a machine gun under
10			specified circumstances.
11	790.166(3)	2nd	Possessing, selling, using, or
12			attempting to use a hoax weapon
13			of mass destruction.
14	796.03	2nd	Procuring any person under 16
15			years for prostitution.
16	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
17			victim less than 12 years of age;
18			offender less than 18 years.
19	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
20			victim 12 years of age or older
21			but less than 16 years; offender
22			18 years or older.
23	806.01(2)	2nd	Maliciously damage structure by
24			fire or explosive.
25	810.02(3)(a)	2nd	Burglary of occupied dwelling;
26			unarmed; no assault or battery.
27	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
28			unarmed; no assault or battery.
29	810.02(3)(d)	2nd	Burglary of occupied conveyance;
30			unarmed; no assault or battery.
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1	812.014(2)(a)	1st	Property stolen, valued at
2			\$100,000 or more; property stolen
3			while causing other property
4			damage; 1st degree grand theft.
5	812.019(2)	1st	Stolen property; initiates,
6			organizes, plans, etc., the theft
7			of property and traffics in
8			stolen property.
9	812.131(2)(a)	2nd	Robbery by sudden snatching.
10	812.133(2)(b)	1st	Carjacking; no firearm, deadly
11			weapon, or other weapon.
12	825.102(3)(b)	2nd	Neglecting an elderly person or
13			disabled adult causing great
14			bodily harm, disability, or
15			disfigurement.
16	825.1025(2)	2nd	Lewd or lascivious battery upon
17			an elderly person or disabled
18			adult.
19	825.103(2)(b)	2nd	Exploiting an elderly person or
20			disabled adult and property is
21			valued at \$20,000 or more, but
22			less than \$100,000.
23	827.03(3)(b)	2nd	Neglect of a child causing great
24			bodily harm, disability, or
25			disfigurement.
26	827.04(3)	3rd	Impregnation of a child under 16
27			years of age by person 21 years
28			of age or older.
29	837.05(2)	3rd	Giving false information about
30			alleged capital felony to a law
31			enforcement officer.

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1	872.06	2nd	Abuse of a dead human body.
2	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
3			cocaine (or other drug prohibited
4			under s. 893.03(1)(a), (1)(b),
5			(1)(d), (2)(a), (2)(b), or
6			(2)(c)4.) within 1,000 feet of a
7			child care facility or school.
8	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
9			cocaine or other drug prohibited
10			under s. 893.03(1)(a), (1)(b),
11			(1)(d), (2)(a), (2)(b), or
12			(2)(c)4., within 1,000 feet of
13			property used for religious
14			services or a specified business
15			site.
16	893.13(4)(a)	1st	Deliver to minor cocaine (or
17			other s. 893.03(1)(a), (1)(b),
18			(1)(d), (2)(a), (2)(b), or
19			(2)(c)4. drugs).
20	893.135(1)(a)1.	1st	Trafficking in cannabis, more
21			than 50 lbs., less than 2,000
22			lbs.
23	893.135		
24	(1)(b)1.a.	1st	Trafficking in cocaine, more than
25			28 grams, less than 200 grams.
26	893.135		
27	(1)(c)1.a.	1st	Trafficking in illegal drugs,
28			more than 4 grams, less than 14
29			grams.
30	893.135		
31	(1)(d)1.	1st	Trafficking in phencyclidine,

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

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transactions exceeding \$300 but
less than \$20,000.