

1 A bill to be entitled
2 An act relating to property crimes; amending s.
3 812.014, F.S.; providing second-degree felony
4 penalties for theft of certain emergency
5 medical equipment and theft of certain cargo;
6 amending s. 812.015, F.S.; revising certain
7 definitions; authorizing a merchant or
8 merchant's employee to provide a business
9 address for purposes of any investigation with
10 respect to the offense of retail theft;
11 providing a felony penalty for unlawfully
12 possessing antishoplifting or inventory control
13 device countermeasures; providing a
14 third-degree felony penalty for certain
15 commission of retail theft; providing a
16 second-degree felony penalty for second or
17 subsequent violations of such retail theft;
18 creating s. 812.0155, F.S.; authorizing a court
19 to suspend the driver's license of certain
20 persons under certain circumstances; requiring
21 a court to suspend the driver's license of such
22 persons for second or subsequent offenses;
23 providing for increased periods of suspension
24 for second or subsequent adjudications;
25 providing requirements of court for revoking,
26 suspending, or withholding issuance of the
27 driver's license of certain persons; providing
28 construction; creating s. 812.017, F.S.;
29 providing misdemeanor penalties for the use of
30 a fraudulently obtained or false receipt to
31 request a refund or obtain merchandise;

1 creating s. 812.0195, F.S.; providing criminal
 2 penalties for dealing in stolen property by use
 3 of the Internet; creating s. 817.625, F.S.;
 4 providing definitions; providing a felony
 5 penalty for using a scanning device to access,
 6 read, obtain, memorize, or store information
 7 encoded on a payment card without the
 8 permission of, and with intent to defraud, the
 9 authorized user of the payment card; providing
 10 a 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, and 831.09,
 18 F.S.; 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

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.
20

21 Be It Enacted by the Legislature of the State of Florida:
22

23 Section 1. Section 812.012, Florida Statutes, is
24 amended to read:

25 812.012 Definitions.--As used in ss. 812.012-812.037:

26 (1) "Cargo" means partial or entire shipments,
27 containers, or cartons of property which are contained in or
28 on a trailer, motortruck, aircraft, vessel, warehouse, freight
29 station, freight consolidation facility, or air navigation
30 facility.
31

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

3 ~~(3)(8)~~ "Enterprise" means any individual, sole
4 proprietorship, partnership, corporation, business trust,
5 union chartered under the laws of this state, or other legal
6 entity, or any unchartered union, association, or group of
7 individuals associated in fact although not a legal entity.

8 ~~(4)(2)~~ "Obtains or uses" means any manner of:

9 (a) Taking or exercising control over property.

10 (b) Making any unauthorized use, disposition, or
11 transfer of property.

12 (c) Obtaining property by fraud, willful
13 misrepresentation of a future act, or false promise.

14 (d)1. Conduct previously known as stealing; larceny;
15 purloining; abstracting; embezzlement; misapplication;
16 misappropriation; conversion; or obtaining money or property
17 by false pretenses, fraud, or deception; or

18 2. Other conduct similar in nature.

19 ~~(5)(3)~~ "Property" means anything of value, and
20 includes:

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

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

25 (c) Services.

26 ~~(6)(4)~~ "Property of another" means property in which a
27 person has an interest upon which another person is not
28 privileged to infringe without consent, whether or not the
29 other person also has an interest in the property.

30
31

1 ~~(7)~~(5) "Services" means anything of value resulting
2 from a person's physical or mental labor or skill, or from the
3 use, possession, or presence of property, and includes:

- 4 (a) Repairs or improvements to property.
5 (b) Professional services.
6 (c) Private, public, or government communication,
7 transportation, power, water, or sanitation services.
8 (d) Lodging accommodations.
9 (e) Admissions to places of exhibition or
10 entertainment.

11 ~~(8)~~(6) "Stolen property" means property that has been
12 the subject of any criminally wrongful taking.

13 ~~(9)~~(7) "Traffic" means:

- 14 (a) To sell, transfer, distribute, dispense, or
15 otherwise dispose of property.
16 (b) To buy, receive, possess, obtain control of, or
17 use property with the intent to sell, transfer, distribute,
18 dispense, or otherwise dispose of such property.

19 ~~(10)~~(9) "Value" means value determined according to
20 any of the following:

21 (a)1. Value means the market value of the property at
22 the time and place of the offense or, if such cannot be
23 satisfactorily ascertained, the cost of replacement of the
24 property within a reasonable time after the offense.

25 2. The value of a written instrument that does not
26 have a readily ascertainable market value, in the case of an
27 instrument such as a check, draft, or promissory note, is the
28 amount due or collectible or is, in the case of any other
29 instrument which creates, releases, discharges, or otherwise
30 affects any valuable legal right, privilege, or obligation,
31 the greatest amount of economic loss that the owner of the

1 instrument might reasonably suffer by virtue of the loss of
2 the instrument.

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

8 (b) If the value of property cannot be ascertained,
9 the trier of fact may find the value to be not less than a
10 certain amount; if no such minimum value can be ascertained,
11 the value is an amount less than \$100.

12 (c) Amounts of value of separate properties involved
13 in thefts committed pursuant to one scheme or course of
14 conduct, whether the thefts are from the same person or from
15 several persons, may be aggregated in determining the grade of
16 the offense.

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

19 812.014 Theft.--

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

22 2. The property stolen is cargo valued at \$50,000 or
23 more that has entered the stream of interstate or intrastate
24 commerce from the shipper's loading platform to the
25 consignee's receiving dock; or

26 ~~3.2.~~ If the offender commits any grand theft and:

27 a. In the course of committing the offense the
28 offender uses a motor vehicle as an instrumentality, other
29 than merely as a getaway vehicle, to assist in committing the
30 offense and thereby damages the real property of another; or

31

1 b. In the course of committing the offense the
2 offender causes damage to the real or personal property of
3 another in excess of \$1,000,
4
5 the offender commits grand theft in the first degree,
6 punishable as a felony of the first degree, as provided in s.
7 775.082, s. 775.083, or s. 775.084.

