

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Council for Healthy Communities offered the following:

**Substitute Amendment for Amendment (155961) (with title amendment)**

On page 2, line 6, through page 10, line 21, remove from the bill: all said lines

and insert in lieu thereof: Section 2. Paragraph (b) of subsection (2) of section 812.014, Florida Statutes, is amended to read:

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

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

the offender commits grand theft in the second degree, punishable as a felony of the second degree, as provided in s. 775.082, s. 775.083, or s. 775.084. Emergency medical

equipment means mechanical or electronic apparatus used to provide emergency services and care as defined in s.

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1 395.002(10) or to treat medical emergencies.

2 Section 3. Paragraphs (f) and (g) of subsection (3) of  
3 section 921.0022, Florida Statutes, is amended to read:

4 921.0022 Criminal Punishment Code; offense severity  
5 ranking chart.--

6 (3) OFFENSE SEVERITY RANKING CHART

7	8 Florida	9 Felony	
10	11 Statute	12 Degree	13 Description
14			(f) LEVEL 6
15	316.027(1)(b)	2nd	Accident involving death, failure to stop; leaving scene.
16	316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
17	775.0875(1)	3rd	Taking firearm from law enforcement officer.
18	775.21(10)	3rd	Sexual predators; failure to register; failure to renew driver's license or identification card.
19	784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
20	784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
21	784.041	3rd	Felony battery.
22	784.048(3)	3rd	Aggravated stalking; credible threat.
23	784.048(5)	3rd	Aggravated stalking of person under 16.

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1	784.07(2)(c)	2nd	Aggravated assault on law
2			enforcement officer.
3	784.08(2)(b)	2nd	Aggravated assault on a person 65
4			years of age or older.
5	784.081(2)	2nd	Aggravated assault on specified
6			official or employee.
7	784.082(2)	2nd	Aggravated assault by detained
8			person on visitor or other
9			detainee.
10	784.083(2)	2nd	Aggravated assault on code
11			inspector.
12	787.02(2)	3rd	False imprisonment; restraining
13			with purpose other than those in
14			s. 787.01.
15	790.115(2)(d)	2nd	Discharging firearm or weapon on
16			school property.
17	790.161(2)	2nd	Make, possess, or throw
18			destructive device with intent to
19			do bodily harm or damage
20			property.
21	790.164(1)	2nd	False report of deadly explosive
22			or act of arson or violence to
23			state property.
24	790.19	2nd	Shooting or throwing deadly
25			missiles into dwellings, vessels,
26			or vehicles.
27	794.011(8)(a)	3rd	Solicitation of minor to
28			participate in sexual activity by
29			custodial adult.
30	794.05(1)	2nd	Unlawful sexual activity with
31			specified minor.

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1	800.04(5)(d)	3rd	Lewd or lascivious molestation;
2			victim 12 years of age or older
3			but less than 16 years; offender
4			less than 18 years.
5	800.04(6)(b)	2nd	Lewd or lascivious conduct;
6			offender 18 years of age or
7			older.
8	806.031(2)	2nd	Arson resulting in great bodily
9			harm to firefighter or any other
10			person.
11	810.02(3)(c)	2nd	Burglary of occupied structure;
12			unarmed; no assault or battery.
13	812.014(2)(b) <u>1.</u>	2nd	Property stolen \$20,000 or more,
14			but less than \$100,000, grand
15			theft in 2nd degree.
16	812.13(2)(c)	2nd	Robbery, no firearm or other
17			weapon (strong-arm robbery).
18	817.034(4)(a)1.	1st	Communications fraud, value
19			greater than \$50,000.
20	817.4821(5)	2nd	Possess cloning paraphernalia
21			with intent to create cloned
22			cellular telephones.
23	825.102(1)	3rd	Abuse of an elderly person or
24			disabled adult.
25	825.102(3)(c)	3rd	Neglect of an elderly person or
26			disabled adult.
27	825.1025(3)	3rd	Lewd or lascivious molestation of
28			an elderly person or disabled
29			adult.
30	825.103(2)(c)	3rd	Exploiting an elderly person or
31			disabled adult and property is

