

Bill No. CS for SB 2030

Amendment No. ____ Barcode 262366

CHAMBER ACTION

Senate

House

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Senator Sebesta moved the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. This act may be known by the popular name
the "Paul Mendelson Citizens' Right to Honest Government Act."

Section 2. Section 838.014, Florida Statutes, is
amended to read:

838.014 Definitions.--~~As used in~~ ~~For the purposes of~~
~~this chapter, the term unless a different meaning plainly is~~
~~required:~~

(1) "Benefit" means gain or advantage, or anything
regarded by the person to be benefited as a gain or advantage,
including the doing of an act beneficial to any person in
whose welfare he or she is interested, including any
commission, gift, gratuity, property, commercial interest, or
any other thing of economic value not authorized by law.

(2) "Bid" includes a response to an "invitation to
bid," "invitation to negotiate," "request for a quote," or

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1 "request for proposals" as those terms are defined in s.

2 287.012.

3 (3) "Commodity" means any goods, merchandise, wares,
4 produce, chose in action, land, article of commerce, or other
5 tangible or intangible property, real, personal, or mixed, for
6 use, consumption, production, enjoyment, or resale.

7 (4) "Corruptly" or "with corrupt intent" means acting
8 knowingly and dishonestly for a wrongful purpose.

9 (5) "Harm" means pecuniary or other loss,
10 disadvantage, or injury to the person affected.

11 (6) "Public servant" means:

12 (a) Any officer or employee of a state, county,
13 municipal, or special district agency or entity;

14 (b) Any legislative or judicial officer or employee;

15 (c) Any person, except a witness, who acts as a
16 master, receiver, auditor, arbitrator, umpire, referee,
17 consultant, or hearing officer while performing a governmental
18 function; or

19 (d) A candidate for election or appointment to any of
20 the positions listed in this subsection, or an individual who
21 has been elected to, but has yet to officially assume the
22 responsibilities of, public office.

23 (7) "Service" means any kind of activity performed in
24 whole or in part for economic benefit.

25 ~~(2) "Pecuniary benefit" is benefit in the form of any~~
26 ~~commission, gift, gratuity, property, commercial interest, or~~
27 ~~any other thing of economic value.~~

28 ~~(3) "Harm" means loss, disadvantage, or injury to the~~
29 ~~person affected, including loss, disadvantage, or injury to~~
30 ~~any other person in whose welfare he or she is interested.~~

31 ~~(4) "Public servant" means any public officer, agent,~~

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1 ~~or employee of government, whether elected or appointed,~~
2 ~~including, but not limited to, any executive, legislative, or~~
3 ~~judicial officer; any person who holds an office or position~~
4 ~~in a political party or political party committee, whether~~
5 ~~elected or appointed; and any person participating as a~~
6 ~~special master, receiver, auditor, juror, arbitrator, umpire,~~
7 ~~referee, consultant, administrative law judge, hearing~~
8 ~~officer, or hearing examiner, or person acting on behalf of~~
9 ~~any of these, in performing a governmental function; but the~~
10 ~~term does not include witnesses. Such term shall include a~~
11 ~~candidate for election or appointment to any such office,~~
12 ~~including any individual who seeks or intends to occupy any~~
13 ~~such office. It shall include any person appointed to any of~~
14 ~~the foregoing offices or employments before and after he or~~
15 ~~she qualifies.~~

16 ~~(5) "Government" includes the state government and any~~
17 ~~city or county government or any branch, political~~
18 ~~subdivision, or agency of the state, county, or city~~
19 ~~government.~~

20 ~~(6) "Corruptly" means done with a wrongful intent and~~
21 ~~for the purpose of obtaining or compensating or receiving~~
22 ~~compensation for any benefit resulting from some act or~~
23 ~~omission of a public servant which is inconsistent with the~~
24 ~~proper performance of his or her public duties.~~

25 Section 3. Subsections (1) and (3) of section 838.015,
26 Florida Statutes, are amended to read:

27 838.015 Bribery.--

28 (1) "Bribery" means corruptly to give, offer, or
29 promise to any public servant, or, if a public servant,
30 corruptly to request, solicit, accept, or agree to accept for
31 himself or herself or another, any pecuniary or other benefit

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1 not authorized by law with an intent or purpose to influence
2 the performance of any act or omission which the person
3 believes to be, or the public servant represents as being,
4 within the official discretion of a public servant, in
5 violation of a public duty, or in performance of a public
6 duty.