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

10 2. The property stolen is cargo valued at less than
11 \$50,000 that has entered the stream of interstate or
12 intrastate commerce from the shipper's loading platform to the
13 consignee's receiving dock, or

14 3. The property stolen is emergency medical equipment,
15 valued at \$300 or more, that is taken from a facility licensed
16 under chapter 395 or from an aircraft or vehicle permitted
17 under chapter 401,

18
19 the offender commits grand theft in the second degree,
20 punishable as a felony of the second degree, as provided in s.
21 775.082, s. 775.083, or s. 775.084. Emergency medical
22 equipment means mechanical or electronic apparatus used to
23 provide emergency services and care as defined in s.
24 395.002(10) or to treat medical emergencies.

25 Section 3. Paragraphs (d) and (h) of subsection (1)
26 and subsections (5) and (7) of section 812.015, Florida
27 Statutes, are amended, and subsections (8) and (9) are added
28 to said section, to read:

29 812.015 Retail and farm theft; transit fare evasion;
30 mandatory fine; alternative punishment; detention and arrest;
31

1 exemption from liability for false arrest; resisting arrest;
2 penalties.--

3 (1) As used in this section:

4 (d) "Retail theft" means the taking possession of or
5 carrying away of merchandise, property, money, or negotiable
6 documents; altering or removing a label, universal product
7 code, or price tag; transferring merchandise from one
8 container to another; or removing a shopping cart, with intent
9 to deprive the merchant of possession, use, benefit, or full
10 retail value.

11 (h) "Antishoplifting or inventory control device"
12 means a mechanism or other device designed and operated for
13 the purpose of detecting the removal from a mercantile
14 establishment or similar enclosure, or from a protected area
15 within such an enclosure, of specially marked or tagged
16 merchandise. The term includes any electronic or digital
17 imaging or any video recording or other film used for security
18 purposes and the cash register tape or other record made of
19 the register receipt.

20 (5)(a) A merchant, merchant's employee, farmer, or a
21 transit agency's employee or agent who takes a person into
22 custody, as provided in subsection (3), or who causes an
23 arrest, as provided in subsection (4), of a person for retail
24 theft, farm theft, transit fare evasion, or trespass shall not
25 be criminally or civilly liable for false arrest or false
26 imprisonment when the merchant, merchant's employee, farmer,
27 or a transit agency's employee or agent has probable cause to
28 believe that the person committed retail theft, farm theft,
29 transit fare evasion, or trespass.

30 (b) If a merchant or merchant's employee takes a
31 person into custody as provided in this section, or acts as a

1 witness with respect to any person taken into custody as
2 provided in this section, the merchant or merchant's employee
3 may provide his or her business address rather than home
4 address to any investigating law enforcement officer.

5 (7) It is unlawful to possess, or use or attempt to
6 use, any antishoplifting or inventory control device
7 countermeasure within any premises used for the retail
8 purchase or sale of any merchandise. Any person who possesses
9 any antishoplifting or inventory control device countermeasure
10 within any premises used for the retail purchase or sale of
11 any merchandise commits a felony ~~misdemeanor~~ of the third
12 ~~first~~ degree, punishable as provided in s. 775.082, ~~or s.~~
13 775.083, or s. 775.084. Any person who uses or attempts to
14 use any antishoplifting or inventory control device
15 countermeasure within any premises used for the retail
16 purchase or sale of any merchandise commits a felony of the
17 third degree, punishable as provided in s. 775.082, s.
18 775.083, or s. 775.084.

19 (8) If a person commits retail theft, it is a felony
20 of the third degree, punishable as provided in s. 775.082, s.
21 775.083, or s. 775.084, if the property stolen is valued at
22 \$300 or more and the person:

23 (a) Individually, or in concert with one or more other
24 persons, coordinates the activities of one or more individuals
25 in committing the offense, in which case the amount of each
26 individual theft shall be aggregated to determine the value of
27 the property stolen;

28 (b) Commits theft from more than one location within a
29 48-hour period, in which case the amount of each individual
30 theft shall be aggregated to determine the value of the
31 property stolen;

1 (c) Acts in concert with one or more other individuals
2 within one or more establishments to distract the merchant,
3 merchant's employee, or law enforcement officer in order to
4 carry out the offense or acts in other ways to coordinate
5 efforts to carry out the offense; or

6 (d) Commits the offense through the purchase of
7 merchandise in a package or box that contains merchandise
8 other than, or in addition to, the merchandise purported to be
9 contained in the package or box.

10 (9) Any person who violates subsection (8), and who
11 has previously been convicted of a violation of subsection
12 (8), commits a felony of the second degree, punishable as
13 provided in s. 775.082, s. 775.083, or s. 775.084.

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

16 812.0155 Suspension of driver's license following an
17 adjudication of guilt for retail theft.--

18 (1) Except as provided in subsections (2) and (3), the
19 court may order the suspension of the driver's license of each
20 person adjudicated guilty of any misdemeanor violation of s.
21 812.014 or s. 812.015, regardless of the value of the property
22 stolen. The court shall order the suspension of the driver's
23 license of each person adjudicated guilty of any misdemeanor
24 violation of s. 812.014 or s. 812.015 who has previously been
25 convicted of such an offense. Upon ordering the suspension of
26 the driver's license of the person adjudicated guilty, the
27 court shall forward the driver's license of the person
28 adjudicated guilty to the Department of Highway Safety and
29 Motor Vehicles in accordance with s. 322.25.