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1			valued at less than \$20,000.
2	827.03(1)	3rd	Abuse of a child.
3	827.03(3)(c)	3rd	Neglect of a child.
4	827.071(2)&(3)	2nd	Use or induce a child in a sexual
5			performance, or promote or direct
6			such performance.
7	836.05	2nd	Threats; extortion.
8	836.10	2nd	Written threats to kill or do
9			bodily injury.
10	843.12	3rd	Aids or assists person to escape.
11	847.0135(3)	3rd	Solicitation of a child, via a
12			computer service, to commit an
13			unlawful sex act.
14	914.23	2nd	Retaliation against a witness,
15			victim, or informant, with bodily
16			injury.
17	943.0435(9)	3rd	Sex offenders; failure to comply
18			with reporting requirements.
19	944.35(3)(a)2.	3rd	Committing malicious battery upon
20			or inflicting cruel or inhuman
21			treatment on an inmate or
22			offender on community
23			supervision, resulting in great
24			bodily harm.
25	944.40	2nd	Escapes.
26	944.46	3rd	Harboring, concealing, aiding
27			escaped prisoners.
28	944.47(1)(a)5.	2nd	Introduction of contraband
29			(firearm, weapon, or explosive)
30			into correctional facility.
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1	951.22(1)	3rd	Intoxicating drug, firearm, or
2			weapon introduced into county
3			facility.
4			(g) LEVEL 7
5	316.193(3)(c)2.	3rd	DUI resulting in serious bodily
6			injury.
7	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
8			bodily injury.
9	402.319(2)	2nd	Misrepresentation and negligence
10			or intentional act resulting in
11			great bodily harm, permanent
12			disfiguration, permanent
13			disability, or death.
14	409.920(2)	3rd	Medicaid provider fraud.
15	456.065(2)	3rd	Practicing a health care
16			profession without a license.
17	456.065(2)	2nd	Practicing a health care
18			profession without a license
19			which results in serious bodily
20			injury.
21	458.327(1)	3rd	Practicing medicine without a
22			license.
23	459.013(1)	3rd	Practicing osteopathic medicine
24			without a license.
25	460.411(1)	3rd	Practicing chiropractic medicine
26			without a license.
27	461.012(1)	3rd	Practicing podiatric medicine
28			without a license.
29	462.17	3rd	Practicing naturopathy without a
30			license.
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1	463.015(1)	3rd	Practicing optometry without a
2			license.
3	464.016(1)	3rd	Practicing nursing without a
4			license.
5	465.015(2)	3rd	Practicing pharmacy without a
6			license.
7	466.026(1)	3rd	Practicing dentistry or dental
8			hygiene without a license.
9	467.201	3rd	Practicing midwifery without a
10			license.
11	468.366	3rd	Delivering respiratory care
12			services without a license.
13	483.828(1)	3rd	Practicing as clinical laboratory
14			personnel without a license.
15	483.901(9)	3rd	Practicing medical physics
16			without a license.
17	484.053	3rd	Dispensing hearing aids without a
18			license.
19	494.0018(2)	1st	Conviction of any violation of
20			ss. 494.001-494.0077 in which the
21			total money and property
22			unlawfully obtained exceeded
23			\$50,000 and there were five or
24			more victims.
25	560.123(8)(b)1.	3rd	Failure to report currency or
26			payment instruments exceeding
27			\$300 but less than \$20,000 by
28			money transmitter.
29	560.125(5)(a)	3rd	Money transmitter business by
30			unauthorized person, currency or
31			payment instruments exceeding

