

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

.
.
.

Representatives Goodlette and Gelber offered the following:

Substitute Amendment for Amendment (746731) (with title amendment)

Remove line(s) 45-573, and insert:

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.

Amendment No. (for drafter's use only)

27 (2) "Bid" includes a response to an "invitation to bid,"
28 "invitation to negotiate," "request for a quote," or "request
29 for proposals" as those terms are defined in s. 287.012.

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

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

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

38 (6) "Public servant" means:

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

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

42 (c) Any person, except a witness, who acts as a master,
43 receiver, auditor, arbitrator, umpire, referee, consultant, or
44 hearing officer while performing a governmental function; or

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

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

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

Amendment No. (for drafter's use only)

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

57 ~~(4) "Public servant" means any public officer, agent, or~~
58 ~~employee of government, whether elected or appointed, including,~~
59 ~~but not limited to, any executive, legislative, or judicial~~
60 ~~officer; any person who holds an office or position in a~~
61 ~~political party or political party committee, whether elected or~~
62 ~~appointed; and any person participating as a special master,~~
63 ~~receiver, auditor, juror, arbitrator, umpire, referee,~~
64 ~~consultant, administrative law judge, hearing officer, or~~
65 ~~hearing examiner, or person acting on behalf of any of these, in~~
66 ~~performing a governmental function; but the term does not~~
67 ~~include witnesses. Such term shall include a candidate for~~
68 ~~election or appointment to any such office, including any~~
69 ~~individual who seeks or intends to occupy any such office. It~~
70 ~~shall include any person appointed to any of the foregoing~~
71 ~~offices or employments before and after he or she qualifies.~~

72 ~~(5) "Government" includes the state government and any~~
73 ~~city or county government or any branch, political subdivision,~~
74 ~~or agency of the state, county, or city government.~~

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

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

82 838.015 Bribery.--

Amendment No. (for drafter's use only)

83 (1) "Bribery" means corruptly to give, offer, or promise
84 to any public servant, or, if a public servant, corruptly to
85 request, solicit, accept, or agree to accept for himself or
86 herself or another, any pecuniary or other benefit not
87 authorized by law with an intent or purpose to influence the
88 performance of any act or omission which the person believes to
89 be, or the public servant represents as being, within the
90 official discretion of a public servant, in violation of a
91 public duty, or in performance of a public duty.

92 (3) Any person who commits bribery commits ~~is guilty of~~ a
93 felony of the second ~~third~~ degree, punishable as provided in s.
94 775.082, s. 775.083, or s. 775.084.

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

97 838.016 Unlawful compensation or reward for official
98 behavior.--

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

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

104 838.022 Official misconduct.--

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

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

Amendment No. (for drafter's use only)

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

113 (c) Obstruct, delay, or prevent the communication of
114 information relating to the commission of a felony that directly
115 involves or affects the public agency or public entity served by
116 the public servant.

117 (2) For the purposes of this section:

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

120 (b) An official record or official document includes only
121 public records.

122 (3) Any person who violates this section commits a felony
123 of the third degree, punishable as provided in s. 775.082, s.
124 775.083, or s. 775.084.

125 838.21 Disclosure or use of confidential criminal justice
126 information.--It is unlawful for a public servant, with intent
127 to obstruct, impede, or prevent a criminal investigation or a
128 criminal prosecution, to disclose active criminal investigative
129 or intelligence information as defined in chapter 119 or to
130 disclose or use information regarding either the efforts to
131 secure or the issuance of a warrant, subpoena, or other court
132 process or court order relating to a criminal investigation or
133 criminal prosecution when such information is not available to
134 the general public and is gained by reason of the public
135 servant's official position. Any person who violates this
136 section commits a felony of the third degree, punishable as
137 provided in s. 775.082, s. 775.083, or s. 775.084.

138 838.22 Bid tampering.--

Amendment No. (for drafter's use only)

139 (1) It is unlawful for a public servant, with corrupt
140 intent to influence or attempt to influence the competitive
141 bidding process undertaken by any state, county, municipal, or
142 special district agency, or any other public entity, for the
143 procurement of commodities or services, to:

144 (a) Disclose material information concerning a bid or
145 other aspects of the competitive bidding process when such
146 information is not publicly disclosed.