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

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

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

7 (a) Probation as defined in s. 985.03 or commitment to
8 the Department of Juvenile Justice, if the person is
9 adjudicated delinquent for such violation and has not
10 previously been convicted of or adjudicated delinquent for any
11 criminal offense, regardless of whether adjudication was
12 withheld.

13 (b) Probation as defined in s. 985.03, commitment to
14 the Department of Juvenile Justice, probation as defined in s.
15 948.01, community control, or incarceration, if the person is
16 convicted as an adult of such violation and has not previously
17 been convicted of or adjudicated delinquent for any criminal
18 offense, regardless of whether adjudication was withheld.

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

23 (a) If the person is eligible by reason of age for a
24 driver's license or driving privilege, direct the department
25 to revoke or withhold issuance of the person's driver's
26 license or driving privilege for not less than 6 months and
27 not more than 1 year;

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

1 (c) If the person is ineligible by reason of age for a
2 driver's license or driving privilege, direct the department
3 to withhold issuance of the person's driver's license or
4 driving privilege for not less than 6 months and not more than
5 1 year after the date on which the person would otherwise
6 become eligible.

7 (4) Subsections (2) and (3) do not preclude the court
8 from imposing any sanction specified or not specified in
9 subsection (2) or subsection (3).

10 Section 5. Section 812.017, Florida Statutes, is
11 created to read:

12 812.017 Use of a fraudulently obtained or false
13 receipt.--

14 (1) Any person who requests a refund of merchandise,
15 money, or any other thing of value through the use of a
16 fraudulently obtained receipt or false receipt commits a
17 misdemeanor of the second degree, punishable as provided in s.
18 775.082 or s. 775.083.

19 (2) Any person who obtains merchandise, money, or any
20 other thing of value through the use of a fraudulently
21 obtained receipt or false receipt commits a misdemeanor of the
22 first degree, punishable as provided in s. 775.082 or s.
23 775.083.

24 Section 6. Section 812.0195, Florida Statutes, is
25 created to read:

26 812.0195 Dealing in stolen property by use of the
27 Internet.--Any person in this state who uses the Internet to
28 sell or offer for sale any merchandise or other property that
29 the person knows, or has reasonable cause to believe, is
30 stolen commits:

31

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

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

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

9 817.625 Use of scanning device or reencoder to
10 defraud; penalties.--

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

12 (a) "Scanning device" means a scanner, reader, or any
13 other electronic device that is used to access, read, scan,
14 obtain, memorize, or store, temporarily or permanently,
15 information encoded on the magnetic strip or stripe of a
16 payment card.

17 (b) "Reencoder" means an electronic device that places
18 encoded information from the magnetic strip or stripe of a
19 payment card onto the magnetic strip or stripe of a different
20 payment card.

21 (c) "Payment card" means a credit card, charge card,
22 debit card, or any other card that is issued to an authorized
23 card user and that allows the user to obtain, purchase, or
24 receive goods, services, money, or anything else of value from
25 a merchant.

26 (d) "Merchant" means a person who receives from an
27 authorized user of a payment card, or someone the person
28 believes to be an authorized user, a payment card or
29 information from a payment card, or what the person believes
30 to be a payment card or information from a payment card, as
31

1 the instrument for obtaining, purchasing, or receiving goods,
2 services, money, or anything else of value from the person.

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

6 1. A scanning device to access, read, obtain,
7 memorize, or store, temporarily or permanently, information
8 encoded on the magnetic strip or stripe of a payment card
9 without the permission of the authorized user of the payment
10 card and with the intent to defraud the authorized user, the
11 issuer of the authorized user's payment card, or a merchant.

12 2. A reencoder to place information encoded on the
13 magnetic strip or stripe of a payment card onto the magnetic
14 strip or stripe of a different card without the permission of
15 the authorized user of the card from which the information is
16 being reencoded and with the intent to defraud the authorized
17 user, the issuer of the authorized user's payment card, or a
18 merchant.

19 (b) Any person who violates paragraph (a) a second or
20 subsequent time commits a felony of the second degree,
21 punishable as provided in s. 775.082, s. 775.083, or s.
22 775.084.

23 (c) Any person who violates paragraph (a) shall also
24 be subject to the provisions of ss. 932.701-932.707.

25 Section 8. Section 831.07, Florida Statutes, is
26 amended to read:

27 831.07 Forging bank bills, checks, drafts, or
28 promissory notes.--Whoever falsely makes, alters, forges, or
29 counterfeits a bank bill, check, draft, or promissory note
30 payable to the bearer thereof, or to the order of any person,
31 issued by an incorporated banking company established in this

1 state, or within the United States, or any foreign province,
2 state, or government, with intent to injure any person,
3 commits shall be guilty of a felony of the third degree,
4 punishable as provided in s. 775.082, s. 775.083, or s.
5 775.084.

6 Section 9. Section 831.08, Florida Statutes, is
7 amended to read:

8 831.08 Possessing certain forged notes, or bills,
9 checks, or drafts.--Whoever has in his or her possession 10 or
10 more similar false, altered, forged, or counterfeit notes,
11 bills of credit, bank bills, checks, drafts, or notes, such as
12 are mentioned in any of the preceding sections of this
13 chapter, payable to the bearer thereof or to the order of any
14 person, knowing the same to be false, altered, forged, or
15 counterfeit, with intent to utter and pass the same as true,
16 and thereby to injure or defraud any person, commits shall be
17 guilty of a felony of the third degree, punishable as provided
18 in s. 775.082, s. 775.083, or s. 775.084.

19 Section 10. Section 831.09, Florida Statutes, is
20 amended to read:

21 831.09 Uttering forged bills, checks, drafts, or
22 notes.--Whoever utters or passes or tenders in payment as
23 true, any such false, altered, forged, or counterfeit note, or
24 any bank bill, check, draft, or promissory note, payable to
25 the bearer thereof or to the order of any person, issued as
26 aforesaid, knowing the same to be false, altered, forged or
27 counterfeit, with intent to injure or defraud any person,
28 commits shall be guilty of a felony of the third degree,
29 punishable as provided in s. 775.082, s. 775.083, or s.
30 775.084.