7 (3) Any person who commits bribery commits ~~is guilty~~
8 ~~of~~ a felony of the second ~~third~~ degree, punishable as provided
9 in s. 775.082, s. 775.083, or s. 775.084.

10 Section 4. Subsection (4) of section 838.016, Florida
11 Statutes, is amended to read:

12 838.016 Unlawful compensation or reward for official
13 behavior.--

14 (4) Whoever violates the provisions of this section
15 commits ~~shall be guilty of~~ a felony of the second ~~third~~
16 degree, punishable as provided in s. 775.082, s. 775.083, or
17 s. 775.084.

18 Section 5. Sections 838.022, 838.21, and 838.22,
19 Florida Statutes, are created to read:

20 838.022 Official misconduct.--

21 (1) It is unlawful for a public servant, with corrupt
22 intent to obtain a benefit for any person or to cause harm to
23 another, to:

24 (a) Falsify, or cause another person to falsify, any
25 official record or official document;

26 (b) Conceal, cover up, destroy, mutilate, or alter any
27 official record or official document or cause another person
28 to perform such an act; or

29 (c) Obstruct, delay, or prevent the communication of
30 information relating to the commission of a felony that
31 directly involves or affects the public agency or public

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1 entity served by the public servant.

2 (2) For the purposes of this section:

3 (a) The term "public servant" does not include a
4 candidate who does not otherwise qualify as a public servant.

5 (b) An official record or official document includes
6 only public records.

7 (3) Any person who violates this section commits a
8 felony of the third degree, punishable as provided in s.
9 775.082, s. 775.083, or s. 775.084.

10 838.21 Disclosure or use of confidential criminal
11 justice information.--It is unlawful for a public servant,
12 with intent to obstruct, impede, or prevent a criminal
13 investigation or a criminal prosecution, to disclose active
14 criminal investigative or intelligence information as defined
15 in chapter 119 or to disclose or use information regarding
16 either the efforts to secure or the issuance of a warrant,
17 subpoena, or other court process or court order relating to a
18 criminal investigation or criminal prosecution when such
19 information is not available to the general public and is
20 gained by reason of the public servant's official position.

21 Any person who violates this section commits a felony of the
22 third degree, punishable as provided in s. 775.082, s.
23 775.083, or s. 775.084.

24 838.22 Bid tampering.--

25 (1) It is unlawful for a public servant, with corrupt
26 intent to influence or attempt to influence the competitive
27 bidding process undertaken by any state, county, municipal, or
28 special district agency, or any other public entity, for the
29 procurement of commodities or services, to:

30 (a) Disclose material information concerning a bid or
31 other aspects of the competitive bidding process when such

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1 information is not publicly disclosed.

2 (b) Alter or amend a submitted bid, documents or other
3 materials supporting a submitted bid, or bid results for the
4 purpose of intentionally providing a competitive advantage to
5 any person who submits a bid.

6 (2) It is unlawful for a public servant, with corrupt
7 intent to obtain a benefit for any person or to cause unlawful
8 harm to another, to circumvent a competitive bidding process
9 required by law or rule by using a sole-source contract for
10 commodities or services.

11 (3) It is unlawful for any person to knowingly agree,
12 conspire, combine, or confederate, directly or indirectly,
13 with a public servant to violate subsection (1) or subsection
14 (2).

15 (4) It is unlawful for any person to knowingly enter
16 into a contract for commodities or services which was secured
17 by a public servant acting in violation of subsection (1) or
18 subsection (2).

19 (5) Any person who violates this section commits a
20 felony of the second degree, punishable as provided in s.
21 775.082, s. 775.083, or s. 775.084.

22 Section 6. Paragraphs (a), (d), and (g) of subsection
23 (3) of section 921.0022, Florida Statutes, are amended to
24 read:

25 921.0022 Criminal Punishment Code; offense severity
26 ranking chart.--

27 (3) OFFENSE SEVERITY RANKING CHART

28 Florida Felony Description
29 Statute Degree

30 (a) LEVEL 1

31

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1	24.118(3)(a)	3rd	Counterfeit or altered state
2			lottery ticket.
3	212.054(2)(b)	3rd	Discretionary sales surtax;
4			limitations, administration, and
5			collection.
6	212.15(2)(b)	3rd	Failure to remit sales taxes,
7			amount greater than \$300 but less
8			than \$20,000.
9	319.30(5)	3rd	Sell, exchange, give away
10			certificate of title or
11			identification number plate.
12	319.35(1)(a)	3rd	Tamper, adjust, change, etc., an
13			odometer.
14	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell
15			registration license plates or
16			validation stickers.
17	322.212(1)(a)-(c)	3rd	Possession of forged, stolen,
18			counterfeit, or unlawfully issued
19			driver's license; possession of
20			simulated identification.
21	322.212(4)	3rd	Supply or aid in supplying
22			unauthorized driver's license or
23			identification card.
24	322.212(5)(a)	3rd	False application for driver's
25			license or identification card.
26	370.13(3)(a)	3rd	Molest any stone crab trap, line,
27			or buoy which is property of
28			licenseholder.
29	370.135(1)	3rd	Molest any blue crab trap, line,
30			or buoy which is property of
31			licenseholder.

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1	372.663(1)	3rd	Poach any alligator or
2			crocodilia.
3	414.39(2)	3rd	Unauthorized use, possession,
4			forgery, or alteration of food
5			stamps, Medicaid ID, value
6			greater than \$200.
7	414.39(3)(a)	3rd	Fraudulent misappropriation of
8			public assistance funds by
9			employee/official, value more
10			than \$200.
11	443.071(1)	3rd	False statement or representation
12			to obtain or increase
13			unemployment compensation
14			benefits.
15	509.151(1)	3rd	Defraud an innkeeper, food or
16			lodging value greater than \$300.
17	517.302(1)	3rd	Violation of the Florida
18			Securities and Investor
19			Protection Act.
20	562.27(1)	3rd	Possess still or still apparatus.
21	713.69	3rd	Tenant removes property upon
22			which lien has accrued, value
23			more than \$50.
24	812.014(3)(c)	3rd	Petit theft (3rd conviction);
25			theft of any property not
26			specified in subsection (2).
27	812.081(2)	3rd	Unlawfully makes or causes to be
28			made a reproduction of a trade
29			secret.
30	815.04(4)(a)	3rd	Offense against intellectual
31			property (i.e., computer

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1			programs, data).
2	817.52(2)	3rd	Hiring with intent to defraud,
3			motor vehicle services.
4	817.569(2)	3rd	Use of public record or public
5			records information to facilitate
6			commission of a felony.
7	826.01	3rd	Bigamy.
8	828.122(3)	3rd	Fighting or baiting animals.
9	831.04(1)	3rd	Any erasure, alteration, etc., of
10			any replacement deed, map, plat,
11			or other document listed in s.
12			92.28.
13	831.31(1)(a)	3rd	Sell, deliver, or possess
14			counterfeit controlled
15			substances, all but s. 893.03(5)
16			drugs.
17	832.041(1)	3rd	Stopping payment with intent to
18			defraud \$150 or more.
19	832.05(2)(b)&(4)(c)	3rd	Knowing, making, issuing
20			worthless checks \$150 or more or
21			obtaining property in return for
22			worthless check \$150 or more.
23	838.015(3)	3rd	Bribery.
24	838.016(1)	3rd	Public servant receiving unlawful
25			compensation.
26	838.15(2)	3rd	Commercial bribe receiving.
27	838.16	3rd	Commercial bribery.
28	843.18	3rd	Fleeing by boat to elude a law
29			enforcement officer.
30	847.011(1)(a)	3rd	Sell, distribute, etc., obscene,
31			lewd, etc., material (2nd

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1			conviction).
2	849.01	3rd	Keeping gambling house.
3	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc.,
4			or assist therein, conduct or
5			advertise drawing for prizes, or
6			dispose of property or money by
7			means of lottery.
8	849.23	3rd	Gambling-related machines;
9			"common offender" as to property
10			rights.
11	849.25(2)	3rd	Engaging in bookmaking.
12	860.08	3rd	Interfere with a railroad signal.
13	860.13(1)(a)	3rd	Operate aircraft while under the
14			influence.
15	893.13(2)(a)2.	3rd	Purchase of cannabis.
16	893.13(6)(a)	3rd	Possession of cannabis (more than
17			20 grams).
18	934.03(1)(a)	3rd	Intercepts, or procures any other
19			person to intercept, any wire or
20			oral communication.
21			(d) LEVEL 4
22	316.1935(3)	2nd	Driving at high speed or with
23			wanton disregard for safety while
24			fleeing or attempting to elude
25			law enforcement officer who is in
26			a marked patrol vehicle with
27			siren and lights activated.
28	784.07(2)(b)	3rd	Battery of law enforcement
29			officer, firefighter, intake
30			officer, etc.
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1	784.074(1)(c)	3rd	Battery of sexually violent
2			predators facility staff.
3	784.075	3rd	Battery on detention or
4			commitment facility staff.
5	784.078	3rd	Battery of facility employee by
6			throwing, tossing, or expelling
7			certain fluids or materials.
8	784.08(2)(c)	3rd	Battery on a person 65 years of
9			age or older.
10	784.081(3)	3rd	Battery on specified official or
11			employee.
12	784.082(3)	3rd	Battery by detained person on
13			visitor or other detainee.
14	784.083(3)	3rd	Battery on code inspector.
15	784.085	3rd	Battery of child by throwing,
16			tossing, projecting, or expelling
17			certain fluids or materials.
18	787.03(1)	3rd	Interference with custody;
19			wrongly takes child from
20			appointed guardian.
21	787.04(2)	3rd	Take, entice, or remove child
22			beyond state limits with criminal
23			intent pending custody
24			proceedings.
25	787.04(3)	3rd	Carrying child beyond state lines
26			with criminal intent to avoid
27			producing child at custody
28			hearing or delivering to
29			designated person.
30	790.115(1)	3rd	Exhibiting firearm or weapon
31			within 1,000 feet of a school.

