



ENROLLED
HB 1683

2003 Legislature

A bill to be entitled

An act relating to the offense of leaving the scene of an accident involving a fatality; amending s. 921.0022, F.S.; providing an enhanced penalty for that offense under the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

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

Section 1. Paragraphs (f) and (g) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

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

(3) OFFENSE SEVERITY RANKING CHART

| Florida Statute | Felony Degree | Description |
|--------------------------|----------------|--|
| | | (f) Level 6 |
| 316.027(1)(b) | 2nd | Accident involving death, failure to stop; leaving scene. |
| 316.193(2)(b) | 3rd | Felony DUI, 4th or subsequent conviction. |
| 775.0875(1) | 3rd | Taking firearm from law enforcement officer. |
| 775.21(10) | 3rd | Sexual predators; failure to |



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| | | register; failure to renew driver's license or identification card. |
| 784.021(1)(a) | 3rd | Aggravated assault; deadly weapon without intent to kill. |
| 784.021(1)(b) | 3rd | Aggravated assault; intent to commit felony. |
| 784.041 | 3rd | Felony battery. |
| 784.048(3) | 3rd | Aggravated stalking; credible threat. |
| 784.048(5) | 3rd | Aggravated stalking of person under 16. |
| 784.07(2)(c) | 2nd | Aggravated assault on law enforcement officer. |
| 784.074(1)(b) | 2nd | Aggravated assault on sexually violent predators facility staff. |
| 784.08(2)(b) | 2nd | Aggravated assault on a person 65 years of age or older. |
| 784.081(2) | 2nd | Aggravated assault on specified official or employee. |



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| 784.082(2) | 2nd | Aggravated assault by detained person on visitor or other detainee. |
| 784.083(2) | 2nd | Aggravated assault on code inspector. |
| 787.02(2) | 3rd | False imprisonment; restraining with purpose other than those in s. 787.01. |
| 790.115(2)(d) | 2nd | Discharging firearm or weapon on school property. |
| 790.161(2) | 2nd | Make, possess, or throw destructive device with intent to do bodily harm or damage property. |
| 790.164(1) | 2nd | False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property. |
| 790.19 | 2nd | Shooting or throwing deadly missiles into dwellings, vessels, or vehicles. |
| 794.011(8)(a) | 3rd | Solicitation of minor to participate in sexual activity by custodial adult. |



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| 794.05(1) | 2nd | Unlawful sexual activity with specified minor. |
| 800.04(5)(d) | 3rd | Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years. |
| 800.04(6)(b) | 2nd | Lewd or lascivious conduct; offender 18 years of age or older. |
| 806.031(2) | 2nd | Arson resulting in great bodily harm to firefighter or any other person. |
| 810.02(3)(c) | 2nd | Burglary of occupied structure; unarmed; no assault or battery. |
| 812.014(2)(b)1. | 2nd | Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree. |
| 812.014(2)(b)2. | 2nd | Property stolen; cargo valued at less than \$50,000, grand theft in 2nd degree. |
| 812.015(9) | 2nd | Retail theft; property stolen \$300 or more; second or subsequent conviction. |



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| 812.13(2)(c) | 2nd | Robbery, no firearm or other weapon (strong-arm robbery). |
| 817.034(4)(a)1. | 1st | Communications fraud, value greater than \$50,000. |
| 817.4821(5) | 2nd | Possess cloning paraphernalia with intent to create cloned cellular telephones. |
| 825.102(1) | 3rd | Abuse of an elderly person or disabled adult. |
| 825.102(3)(c) | 3rd | Neglect of an elderly person or disabled adult. |
| 825.1025(3) | 3rd | Lewd or lascivious molestation of an elderly person or disabled adult. |
| 825.103(2)(c) | 3rd | Exploiting an elderly person or disabled adult and property is valued at less than \$20,000. |
| 827.03(1) | 3rd | Abuse of a child. |
| 827.03(3)(c) | 3rd | Neglect of a child. |
| 827.071(2)&(3) | 2nd | Use or induce a child in a sexual performance, or promote or direct such performance. |



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| 836.05 | 2nd | Threats; extortion. |
| 836.10 | 2nd | Written threats to kill or do bodily injury. |
| 843.12 | 3rd | Aids or assists person to escape. |
| 847.0135(3) | 3rd | Solicitation of a child, via a computer service, to commit an unlawful sex act. |
| 914.23 | 2nd | Retaliation against a witness, victim, or informant, with bodily injury. |
| 943.0435(9) | 3rd | Sex offenders; failure to comply with reporting requirements. |
| 944.35(3)(a)2. | 3rd | Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm. |
| 944.40 | 2nd | Escapes. |
| 944.46 | 3rd | Harboring, concealing, aiding |



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escaped prisoners.