31

1 Section 11. For the purposes of incorporating the
2 amendment to s. 831.09, Florida Statutes, section 831.10,
3 Florida Statutes, is reenacted to read:

4 831.10 Second conviction of uttering forged
5 bills.--Whoever, having been convicted of the offense
6 mentioned in s. 831.09 is again convicted of the like offense
7 committed after the former conviction, and whoever is at the
8 same term of the court convicted upon three distinct charges
9 of such offense, shall be deemed a common utterer of
10 counterfeit bills, and shall be punished as provided in s.
11 775.084.

12 Section 12. Section 831.11, Florida Statutes, is
13 amended to read:

14 831.11 Bringing into the state forged bank bills,
15 checks, drafts, or notes.--Whoever brings into this state or
16 has in his or her possession a false, forged,or counterfeit
17 bill, check, draft,or note in the similitude of the bills or
18 notes payable to the bearer thereof or to the order of any
19 person issued by or for any bank or banking company
20 established in this state, or within the United States, or any
21 foreign province, state or government, with intent to utter
22 and pass the same or to render the same current as true,
23 knowing the same to be false, forged,or counterfeit, commits
24 ~~shall be guilty of~~ a felony of the third degree, punishable as
25 provided in s. 775.082, s. 775.083, or s. 775.084.

26 Section 13. Section 831.12, Florida Statutes, is
27 amended to read:

28 831.12 Fraudulently connecting parts of genuine
29 instrument.--Whoever fraudulently connects together parts of
30 several banknotes, checks, drafts,or other genuine
31 instruments in such a manner as to produce one additional

1 note, check, draft, or instrument, with intent to pass all of
2 them as genuine, ~~commits shall be deemed guilty of forgery in~~
3 ~~like manner~~ as if each of them had been falsely made or
4 forged.

5 Section 14. Section 831.28, Florida Statutes, is
6 created to read:

7 831.28 Counterfeiting a payment instrument; possessing
8 a counterfeit payment instrument; penalties.--

9 (1) As used in this section, the term "counterfeit"
10 means the manufacture of or arrangement to manufacture a
11 payment instrument, as defined in s. 560.103, without the
12 permission of the financial institution, account holder, or
13 organization whose name, routing number, or account number
14 appears on the payment instrument, or the manufacture of any
15 payment instrument with a fictitious name, routing number, or
16 account number.

17 (2)(a) It is unlawful to counterfeit a payment
18 instrument with the intent to defraud a financial institution,
19 account holder, or any other person or organization or for a
20 person to have any counterfeit payment instrument in such
21 person's possession. Any person who violates this subsection
22 commits a felony of the third degree, punishable as provided
23 in s. 775.082, s. 775.083, or s. 775.084.

24 (b) The printing of a payment instrument in the name
25 of a person or entity or with the routing number or account
26 number of a person or entity without the permission of the
27 person or entity to manufacture or reproduce such payment
28 instrument with such name, routing number, or account number
29 is prima facie evidence of intent to defraud.

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

4 Section 15. Subsection (10) is added to section
5 832.05, Florida Statutes, to read:

6 832.05 Giving worthless checks, drafts, and debit card
7 orders; penalty; duty of drawee; evidence; costs; complaint
8 form.--

9 (10) CONSTRUCTION; PAYEE OR HOLDER; INSUFFICIENT
10 FUNDS.--For purposes of construction of this section, a payee
11 or holder does not have knowledge, express notification, or
12 reason to believe that the maker or drawer has insufficient
13 funds to ensure payment of a check, draft, or debit card
14 solely because the maker or drawer has previously drawn or
15 issued a worthless check, draft, or debit card order to the
16 payee or holder.

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

20 921.0022 Criminal Punishment Code; offense severity
21 ranking chart.--

22 (3) OFFENSE SEVERITY RANKING CHART

23			
24	Florida	Felony	
25	Statute	Degree	Description
26			

27
28 (b) LEVEL 2
29
30
31

1	403.413(5)(c)	3rd	Dumps waste litter exceeding 500
2			lbs. in weight or 100 cubic feet
3			in volume or any quantity for
4			commercial purposes, or hazardous
5			waste.
6	517.07	3rd	Registration of securities and
7			furnishing of prospectus
8			required.
9	590.28(1)	3rd	Willful, malicious, or
10			intentional burning.
11	784.05(3)	3rd	Storing or leaving a loaded
12			firearm within reach of minor who
13			uses it to inflict injury or
14			death.
15	787.04(1)	3rd	In violation of court order,
16			take, entice, etc., minor beyond
17			state limits.
18	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000
19			or more to public communication
20			or any other public service.
21	810.09(2)(e)	3rd	Trespassing on posted commerical
22			horticulture property.
23	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or
24			more but less than \$5,000.
25	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or
26			more but less than \$300, taken
27			from unenclosed curtilage of
28			dwelling.
29			
30			
31			

1	<u>812.015(7)</u>	<u>3rd</u>	<u>Possession, use, or attempted use</u>
2			<u>of an antishoplifting or</u>
3			<u>inventory control device</u>
4			<u>countermeasure.</u>
5	817.234(1)(a)2.	3rd	False statement in support of
6			insurance claim.
7	817.481(3)(a)	3rd	Obtain credit or purchase with
8			false, expired, counterfeit,
9			etc., credit card, value over
10			\$300.
11	817.52(3)	3rd	Failure to redeliver hired
12			vehicle.
13	817.54	3rd	With intent to defraud, obtain
14			mortgage note, etc., by false
15			representation.
16	817.60(5)	3rd	Dealing in credit cards of
17			another.
18	817.60(6)(a)	3rd	Forgery; purchase goods, services
19			with false card.
20	817.61	3rd	Fraudulent use of credit cards
21			over \$100 or more within 6
22			months.
23	826.04	3rd	Knowingly marries or has sexual
24			intercourse with person to whom
25			related.
26	831.01	3rd	Forgery.
27	831.02	3rd	Uttering forged instrument;
28			utters or publishes alteration
29			with intent to defraud.
30	831.07	3rd	Forging bank bills, <u>checks,</u>
31			<u>drafts, or promissory notes</u> note.