147 (b) Alter or amend a submitted bid, documents or other
148 materials supporting a submitted bid, or bid results for the
149 purpose of intentionally providing a competitive advantage to
150 any person who submits a bid.

151 (2) It is unlawful for a public servant, with corrupt
152 intent to obtain a benefit for any person or to cause unlawful
153 harm to another, to circumvent a competitive bidding process
154 required by law or rule by using a sole-source contract for
155 commodities or services.

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

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

163 (5) Any person who violates this section commits a felony
164 of the second degree, punishable as provided in s. 775.082, s.
165 775.083, or s. 775.084.

166 Section 6. Section 837.02, Florida Statutes, is amended to
167 read:

302659

Amendment No. (for drafter's use only)

168 837.02 Perjury in official proceedings.--

169 (1) Except as provided in subsections ~~subsection~~ (2) and
170 (3), whoever makes a false statement, which he or she does not
171 believe to be true, under oath in an official proceeding in
172 regard to any material matter, commits a felony of the third
173 degree, punishable as provided in s. 775.082, s. 775.083, or s.
174 775.084.

175 (2) Whoever makes a false statement, which he or she does
176 not believe to be true, under oath in an official proceeding
177 that relates to the prosecution of a capital felony, commits a
178 felony of the second degree, punishable as provided in s.
179 775.082, s. 775.083, or s. 775.084.

180 (3) Any public servant, as defined in s. 838.014, who
181 gives false testimony, which he or she does not believe to be
182 true, under oath in an official proceeding in regard to any
183 material matter that relates to his or her duties or actions as
184 a public servant commits a felony of the second degree,
185 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

186 ~~(4)~~(3) Knowledge of the materiality of the statement is
187 not an element of the crime of perjury under subsection (1), ~~or~~
188 subsection (2), or subsection (3) and the defendant's mistaken
189 belief that the statement was not material is not a defense.

190 Section 7. Paragraphs (a), (f), and (g) of subsection (3)
191 of section 921.0022, Florida Statutes, are amended to read:

192 921.0022 Criminal Punishment Code; offense severity
193 ranking chart.--

194

195 (3) OFFENSE SEVERITY RANKING CHART

Florida Felony Description

302659

Amendment No. (for drafter's use only)

Statute	Degree	
	(a)	LEVEL 1
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
322.212(1)(a)- (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
322.212(4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
322.212(5)(a)	3rd	False application for driver's license or identification card.
370.13(3)(a)	3rd	Molest any stone crab trap, line, or buoy which is property of

HOUSE AMENDMENT

Bill No.HB 847 CS

Amendment No. (for drafter's use only)

		licenseholder.
370.135(1)	3rd	Molest any blue crab trap, line, or buoy which is property of licenseholder.
372.663(1)	3rd	Poach any alligator or crocodilia.
414.39(2)	3rd	Unauthorized use, possession, forgery, or alteration of food stamps, Medicaid ID, value greater than \$200.
414.39(3)(a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
443.071(1)	3rd	False statement or representation to obtain or increase unemployment compensation benefits.
509.151(1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
517.302(1)	3rd	Violation of the Florida Securities and Investor Protection Act.
562.27(1)	3rd	Possess still or still apparatus.
713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
812.014(3)(c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
812.081(2)	3rd	Unlawfully makes or causes to be

302659

HOUSE AMENDMENT

Bill No.HB 847 CS

Amendment No. (for drafter's use only)

		made a reproduction of a trade secret.
815.04(4)(a)	3rd	Offense against intellectual property (i.e., computer programs, data).
817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
817.569(2)	3rd	Use of public record or public records information to facilitate commission of a felony.
826.01	3rd	Bigamy.
828.122(3)	3rd	Fighting or baiting animals.
831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
832.05(2)(b)& (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
838.015(3)	3rd	Bribery.
838.016(1)	3rd	Public servant receiving unlawful compensation.
838.15(2)	3rd	Commercial bribe receiving.

