



HB 1675

2003

1 A bill to be entitled

2 An act relating to facilitating or furthering a burglary;
3 creating s. 810.061, F.S.; defining the term "burglary";
4 providing that it is a third degree felony for a person to
5 damage a wire or line that transmits or conveys telephone
6 or power to a dwelling or to otherwise impair or impede
7 such telephone or power transmission or conveyance for the
8 purpose of facilitating or furthering the commission or
9 attempted commission of a burglary of a dwelling;
10 reenacting s. 810.02(1)(b), F.S., relating to the
11 definition of the term "burglary"; amending s. 921.0022,
12 F.S., relating to the offense severity ranking chart of
13 the Criminal Punishment Code; conforming provisions to
14 changes made by the act; providing an effective date.

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16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Section 810.061, Florida Statutes, is created
19 to read:

20 810.061 Impairing or impeding telephone or power to a
21 dwelling; facilitating or furthering a burglary; penalty.--

22 (1) As used in this section, the term "burglary" has the
23 meaning ascribed in s. 810.02(1)(b).

24 (2) A person who, for the purpose of facilitating or
25 furthering the commission or attempted commission of a burglary
26 of a dwelling by any person, damages a wire or line that
27 transmits or conveys telephone or power to that dwelling,
28 impairs any other equipment necessary for telephone or power
29 transmission or conveyance, or otherwise impairs or impedes such
30 telephone or power transmission or conveyance commits a felony



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31 of the third degree, punishable as provided in s. 775.082, s.
 32 775.083, or s. 775.084.

33 Section 2. Paragraph (b) of subsection (1) of section
 34 810.02, Florida Statutes, is reenacted to read:

35 810.02 Burglary.--

36 (1)

37 (b) For offenses committed after July 1, 2001, "burglary"
 38 means:

39 1. Entering a dwelling, a structure, or a conveyance with
 40 the intent to commit an offense therein, unless the premises are
 41 at the time open to the public or the defendant is licensed or
 42 invited to enter; or

43 2. Notwithstanding a licensed or invited entry, remaining
 44 in a dwelling, structure, or conveyance:

45 a. Surreptitiously, with the intent to commit an offense
 46 therein;

47 b. After permission to remain therein has been withdrawn,
 48 with the intent to commit an offense therein; or

49 c. To commit or attempt to commit a forcible felony, as
 50 defined in s. 776.08.

51 Section 3. Paragraph (b) of subsection (3) of section
 52 921.0022, Florida Statutes, is amended to read:

53 921.0022 Criminal Punishment Code; offense severity
 54 ranking chart.--

55 (3) OFFENSE SEVERITY RANKING CHART

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Florida	Felony	
Statute	Degree	Description

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		(b) LEVEL 2	
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.
517.07	3rd		Registration of securities and furnishing of prospectus required.
590.28(1)	3rd		Willful, malicious, or intentional burning.
784.05(3)	3rd		Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
787.04(1)	3rd		In violation of court order, take, entice, etc., minor beyond state limits.
806.13(1)(b)3.	3rd		Criminal mischief; damage \$1,000 or more to public communication or any other public service.



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<u>810.061(2)</u>	<u>3rd</u>	<u>Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.</u>
810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
817.234(1)(a)2.	3rd	False statement in support of insurance claim.
817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.



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75	817.52(3)	3rd	Failure to redeliver hired vehicle.
76	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
77	817.60(5)	3rd	Dealing in credit cards of another.
78	817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
79	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
80	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
81	831.01	3rd	Forgery.
82	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
83	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or



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831.09

3rd

drafts.

Uttering forged notes, bills, checks, drafts, or promissory notes.

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831.11

3rd

Bringing into the state forged bank bills, checks, drafts, or notes.

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832.05(3)(a)

3rd

Cashing or depositing item with intent to defraud.

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843.08

3rd

Falsely impersonating an officer.

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893.13(2)(a)2.

3rd

Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or(4) drugs other than cannabis.

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893.147(2)

3rd

Manufacture or delivery of drug paraphernalia.

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Section 4. This act shall take effect July 1, 2003.