1	831.08	3rd	<u>Possessing</u> Possession of 10 or
2			more forged notes, <u>bills, checks,</u>
3			<u>or drafts.</u>
4	831.09	3rd	Uttering forged <u>notes, bills,</u>
5			<u>checks, drafts, or promissory</u>
6			<u>notes; passes as bank bill or</u>
7			<u>promissory note.</u>
8	<u>831.11</u>	<u>3rd</u>	<u>Bringing into the state forged</u>
9			<u>bank bills, checks, drafts, or</u>
10			<u>notes.</u>
11	832.05(3)(a)	3rd	Cashing or depositing item with
12			intent to defraud.
13	843.08	3rd	Falsely impersonating an officer.
14	893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c),
15			(2)(c)1., (2)(c)2., (2)(c)3.,
16			(2)(c)5., (2)(c)6., (2)(c)7.,
17			(2)(c)8., (2)(c)9., (3), or (4)
18			drugs other than cannabis.
19	893.147(2)	3rd	Manufacture or delivery of drug
20			paraphernalia.
21			(c) LEVEL 3
22	316.1935(2)	3rd	Fleeing or attempting to elude
23			law enforcement officer in marked
24			patrol vehicle with siren and
25			lights activated.
26	319.30(4)	3rd	Possession by junkyard of motor
27			vehicle with identification
28			number plate removed.
29	319.33(1)(a)	3rd	Alter or forge any certificate of
30			title to a motor vehicle or
31			mobile home.

1	319.33(1)(c)	3rd	Procure or pass title on stolen
2			vehicle.
3	319.33(4)	3rd	With intent to defraud, possess,
4			sell, etc., a blank, forged, or
5			unlawfully obtained title or
6			registration.
7	328.05(2)	3rd	Possess, sell, or counterfeit
8			fictitious, stolen, or fraudulent
9			titles or bills of sale of
10			vessels.
11	328.07(4)	3rd	Manufacture, exchange, or possess
12			vessel with counterfeit or wrong
13			ID number.
14	376.302(5)	3rd	Fraud related to reimbursement
15			for cleanup expenses under the
16			Inland Protection Trust Fund.
17	501.001(2)(b)	2nd	Tampers with a consumer product
18			or the container using materially
19			false/misleading information.
20	697.08	3rd	Equity skimming.
21	790.15(3)	3rd	Person directs another to
22			discharge firearm from a vehicle.
23	796.05(1)	3rd	Live on earnings of a prostitute.
24	806.10(1)	3rd	Maliciously injure, destroy, or
25			interfere with vehicles or
26			equipment used in firefighting.
27	806.10(2)	3rd	Interferes with or assaults
28			firefighter in performance of
29			duty.
30			
31			

1	810.09(2)(c)	3rd	Trespass on property other than
2			structure or conveyance armed
3			with firearm or dangerous weapon.
4	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but
5			less than \$10,000.
6	815.04(4)(b)	2nd	Computer offense devised to
7			defraud or obtain property.
8	817.034(4)(a)3.	3rd	Engages in scheme to defraud
9			(Florida Communications Fraud
10			Act), property valued at less
11			than \$20,000.
12	817.233	3rd	Burning to defraud insurer.
13	828.12(2)	3rd	Tortures any animal with intent
14			to inflict intense pain, serious
15			physical injury, or death.
16	<u>831.28(2)(a)</u>	<u>3rd</u>	<u>Counterfeiting a payment</u>
17			<u>instrument with intent to defraud</u>
18			<u>or possessing a counterfeit</u>
19			<u>payment instrument.</u>
20	831.29	2nd	Possession of instruments for
21			counterfeiting drivers' licenses
22			or identification cards.
23	838.021(3)(b)	3rd	Threatens unlawful harm to public
24			servant.
25	843.19	3rd	Injure, disable, or kill police
26			dog or horse.
27	870.01(2)	3rd	Riot; inciting or encouraging.
28			
29			
30			
31			

1	893.13(1)(a)2.	3rd	Sell, manufacture, or deliver
2			cannabis (or other s.
3			893.03(1)(c), (2)(c)1., (2)(c)2.,
4			(2)(c)3., (2)(c)5., (2)(c)6.,
5			(2)(c)7., (2)(c)8., (2)(c)9.,
6			(3), or (4) drugs).
7	893.13(1)(d)2.	2nd	Sell, manufacture, or deliver s.
8			893.03(1)(c), (2)(c)1., (2)(c)2.,
9			(2)(c)3., (2)(c)5., (2)(c)6.,
10			(2)(c)7., (2)(c)8., (2)(c)9.,
11			(3), or (4) drugs within 200 feet
12			of university or public park.
13	893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s.
14			893.03(1)(c), (2)(c)1., (2)(c)2.,
15			(2)(c)3., (2)(c)5., (2)(c)6.,
16			(2)(c)7., (2)(c)8., (2)(c)9.,
17			(3), or (4) drugs within 200 feet
18			of public housing facility.
19	893.13(6)(a)	3rd	Possession of any controlled
20			substance other than felony
21			possession of cannabis.
22	893.13(7)(a)9.	3rd	Obtain or attempt to obtain
23			controlled substance by fraud,
24			forgery, misrepresentation, etc.
25	893.13(7)(a)11.	3rd	Furnish false or fraudulent
26			material information on any
27			document or record required by
28			chapter 893.
29	918.13(1)(a)	3rd	Alter, destroy, or conceal
30			investigation evidence.
31			