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1	790.115(2)(b)	3rd	Possessing electric weapon or
2			device, destructive device, or
3			other weapon on school property.
4	790.115(2)(c)	3rd	Possessing firearm on school
5			property.
6	800.04(7)(d)	3rd	Lewd or lascivious exhibition;
7			offender less than 18 years.
8	810.02(4)(a)	3rd	Burglary, or attempted burglary,
9			of an unoccupied structure;
10			unarmed; no assault or battery.
11	810.02(4)(b)	3rd	Burglary, or attempted burglary,
12			of an unoccupied conveyance;
13			unarmed; no assault or battery.
14	810.06	3rd	Burglary; possession of tools.
15	810.08(2)(c)	3rd	Trespass on property, armed with
16			firearm or dangerous weapon.
17	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000
18			or more but less than \$20,000.
19	812.014(2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will,
20			firearm, motor vehicle,
21			livestock, etc.
22	812.0195(2)	3rd	Dealing in stolen property by use
23			of the Internet; property stolen
24			\$300 or more.
25	817.563(1)	3rd	Sell or deliver substance other
26			than controlled substance agreed
27			upon, excluding s. 893.03(5)
28			drugs.
29	817.568(2)(a)	3rd	Fraudulent use of personal
30			identification information.
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1	817.625(2)(a)	3rd	Fraudulent use of scanning device
2			or reencoder.
3	828.125(1)	2nd	Kill, maim, or cause great bodily
4			harm or permanent breeding
5			disability to any registered
6			horse or cattle.
7	837.02(1)	3rd	Perjury in official proceedings.
8	837.021(1)	3rd	Make contradictory statements in
9			official proceedings.
10	<u>838.022</u>	<u>3rd</u>	<u>Official misconduct.</u>
11	839.13(2)(a)	3rd	Falsifying records of an
12			individual in the care and
13			custody of a state agency.
14	839.13(2)(c)	3rd	Falsifying records of the
15			Department of Children and Family
16			Services.
17	843.021	3rd	Possession of a concealed
18			handcuff key by a person in
19			custody.
20	843.025	3rd	Deprive law enforcement,
21			correctional, or correctional
22			probation officer of means of
23			protection or communication.
24	843.15(1)(a)	3rd	Failure to appear while on bail
25			for felony (bond estreature or
26			bond jumping).
27	874.05(1)	3rd	Encouraging or recruiting another
28			to join a criminal street gang.
29	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s.
30			893.03(1)(a), (b), or (d),
31			(2)(a), (2)(b), or (2)(c)4.