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1			\$300 but less than \$20,000.
2	655.50(10)(b)1.	3rd	Failure to report financial
3			transactions exceeding \$300 but
4			less than \$20,000 by financial
5			institution.
6	782.051(3)	2nd	Attempted felony murder of a
7			person by a person other than the
8			perpetrator or the perpetrator of
9			an attempted felony.
10	782.07(1)	2nd	Killing of a human being by the
11			act, procurement, or culpable
12			negligence of another
13			(manslaughter).
14	782.071	2nd	Killing of human being or viable
15			fetus by the operation of a motor
16			vehicle in a reckless manner
17			(vehicular homicide).
18	782.072	2nd	Killing of a human being by the
19			operation of a vessel in a
20			reckless manner (vessel
21			homicide).
22	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
23			causing great bodily harm or
24			disfigurement.
25	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
26			weapon.
27	784.045(1)(b)	2nd	Aggravated battery; perpetrator
28			aware victim pregnant.
29	784.048(4)	3rd	Aggravated stalking; violation of
30			injunction or court order.
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1	784.07(2)(d)	1st	Aggravated battery on law
2			enforcement officer.
3	784.08(2)(a)	1st	Aggravated battery on a person 65
4			years of age or older.
5	784.081(1)	1st	Aggravated battery on specified
6			official or employee.
7	784.082(1)	1st	Aggravated battery by detained
8			person on visitor or other
9			detainee.
10	784.083(1)	1st	Aggravated battery on code
11			inspector.
12	790.07(4)	1st	Specified weapons violation
13			subsequent to previous conviction
14			of s. 790.07(1) or (2).
15	790.16(1)	1st	Discharge of a machine gun under
16			specified circumstances.
17	790.166(3)	2nd	Possessing, selling, using, or
18			attempting to use a hoax weapon
19			of mass destruction.
20	796.03	2nd	Procuring any person under 16
21			years for prostitution.
22	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
23			victim less than 12 years of age;
24			offender less than 18 years.
25	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
26			victim 12 years of age or older
27			but less than 16 years; offender
28			18 years or older.
29	806.01(2)	2nd	Maliciously damage structure by
30			fire or explosive.
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1	810.02(3)(a)	2nd	Burglary of occupied dwelling;
2			unarmed; no assault or battery.
3	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
4			unarmed; no assault or battery.
5	810.02(3)(d)	2nd	Burglary of occupied conveyance;
6			unarmed; no assault or battery.
7	812.014(2)(a)	1st	Property stolen, valued at
8			\$100,000 or more; property stolen
9			while causing other property
10			damage; 1st degree grand theft.
11	<u>812.014(2)(b)2</u>	<u>2nd</u>	<u>Property stolen, emergency</u>
12			<u>medical equipment; 2nd degree</u>
13			<u>grand theft.</u>
14	812.019(2)	1st	Stolen property; initiates,
15			organizes, plans, etc., the theft
16			of property and traffics in
17			stolen property.
18	812.131(2)(a)	2nd	Robbery by sudden snatching.
19	812.133(2)(b)	1st	Carjacking; no firearm, deadly
20			weapon, or other weapon.
21	825.102(3)(b)	2nd	Neglecting an elderly person or
22			disabled adult causing great
23			bodily harm, disability, or
24			disfigurement.
25	825.1025(2)	2nd	Lewd or lascivious battery upon
26			an elderly person or disabled
27			adult.
28	825.103(2)(b)	2nd	Exploiting an elderly person or
29			disabled adult and property is
30			valued at \$20,000 or more, but
31			less than \$100,000.

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1	827.03(3)(b)	2nd	Neglect of a child causing great
2			bodily harm, disability, or
3			disfigurement.
4	827.04(3)	3rd	Impregnation of a child under 16
5			years of age by person 21 years
6			of age or older.
7	837.05(2)	3rd	Giving false information about
8			alleged capital felony to a law
9			enforcement officer.
10	872.06	2nd	Abuse of a dead human body.
11	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
12			cocaine (or other drug prohibited
13			under s. 893.03(1)(a), (1)(b),
14			(1)(d), (2)(a), (2)(b), or
15			(2)(c)4.) within 1,000 feet of a
16			child care facility or school.
17	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
18			cocaine or other drug prohibited
19			under s. 893.03(1)(a), (1)(b),
20			(1)(d), (2)(a), (2)(b), or
21			(2)(c)4., within 1,000 feet of
22			property used for religious
23			services or a specified business
24			site.
25	893.13(4)(a)	1st	Deliver to minor cocaine (or
26			other s. 893.03(1)(a), (1)(b),
27			(1)(d), (2)(a), (2)(b), or
28			(2)(c)4. drugs).
29	893.135(1)(a)1.	1st	Trafficking in cannabis, more
30			than 50 lbs., less than 2,000
31			lbs.

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

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

16 And the title is amended as follows:

17 On page 1, line 2,

18 remove from the title of the bill: the entire title

19

20 and insert in lieu thereof:

21 An act relating to security of medical facilities and

22 supplies; amending s. 784.07, F.S.; redefining the term

23 "emergency medical care provider" for purposes of enhanced

24 penalties for assaults on such persons; amending s. 812.014,

25 F.S.; providing second-degree felony penalties for theft of

26 certain emergency medical equipment; amending s. 921.0022,

27 F.S., relating to the Criminal Punishment Code; including the

28 offense of theft of emergency medical equipment on the offense

29 severity ranking chart; providing an effective date.

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