1	944.47		
2	(1)(a)1.-2.	3rd	Introduce contraband to
3			correctional facility.
4	944.47(1)(c)	2nd	Possess contraband while upon the
5			grounds of a correctional
6			institution.
7	985.3141	3rd	Escapes from a juvenile facility
8			(secure detention or residential
9			commitment facility).
10			(d) LEVEL 4
11	316.1935(3)	2nd	Driving at high speed or with
12			wanton disregard for safety while
13			fleeing or attempting to elude
14			law enforcement officer who is in
15			a marked patrol vehicle with
16			siren and lights activated.
17	784.07(2)(b)	3rd	Battery of law enforcement
18			officer, firefighter, intake
19			officer, etc.
20	784.075	3rd	Battery on detention or
21			commitment facility staff.
22	784.08(2)(c)	3rd	Battery on a person 65 years of
23			age or older.
24	784.081(3)	3rd	Battery on specified official or
25			employee.
26	784.082(3)	3rd	Battery by detained person on
27			visitor or other detainee.
28	784.083(3)	3rd	Battery on code inspector.
29	784.085	3rd	Battery of child by throwing,
30			tossing, projecting, or expelling
31			certain fluids or materials.

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)(d)	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			

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	<u>812.0195(2)</u>	<u>3rd</u>	<u>Dealing in stolen property by use</u>
8			<u>of the Internet; property stolen</u>
9			<u>\$300 or more.</u>
10	817.563(1)	3rd	Sell or deliver substance other
11			than controlled substance agreed
12			upon, excluding s. 893.03(5)
13			drugs.
14	<u>817.625(2)(a)</u>	<u>3rd</u>	<u>Fraudulent use of scanning device</u>
15			<u>or reencoder.</u>
16	828.125(1)	2nd	Kill, maim, or cause great bodily
17			harm or permanent breeding
18			disability to any registered
19			horse or cattle.
20	837.02(1)	3rd	Perjury in official proceedings.
21	837.021(1)	3rd	Make contradictory statements in
22			official proceedings.
23	843.021	3rd	Possession of a concealed
24			handcuff key by a person in
25			custody.
26	843.025	3rd	Deprive law enforcement,
27			correctional, or correctional
28			probation officer of means of
29			protection or communication.
30			
31			

1	843.15(1)(a)	3rd	Failure to appear while on bail
2			for felony (bond estreature or
3			bond jumping).
4	874.05(1)	3rd	Encouraging or recruiting another
5			to join a criminal street gang.
6	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s.
7			893.03(1)(a), (b), or (d),
8			(2)(a), (2)(b), or (2)(c)4.
9			drugs).
10	914.14(2)	3rd	Witnesses accepting bribes.
11	914.22(1)	3rd	Force, threaten, etc., witness,
12			victim, or informant.
13	914.23(2)	3rd	Retaliation against a witness,
14			victim, or informant, no bodily
15			injury.
16	918.12	3rd	Tampering with jurors.
17			(e) LEVEL 5
18	316.027(1)(a)	3rd	Accidents involving personal
19			injuries, failure to stop;
20			leaving scene.
21	316.1935(4)	2nd	Aggravated fleeing or eluding.
22	322.34(6)	3rd	Careless operation of motor
23			vehicle with suspended license,
24			resulting in death or serious
25			bodily injury.
26	327.30(5)	3rd	Vessel accidents involving
27			personal injury; leaving scene.
28	381.0041(11)(b)	3rd	Donate blood, plasma, or organs
29			knowing HIV positive.
30	790.01(2)	3rd	Carrying a concealed firearm.
31			

1	790.162	2nd	Threat to throw or discharge
2			destructive device.
3	790.163	2nd	False report of deadly explosive.
4	790.165(2)	3rd	Manufacture, sell, possess, or
5			deliver hoax bomb.
6	790.221(1)	2nd	Possession of short-barreled
7			shotgun or machine gun.
8	790.23	2nd	Felons in possession of firearms
9			or electronic weapons or devices.
10	800.04(6)(c)	3rd	Lewd or lascivious conduct;
11			offender less than 18 years.
12	800.04(7)(c)	2nd	Lewd or lascivious exhibition;
13			offender 18 years or older.
14	806.111(1)	3rd	Possess, manufacture, or dispense
15			fire bomb with intent to damage
16			any structure or property.
17	<u>812.015(8)</u>	<u>3rd</u>	<u>Retail theft; property stolen is</u>
18			<u>valued at \$300 or more other</u>
19			<u>specified acts.</u>
20	812.019(1)	2nd	Stolen property; dealing in or
21			trafficking in.
22	812.131(2)(b)	3rd	Robbery by sudden snatching.
23	812.16(2)	3rd	Owning, operating, or conducting
24			a chop shop.
25	817.034(4)(a)2.	2nd	Communications fraud, value
26			\$20,000 to \$50,000.
27	<u>817.625(2)(b)</u>	<u>2nd</u>	<u>Second or subsequent fraudulent</u>
28			<u>use of scanning device or</u>
29			<u>reencoder.</u>
30			
31			

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

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

1	775.0875(1)	3rd	Taking firearm from law
2			enforcement officer.
3	775.21(10)	3rd	Sexual predators; failure to
4			register; failure to renew
5			driver's license or
6			identification card.
7	784.021(1)(a)	3rd	Aggravated assault; deadly weapon
8			without intent to kill.
9	784.021(1)(b)	3rd	Aggravated assault; intent to
10			commit felony.
11	784.041	3rd	Felony battery.
12	784.048(3)	3rd	Aggravated stalking; credible
13			threat.
14	784.048(5)	3rd	Aggravated stalking of person
15			under 16.
16	784.07(2)(c)	2nd	Aggravated assault on law
17			enforcement officer.
18	784.08(2)(b)	2nd	Aggravated assault on a person 65
19			years of age or older.
20	784.081(2)	2nd	Aggravated assault on specified
21			official or employee.
22	784.082(2)	2nd	Aggravated assault by detained
23			person on visitor or other
24			detainee.
25	784.083(2)	2nd	Aggravated assault on code
26			inspector.
27	787.02(2)	3rd	False imprisonment; restraining
28			with purpose other than those in
29			s. 787.01.
30	790.115(2)(d)	2nd	Discharging firearm or weapon on
31			school property.