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1			drugs).
2	914.14(2)	3rd	Witnesses accepting bribes.
3	914.22(1)	3rd	Force, threaten, etc., witness,
4			victim, or informant.
5	914.23(2)	3rd	Retaliation against a witness,
6			victim, or informant, no bodily
7			injury.
8	918.12	3rd	Tampering with jurors.
9	934.215	3rd	Use of two-way communications
10			device to facilitate commission
11			of a crime.
12			(g) LEVEL 7
13	316.193(3)(c)2.	3rd	DUI resulting in serious bodily
14			injury.
15	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
16			bodily injury.
17	402.319(2)	2nd	Misrepresentation and negligence
18			or intentional act resulting in
19			great bodily harm, permanent
20			disfiguration, permanent
21			disability, or death.
22	409.920(2)	3rd	Medicaid provider fraud.
23	456.065(2)	3rd	Practicing a health care
24			profession without a license.
25	456.065(2)	2nd	Practicing a health care
26			profession without a license
27			which results in serious bodily
28			injury.
29	458.327(1)	3rd	Practicing medicine without a
30			license.
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1	459.013(1)	3rd	Practicing osteopathic medicine
2			without a license.
3	460.411(1)	3rd	Practicing chiropractic medicine
4			without a license.
5	461.012(1)	3rd	Practicing podiatric medicine
6			without a license.
7	462.17	3rd	Practicing naturopathy without a
8			license.
9	463.015(1)	3rd	Practicing optometry without a
10			license.
11	464.016(1)	3rd	Practicing nursing without a
12			license.
13	465.015(2)	3rd	Practicing pharmacy without a
14			license.
15	466.026(1)	3rd	Practicing dentistry or dental
16			hygiene without a license.
17	467.201	3rd	Practicing midwifery without a
18			license.
19	468.366	3rd	Delivering respiratory care
20			services without a license.
21	483.828(1)	3rd	Practicing as clinical laboratory
22			personnel without a license.
23	483.901(9)	3rd	Practicing medical physics
24			without a license.
25	484.013(1)(c)	3rd	Preparing or dispensing optical
26			devices without a prescription.
27	484.053	3rd	Dispensing hearing aids without a
28			license.
29	494.0018(2)	1st	Conviction of any violation of
30			ss. 494.001-494.0077 in which the
31			total money and property

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1			unlawfully obtained exceeded
2			\$50,000 and there were five or
3			more victims.
4	560.123(8)(b)1.	3rd	Failure to report currency or
5			payment instruments exceeding
6			\$300 but less than \$20,000 by
7			money transmitter.
8	560.125(5)(a)	3rd	Money transmitter business by
9			unauthorized person, currency or
10			payment instruments exceeding
11			\$300 but less than \$20,000.
12	655.50(10)(b)1.	3rd	Failure to report financial
13			transactions exceeding \$300 but
14			less than \$20,000 by financial
15			institution.
16	782.051(3)	2nd	Attempted felony murder of a
17			person by a person other than the
18			perpetrator or the perpetrator of
19			an attempted felony.
20	782.07(1)	2nd	Killing of a human being by the
21			act, procurement, or culpable
22			negligence of another
23			(manslaughter).
24	782.071	2nd	Killing of human being or viable
25			fetus by the operation of a motor
26			vehicle in a reckless manner
27			(vehicular homicide).
28	782.072	2nd	Killing of a human being by the
29			operation of a vessel in a
30			reckless manner (vessel
31			homicide).

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1	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
2			causing great bodily harm or
3			disfigurement.
4	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
5			weapon.
6	784.045(1)(b)	2nd	Aggravated battery; perpetrator
7			aware victim pregnant.
8	784.048(4)	3rd	Aggravated stalking; violation of
9			injunction or court order.
10	784.07(2)(d)	1st	Aggravated battery on law
11			enforcement officer.
12	784.074(1)(a)	1st	Aggravated battery on sexually
13			violent predators facility staff.
14	784.08(2)(a)	1st	Aggravated battery on a person 65
15			years of age or older.
16	784.081(1)	1st	Aggravated battery on specified
17			official or employee.
18	784.082(1)	1st	Aggravated battery by detained
19			person on visitor or other
20			detainee.
21	784.083(1)	1st	Aggravated battery on code
22			inspector.
23	790.07(4)	1st	Specified weapons violation
24			subsequent to previous conviction
25			of s. 790.07(1) or (2).
26	790.16(1)	1st	Discharge of a machine gun under
27			specified circumstances.
28	790.165(2)	2nd	Manufacture, sell, possess, or
29			deliver hoax bomb.
30	790.165(3)	2nd	Possessing, displaying, or
31			threatening to use any hoax bomb

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1			while committing or attempting to
2			commit a felony.
3	790.166(3)	2nd	Possessing, selling, using, or
4			attempting to use a hoax weapon
5			of mass destruction.
6	790.166(4)	2nd	Possessing, displaying, or
7			threatening to use a hoax weapon
8			of mass destruction while
9			committing or attempting to
10			commit a felony.
11	796.03	2nd	Procuring any person under 16
12			years for prostitution.
13	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
14			victim less than 12 years of age;
15			offender less than 18 years.
16	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
17			victim 12 years of age or older
18			but less than 16 years; offender
19			18 years or older.
20	806.01(2)	2nd	Maliciously damage structure by
21			fire or explosive.
22	810.02(3)(a)	2nd	Burglary of occupied dwelling;
23			unarmed; no assault or battery.
24	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
25			unarmed; no assault or battery.
26	810.02(3)(d)	2nd	Burglary of occupied conveyance;
27			unarmed; no assault or battery.
28	812.014(2)(a)	1st	Property stolen, valued at
29			\$100,000 or more; cargo stolen
30			valued at \$50,000 or more;
31			property stolen while causing