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| 944.47(1)(a)5. | 2nd | Introduction of contraband (firearm, weapon, or explosive) into correctional facility. |
| 951.22(1) | 3rd | Intoxicating drug, firearm, or weapon introduced into county facility. |
| | (g) LEVEL 7 | |
| <u>316.027(1)(b)</u> | <u>2nd</u> | <u>Accident involving death, failure to stop; leaving scene.</u> |
| 316.193(3)(c)2. | 3rd | DUI resulting in serious bodily injury. |
| 327.35(3)(c)2. | 3rd | Vessel BUI resulting in serious bodily injury. |
| 402.319(2) | 2nd | Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death. |
| 409.920(2) | 3rd | Medicaid provider fraud. |
| 456.065(2) | 3rd | Practicing a health care |



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profession without a license.

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| 456.065(2) | 2nd | Practicing a health care profession without a license which results in serious bodily injury. |
| 458.327(1) | 3rd | Practicing medicine without a license. |
| 459.013(1) | 3rd | Practicing osteopathic medicine without a license. |
| 460.411(1) | 3rd | Practicing chiropractic medicine without a license. |
| 461.012(1) | 3rd | Practicing podiatric medicine without a license. |
| 462.17 | 3rd | Practicing naturopathy without a license. |
| 463.015(1) | 3rd | Practicing optometry without a license. |
| 464.016(1) | 3rd | Practicing nursing without a license. |
| 465.015(2) | 3rd | Practicing pharmacy without a license. |
| 466.026(1) | 3rd | Practicing dentistry or dental hygiene without a license. |



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| 467.201 | 3rd | Practicing midwifery without a license. |
| 468.366 | 3rd | Delivering respiratory care services without a license. |
| 483.828(1) | 3rd | Practicing as clinical laboratory personnel without a license. |
| 483.901(9) | 3rd | Practicing medical physics without a license. |
| 484.013(1)(c) | 3rd | Preparing or dispensing optical devices without a prescription. |
| 484.053 | 3rd | Dispensing hearing aids without a license. |
| 494.0018(2) | 1st | Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims. |
| 560.123(8)(b)1. | 3rd | Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter. |



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| 560.125(5)(a) | 3rd | Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000. |
| 655.50(10)(b)1. | 3rd | Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution. |
| 782.051(3) | 2nd | Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony. |
| 782.07(1) | 2nd | Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter). |
| 782.071 | 2nd | Killing of human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide). |
| 782.072 | 2nd | Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide). |



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| 784.045(1)(a)1. | 2nd | Aggravated battery; intentionally causing great bodily harm or disfigurement. |
| 784.045(1)(a)2. | 2nd | Aggravated battery; using deadly weapon. |
| 784.045(1)(b) | 2nd | Aggravated battery; perpetrator aware victim pregnant. |
| 784.048(4) | 3rd | Aggravated stalking; violation of injunction or court order. |
| 784.07(2)(d) | 1st | Aggravated battery on law enforcement officer. |
| 784.074(1)(a) | 1st | Aggravated battery on sexually violent predators facility staff. |
| 784.08(2)(a) | 1st | Aggravated battery on a person 65 years of age or older. |
| 784.081(1) | 1st | Aggravated battery on specified official or employee. |
| 784.082(1) | 1st | Aggravated battery by detained person on visitor or |



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other detainee.