1	790.161(2)	2nd	Make, possess, or throw
2			destructive device with intent to
3			do bodily harm or damage
4			property.
5	790.164(1)	2nd	False report of deadly explosive
6			or act of arson or violence to
7			state property.
8	790.19	2nd	Shooting or throwing deadly
9			missiles into dwellings, vessels,
10			or vehicles.
11	794.011(8)(a)	3rd	Solicitation of minor to
12			participate in sexual activity by
13			custodial adult.
14	794.05(1)	2nd	Unlawful sexual activity with
15			specified minor.
16	800.04(5)(d)	3rd	Lewd or lascivious molestation;
17			victim 12 years of age or older
18			but less than 16 years; offender
19			less than 18 years.
20	800.04(6)(b)	2nd	Lewd or lascivious conduct;
21			offender 18 years of age or
22			older.
23	806.031(2)	2nd	Arson resulting in great bodily
24			harm to firefighter or any other
25			person.
26	810.02(3)(c)	2nd	Burglary of occupied structure;
27			unarmed; no assault or battery.
28	812.014(2)(b) <u>1.</u>	2nd	Property stolen \$20,000 or more,
29			but less than \$100,000, grand
30			theft in 2nd degree.
31			

1	<u>812.014(2)(b)2.</u>	<u>2nd</u>	<u>Property stolen cargo valued at</u>
2			<u>less than \$50,000, grand theft in</u>
3			<u>2nd degree.</u>
4	<u>812.015(9)</u>	<u>2nd</u>	<u>Retail theft; property stolen</u>
5			<u>\$300 or more; second or</u>
6			<u>subsequent conviction.</u>
7	812.13(2)(c)	2nd	Robbery, no firearm or other
8			weapon (strong-arm robbery).
9	817.034(4)(a)1.	1st	Communications fraud, value
10			greater than \$50,000.
11	817.4821(5)	2nd	Possess cloning paraphernalia
12			with intent to create cloned
13			cellular telephones.
14	825.102(1)	3rd	Abuse of an elderly person or
15			disabled adult.
16	825.102(3)(c)	3rd	Neglect of an elderly person or
17			disabled adult.
18	825.1025(3)	3rd	Lewd or lascivious molestation of
19			an elderly person or disabled
20			adult.
21	825.103(2)(c)	3rd	Exploiting an elderly person or
22			disabled adult and property is
23			valued at less than \$20,000.
24	827.03(1)	3rd	Abuse of a child.
25	827.03(3)(c)	3rd	Neglect of a child.
26	827.071(2)&(3)	2nd	Use or induce a child in a sexual
27			performance, or promote or direct
28			such performance.
29	836.05	2nd	Threats; extortion.
30	836.10	2nd	Written threats to kill or do
31			bodily injury.

1	843.12	3rd	Aids or assists person to escape.
2	847.0135(3)	3rd	Solicitation of a child, via a
3			computer service, to commit an
4			unlawful sex act.
5	914.23	2nd	Retaliation against a witness,
6			victim, or informant, with bodily
7			injury.
8	943.0435(9)	3rd	Sex offenders; failure to comply
9			with reporting requirements.
10	944.35(3)(a)2.	3rd	Committing malicious battery upon
11			or inflicting cruel or inhuman
12			treatment on an inmate or
13			offender on community
14			supervision, resulting in great
15			bodily harm.
16	944.40	2nd	Escapes.
17	944.46	3rd	Harboring, concealing, aiding
18			escaped prisoners.
19	944.47(1)(a)5.	2nd	Introduction of contraband
20			(firearm, weapon, or explosive)
21			into correctional facility.
22	951.22(1)	3rd	Intoxicating drug, firearm, or
23			weapon introduced into county
24			facility.
25			(g) LEVEL 7
26	316.193(3)(c)2.	3rd	DUI resulting in serious bodily
27			injury.
28	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
29			bodily injury.
30			
31			

1	402.319(2)	2nd	Misrepresentation and negligence
2			or intentional act resulting in
3			great bodily harm, permanent
4			disfiguration, permanent
5			disability, or death.
6	409.920(2)	3rd	Medicaid provider fraud.
7	456.065(2)	3rd	Practicing a health care
8			profession without a license.
9	456.065(2)	2nd	Practicing a health care
10			profession without a license
11			which results in serious bodily
12			injury.
13	458.327(1)	3rd	Practicing medicine without a
14			license.
15	459.013(1)	3rd	Practicing osteopathic medicine
16			without a license.
17	460.411(1)	3rd	Practicing chiropractic medicine
18			without a license.
19	461.012(1)	3rd	Practicing podiatric medicine
20			without a license.
21	462.17	3rd	Practicing naturopathy without a
22			license.
23	463.015(1)	3rd	Practicing optometry without a
24			license.
25	464.016(1)	3rd	Practicing nursing without a
26			license.
27	465.015(2)	3rd	Practicing pharmacy without a
28			license.
29	466.026(1)	3rd	Practicing dentistry or dental
30			hygiene without a license.
31			