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1			other property damage; 1st degree
2			grand theft.
3	812.014(2)(b)3.	2nd	Property stolen, emergency
4			medical equipment; 2nd degree
5			grand theft.
6	812.0145(2)(a)	1st	Theft from person 65 years of age
7			or older; \$50,000 or more.
8	812.019(2)	1st	Stolen property; initiates,
9			organizes, plans, etc., the theft
10			of property and traffics in
11			stolen property.
12	812.131(2)(a)	2nd	Robbery by sudden snatching.
13	812.133(2)(b)	1st	Carjacking; no firearm, deadly
14			weapon, or other weapon.
15	817.234(11)(c)	1st	Insurance fraud; property value
16			\$100,000 or more.
17	825.102(3)(b)	2nd	Neglecting an elderly person or
18			disabled adult causing great
19			bodily harm, disability, or
20			disfigurement.
21	825.103(2)(b)	2nd	Exploiting an elderly person or
22			disabled adult and property is
23			valued at \$20,000 or more, but
24			less than \$100,000.
25	827.03(3)(b)	2nd	Neglect of a child causing great
26			bodily harm, disability, or
27			disfigurement.
28	827.04(3)	3rd	Impregnation of a child under 16
29			years of age by person 21 years
30			of age or older.
31			

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1	837.05(2)	3rd	Giving false information about
2			alleged capital felony to a law
3			enforcement officer.
4	<u>838.015</u>	<u>2nd</u>	<u>Bribery.</u>
5	<u>838.016</u>	<u>2nd</u>	<u>Unlawful compensation or reward</u>
6			<u>for official behavior.</u>
7	<u>838.021(3)(a)</u>	<u>2nd</u>	<u>Unlawful harm to a public</u>
8			<u>servant.</u>
9	<u>838.22</u>	<u>2nd</u>	<u>Bid tampering.</u>
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 25 lbs., less than 2,000
31			lbs.

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

6 Section 7. Section 839.25, Florida Statutes, is
7 repealed.

8 Section 8. Subsection (2) of section 112.534, Florida
9 Statutes, is amended to read:

10 112.534 Failure to comply; official misconduct.--

11 (2) All the provisions of s. 838.022 ~~839.25~~ shall
12 apply to this part.

13 Section 9. Paragraph (d) of subsection (4) of section
14 117.01, Florida Statutes, is amended to read:

15 117.01 Appointment, application, suspension,
16 revocation, application fee, bond, and oath.--

17 (4) The Governor may suspend a notary public for any
18 of the grounds provided in s. 7, Art. IV of the State
19 Constitution. Grounds constituting malfeasance, misfeasance,
20 or neglect of duty include, but are not limited to, the
21 following:

22 (d) Official misconduct as defined in s. 838.022
23 ~~839.25~~.

24 Section 10. This act shall take effect October 1,
25 2003.

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27

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

29 And the title is amended as follows:

30 Delete everything before the enacting clause

31

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1 and insert:

2 A bill to be entitled
3 An act relating to violations of citizens'
4 right to honest government; providing a popular
5 name; amending s. 838.014, F.S.; revising,
6 providing, and deleting definitions; amending
7 s. 838.015, F.S.; revising the definition of
8 "bribery" and increasing the penalty therefor;
9 amending s. 838.016, F.S.; increasing the
10 penalty for unlawful compensation for official
11 behavior; creating ss. 838.022, 838.21, and
12 838.22, F.S.; providing criminal penalties for
13 official misconduct, disclosure or use of
14 confidential criminal justice information, and
15 bid tampering; providing definitions; providing
16 status of confidential informants and
17 confidential sources; amending s. 921.0022,
18 F.S.; deleting specified felonies from and
19 adding specified felonies to the Criminal
20 Punishment Code offense severity ranking chart;
21 repealing s. 839.25, F.S., relating to official
22 misconduct; amending ss. 112.534 and 117.01,
23 F.S.; conforming cross references to changes
24 made by the act; providing an effective date.

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