302659

HOUSE AMENDMENT

Bill No.HB 847 CS

Amendment No. (for drafter's use only)

838.16	3rd	Commercial bribery.
843.18	3rd	Fleeing by boat to elude a law enforcement officer.
847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
849.01	3rd	Keeping gambling house.
849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
849.23	3rd	Gambling-related machines; "common offender" as to property rights.
849.25(2)	3rd	Engaging in bookmaking.
860.08	3rd	Interfere with a railroad signal.
860.13(1)(a)	3rd	Operate aircraft while under the influence.
893.13(2)(a)2.	3rd	Purchase of cannabis.
893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
	(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.

302659

HOUSE AMENDMENT

Bill No.HB 847 CS

Amendment No. (for drafter's use only)

775.0875(1)	3rd	Taking firearm from law enforcement officer.
775.21(10)	3rd	Sexual predators; failure to 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.
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

302659

Amendment No. (for drafter's use only)

		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.
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;

302659

HOUSE AMENDMENT

Bill No.HB 847 CS

Amendment No. (for drafter's use only)

		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.
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.

302659

HOUSE AMENDMENT

Bill No.HB 847 CS

Amendment No. (for drafter's use only)

836.05	2nd		Threats; extortion.
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 escaped prisoners.
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	
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.

302659

HOUSE AMENDMENT

Bill No.HB 847 CS

Amendment No. (for drafter's use only)

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 profession without a license.
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.

302659

HOUSE AMENDMENT

Bill No.HB 847 CS

Amendment No. (for drafter's use only)

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.
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

302659

HOUSE AMENDMENT

Bill No.HB 847 CS

Amendment No. (for drafter's use only)

		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).
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.

302659

HOUSE AMENDMENT

Bill No.HB 847 CS

Amendment No. (for drafter's use only)

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 other detainee.
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.
796.03	2nd	Procuring any person under 16

302659

HOUSE AMENDMENT

Bill No.HB 847 CS

Amendment No. (for drafter's use only)

		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 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

302659

Amendment No. (for drafter's use only)

		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 or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
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.
<u>837.02(3)</u>	<u>2nd</u>	<u>Perjury by a public servant in an official proceeding.</u>
837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
<u>838.015</u>	<u>2nd</u>	<u>Bribery.</u>
<u>838.016</u>	<u>2nd</u>	<u>Unlawful compensation or reward for official behavior.</u>

196

302659

Amendment No. (for drafter's use only)

197

<u>838.021(3)(a)</u>	<u>2nd</u>	<u>Unlawful harm to a public servant.</u>
<u>838.022</u>	<u>3rd</u>	<u>Official misconduct.</u>
<u>838.20</u>	<u>2nd</u>	<u>Criminal misuse of official position.</u>
<u>838.22</u>	<u>2nd</u>	<u>Bid tampering.</u>
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., within 1,000 feet of property used for religious services or a specified business site.
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.

302659

Amendment No. (for drafter's use only)

893.135(1)(c)1.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
a.		
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.
893.135(1)(g)1.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
a.		
893.135(1)(h)1.	1st	Trafficking in gamma-
a.		hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
893.135(1)(j)1.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
a.		
893.135(1)(k)2.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
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

Amendment No. (for drafter's use only)

less than \$20,000.

198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226

Section 8. Section 839.25, Florida Statutes, is repealed.

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

112.534 Failure to comply; official misconduct.--

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

Section 10. Paragraph (d) of subsection (4) of section 117.01, Florida Statutes, is amended to read:

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

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

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

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

Remove line(s) 12-38, and insert:

government; providing a popular name; amending s. 838.014, F.S.; revising, providing, and deleting definitions; amending s. 838.015, F.S.; revising the definition of "bribery" and increasing the penalty therefor; amending s. 838.016, F.S.; increasing the penalty for unlawful compensation for official behavior; creating ss. 838.022, 838.21, and 838.22, F.S.; providing criminal penalties for official misconduct, disclosure or use of confidential criminal justice information, and bid tampering; providing definitions; providing status of confidential informants and confidential sources; amending s. 302659

Amendment No. (for drafter's use only)

227 837.02, F.S.; providing a criminal penalty for perjury in an
228 official proceeding by a public servant; amending s. 921.0022,
229 F.S.; deleting specified felonies from and adding specified
230 felonies to the Criminal Punishment Code offense severity
231 ranking chart; repealing s. 839.25, F.S., relating to official
232 misconduct; amending ss. 112.534 and 117.01, F.S.; conforming
233 cross references to changes made by the act;
234
235