1	467.201	3rd	Practicing midwifery without a
2			license.
3	468.366	3rd	Delivering respiratory care
4			services without a license.
5	483.828(1)	3rd	Practicing as clinical laboratory
6			personnel without a license.
7	483.901(9)	3rd	Practicing medical physics
8			without a license.
9	484.053	3rd	Dispensing hearing aids without a
10			license.
11	494.0018(2)	1st	Conviction of any violation of
12			ss. 494.001-494.0077 in which the
13			total money and property
14			unlawfully obtained exceeded
15			\$50,000 and there were five or
16			more victims.
17	560.123(8)(b)1.	3rd	Failure to report currency or
18			payment instruments exceeding
19			\$300 but less than \$20,000 by
20			money transmitter.
21	560.125(5)(a)	3rd	Money transmitter business by
22			unauthorized person, currency or
23			payment instruments exceeding
24			\$300 but less than \$20,000.
25	655.50(10)(b)1.	3rd	Failure to report financial
26			transactions exceeding \$300 but
27			less than \$20,000 by financial
28			institution.
29			
30			
31			

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.

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.
31			

1	812.014(2)(a)	1st	Property stolen, valued at
2			\$100,000 or more; <u>cargo stolen</u>
3			<u>valued at \$50,000, or more;</u>
4			property stolen while causing
5			other property damage; 1st degree
6			grand theft
7	<u>812.014(2)(b)3.</u>	<u>2nd</u>	<u>Property stolen, emergency</u>
8			<u>medical equipment; 2nd degree</u>
9			<u>grand theft.</u>
10	812.019(2)	1st	Stolen property; initiates,
11			organizes, plans, etc., the theft
12			of property and traffics in
13			stolen property.
14	812.131(2)(a)	2nd	Robbery by sudden snatching.
15	812.133(2)(b)	1st	Carjacking; no firearm, deadly
16			weapon, or other weapon.
17	825.102(3)(b)	2nd	Neglecting an elderly person or
18			disabled adult causing great
19			bodily harm, disability, or
20			disfigurement.
21	825.1025(2)	2nd	Lewd or lascivious battery upon
22			an elderly person or disabled
23			adult.
24	825.103(2)(b)	2nd	Exploiting an elderly person or
25			disabled adult and property is
26			valued at \$20,000 or more, but
27			less than \$100,000.
28	827.03(3)(b)	2nd	Neglect of a child causing great
29			bodily harm, disability, or
30			disfigurement.
31			

1	827.04(3)	3rd	Impregnation of a child under 16
2			years of age by person 21 years
3			of age or older.
4	837.05(2)	3rd	Giving false information about
5			alleged capital felony to a law
6			enforcement officer.
7	872.06	2nd	Abuse of a dead human body.
8	893.13(1)(c)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 a
13			child care facility or school.
14	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
15			cocaine or other drug prohibited
16			under s. 893.03(1)(a), (1)(b),
17			(1)(d), (2)(a), (2)(b), or
18			(2)(c)4., within 1,000 feet of
19			property used for religious
20			services or a specified business
21			site.
22	893.13(4)(a)	1st	Deliver to minor cocaine (or
23			other s. 893.03(1)(a), (1)(b),
24			(1)(d), (2)(a), (2)(b), or
25			(2)(c)4. drugs).
26	893.135(1)(a)1.	1st	Trafficking in cannabis, more
27			than 50 lbs., less than 2,000
28			lbs.
29	893.135		
30	(1)(b)1.a.	1st	Trafficking in cocaine, more than
31			28 grams, less than 200 grams.

1	893.135		
2	(1)(c)1.a.	1st	Trafficking in illegal drugs,
3			more than 4 grams, less than 14
4			grams.
5	893.135		
6	(1)(d)1.	1st	Trafficking in phencyclidine,
7			more than 28 grams, less than 200
8			grams.
9	893.135(1)(e)1.	1st	Trafficking in methaqualone, more
10			than 200 grams, less than 5
11			kilograms.
12	893.135(1)(f)1.	1st	Trafficking in amphetamine, more
13			than 14 grams, less than 28
14			grams.
15	893.135		
16	(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4
17			grams or more, less than 14
18			grams.
19	893.135		
20	(1)(h)1.a.	1st	Trafficking in
21			gamma-hydroxybutyric acid (GHB),
22			1 kilogram or more, less than 5
23			kilograms.
24	893.135		
25	(1)(i)1.a.	1st	Trafficking in 1,4-Butanediol, 1
26			kilogram or more, less then 5
27			kilograms.
28	893.135		
29	(1)(j)2.a.	1st	Trafficking in Phenethylamines,
30			10 grams or more, less than 200
31			grams.

1 896.101(5)(a) 3rd Money laundering, financial
2 transactions exceeding \$300 but
3 less than \$20,000.
4 896.104(4)(a)1. 3rd Structuring transactions to evade
5 reporting or registration
6 requirements, financial
7 transactions exceeding \$300 but
8 less than \$20,000.

9 Section 17. Local task force on retail crime.--The
10 Legislature encourages local law enforcement agencies to
11 establish a task force on retail crime. The task force should
12 act as an advisory body to study the problem of retail crime
13 and develop recommendations for handling retail crime and
14 theft in an expeditious and uniform manner. The task force
15 should submit its recommendations to the sheriff or chief
16 officer of the local law enforcement agency, the state
17 attorney, and the chief judge of the judicial circuit. The
18 sheriff or chief officer of the local law enforcement agency
19 should appoint the members of the task force. A majority of
20 the membership of the task force should consist of persons
21 actively engaged in a retail business or employees of persons
22 actively engaged in a retail business. The task force should
23 terminate existence upon completing its assignment.

24 Section 18. If any provision of this act or the
25 applications thereof to any person or circumstance is held
26 invalid, the invalidity does not affect other provisions or
27 applications of the act which can be given effect without the
28 invalid provision or application, and to this end the
29 provisions of this act are declared severable.

30 Section 19. This act shall take effect July 1, 2001.
31