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| 784.083(1) | 1st | Aggravated battery on code inspector. |
| 790.07(4) | 1st | Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2). |
| 790.16(1) | 1st | Discharge of a machine gun under specified circumstances. |
| 790.165(2) | 2nd | Manufacture, sell, possess, or deliver hoax bomb. |
| 790.165(3) | 2nd | Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony. |
| 790.166(3) | 2nd | Possessing, selling, using, or attempting to use a hoax weapon of mass destruction. |
| 790.166(4) | 2nd | Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony. |



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| 796.03 | 2nd | Procuring any person under 16 years for prostitution. |
| 800.04(5)(c)1. | 2nd | Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years. |
| 800.04(5)(c)2. | 2nd | Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older. |
| 806.01(2) | 2nd | Maliciously damage structure by fire or explosive. |
| 810.02(3)(a) | 2nd | Burglary of occupied dwelling; unarmed; no assault or battery. |
| 810.02(3)(b) | 2nd | Burglary of unoccupied dwelling; unarmed; no assault or battery. |
| 810.02(3)(d) | 2nd | Burglary of occupied conveyance; unarmed; no assault or battery. |
| 812.014(2)(a) | 1st | Property stolen, valued at \$100,000 or more; cargo stolen valued at \$50,000 or |



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| | | more; property stolen while causing other property damage; 1st degree grand theft. |
| 812.014(2)(b)3. | 2nd | Property stolen, emergency medical equipment; 2nd degree grand theft. |
| 812.0145(2)(a) | 1st | Theft from person 65 years of age or older; \$50,000 or more. |
| 812.019(2) | 1st | Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property. |
| 812.131(2)(a) | 2nd | Robbery by sudden snatching. |
| 812.133(2)(b) | 1st | Carjacking; no firearm, deadly weapon, or other weapon. |
| 817.234(11)(c) | 1st | Insurance fraud; property value \$100,000 or more. |
| 825.102(3)(b) | 2nd | Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement. |
| 825.103(2)(b) | 2nd | Exploiting an elderly person |



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or disabled adult and
property is valued at \$20,000
or more, but less than
\$100,000.

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| 827.03(3)(b) | 2nd | Neglect of a child causing great bodily harm, disability, or disfigurement. |
| 827.04(3) | 3rd | Impregnation of a child under 16 years of age by person 21 years of age or older. |
| 837.05(2) | 3rd | Giving false information about alleged capital felony to a law enforcement officer. |
| 872.06 | 2nd | Abuse of a dead human body. |
| 893.13(1)(c)1. | 1st | Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or(2)(c)4.) within 1,000 feet of a child care facility or school. |
| 893.13(1)(e)1. | 1st | Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or(2)(c)4., |



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within 1,000 feet of property
used for religious services
or a specified business site.

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| 893.13(4)(a) | 1st | Deliver to minor cocaine (or other s. 893.03(1)(a),(1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs). |
| 893.135(1)(a)1. | 1st | Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs. |
| 893.135 (1)(b)1.a. | 1st | Trafficking in cocaine, more than 28 grams, less than 200 grams. |
| 893.135 (1)(c)1.a. | 1st | Trafficking in illegal drugs, more than 4 grams, less than 14 grams. |
| 893.135 (1)(d)1. | 1st | Trafficking in phencyclidine, more than 28 grams, less than 200 grams. |
| 893.135(1)(e)1. | 1st | Trafficking in methaqualone, more than 200 grams, less than 5 kilograms. |
| 893.135(1)(f)1. | 1st | Trafficking in amphetamine, more than 14 grams, less than 28 grams. |



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| 893.135 | 1st | Trafficking in flunitrazepam, 4 grams or more, less than 14 grams. |
| (1)(g)1.a. | | |
| 893.135 | 1st | Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms. |
| (1)(h)1.a. | | |
| 893.135 | 1st | Trafficking in 1,4- Butanediol, 1 kilogram or more, less than 5 kilograms. |
| (1)(j)1.a. | | |
| 893.135 | 1st | Trafficking in Phenethylamines, 10 grams or more, less than 200 grams. |
| (1)(k)2.a. | | |
| 896.101(5)(a) | 3rd | Money laundering, financial transactions exceeding \$300 but less than \$20,000. |
| 896.104(4)(a)1. | 3rd | Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000. |

Section 2. This act shall take effect July 1, 2003.