

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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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.

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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.~~

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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.--

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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, 838.22, and 838.23, 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;

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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.

125 838.22 Bid tampering.--

126 (1) It is unlawful for a public servant, with corrupt
127 intent to influence or attempt to influence the competitive
128 bidding process undertaken by any state, county, municipal, or
129 special district agency, or any other public entity, for the
130 procurement of commodities or services, to:

131 (a) Disclose material information concerning a bid or
132 other aspects of the competitive bidding process when such
133 information is not publicly disclosed.

134 (b) Alter or amend a submitted bid, documents or other
135 materials supporting a submitted bid, or bid results for the
136 purpose of intentionally providing a competitive advantage to
137 any person who submits a bid.

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138 (2) It is unlawful for a public servant, with corrupt
139 intent to obtain a benefit for any person or to cause unlawful
140 harm to another, to circumvent a competitive bidding process
141 required by law or rule by using a sole-source contract for
142 commodities or services.

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

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

150 (5) Any person who violates this section commits a felony
151 of the second degree, punishable as provided in s. 775.082, s.
152 775.083, or s. 775.084.

153 838.23 Status of confidential informants and confidential
154 sources.--A person who provides information regarding suspected
155 criminal violations committed by a public servant as defined in
156 s. 838.014 shall be considered a confidential informant or
157 confidential source pursuant to s. 119.07(3)(c).

158 Section 6. Section 837.02, Florida Statutes, is amended to
159 read:

160 837.02 Perjury in official proceedings.--

161 (1) Except as provided in subsections ~~subsection~~ (2) and
162 (3), whoever makes a false statement, which he or she does not
163 believe to be true, under oath in an official proceeding in
164 regard to any material matter, commits a felony of the third
165 degree, punishable as provided in s. 775.082, s. 775.083, or s.
166 775.084.

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167 (2) Whoever makes a false statement, which he or she does
168 not believe to be true, under oath in an official proceeding
169 that relates to the prosecution of a capital felony, commits a
170 felony of the second degree, punishable as provided in s.
171 775.082, s. 775.083, or s. 775.084.

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

178 (4)(3) Knowledge of the materiality of the statement is
179 not an element of the crime of perjury under subsection (1), ~~or~~
180 subsection (2), or subsection (3) and the defendant's mistaken
181 belief that the statement was not material is not a defense.

182 Section 7. Subsection (1) of section 905.34, Florida
183 Statutes, is amended to read:

184 905.34 Powers and duties; law applicable.--The
185 jurisdiction of a statewide grand jury impaneled under this
186 chapter shall extend throughout the state. The subject matter
187 jurisdiction of the statewide grand jury shall be limited to the
188 offenses of:

189 (1) Bribery, any violation of chapter 838, burglary,
190 carjacking, home-invasion robbery, criminal usury, extortion,
191 gambling, kidnapping, larceny, murder, prostitution, perjury,
192 and robbery;

193
194 or any attempt, solicitation, or conspiracy to commit any
195 violation of the crimes specifically enumerated above, when any

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196 such offense is occurring, or has occurred, in two or more
 197 judicial circuits as part of a related transaction or when any
 198 such offense is connected with an organized criminal conspiracy
 199 affecting two or more judicial circuits. The statewide grand
 200 jury may return indictments and presentments irrespective of the
 201 county or judicial circuit where the offense is committed or
 202 triable. If an indictment is returned, it shall be certified
 203 and transferred for trial to the county where the offense was
 204 committed. The powers and duties of, and law applicable to,
 205 county grand juries shall apply to a statewide grand jury except
 206 when such powers, duties, and law are inconsistent with the
 207 provisions of ss. 905.31-905.40.

208 Section 8. Paragraphs (a), (f), and (g) of subsection (3)
 209 of section 921.0022, Florida Statutes, are amended to read:

210 921.0022 Criminal Punishment Code; offense severity
 211 ranking chart.--

212
 213 (3) OFFENSE SEVERITY RANKING CHART

Florida Statute	Felony Degree	Description
	(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.

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218	212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
219	319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
220	319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
221	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
222	322.212(1)(a)-(c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
223	322.212(4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
224	322.212(5)(a)	3rd	False application for driver's license or identification card.
225	370.13(3)(a)	3rd	Molest any stone crab trap, line, or buoy which is property of licenseholder.
	370.135(1)	3rd	Molest any blue crab trap, line,

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226			or buoy which is property of licenseholder.
227	372.663(1)	3rd	Poach any alligator or crocodilia.
228	414.39(2)	3rd	Unauthorized use, possession, forgery, or alteration of food stamps, Medicaid ID, value greater than \$200.
229	414.39(3)(a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
230	443.071(1)	3rd	False statement or representation to obtain or increase unemployment compensation benefits.
231	509.151(1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
232	517.302(1)	3rd	Violation of the Florida Securities and Investor Protection Act.
233	562.27(1)	3rd	Possess still or still apparatus.
234	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.

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235	812.014(3)(c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
236	812.081(2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
237	815.04(4)(a)	3rd	Offense against intellectual property (i.e., computer programs, data).
238	817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
239	817.569(2)	3rd	Use of public record or public records information to facilitate commission of a felony.
240	826.01	3rd	Bigamy.
241	828.122(3)	3rd	Fighting or baiting animals.
242	831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
243	831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.

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244	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
245	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.
246	838.015(3)	3rd	Bribery.
247	838.016(1)	3rd	Public servant receiving unlawful compensation.
248	838.15(2)	3rd	Commercial bribe receiving.
249	838.16	3rd	Commercial bribery.
250	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
251	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
252	849.01	3rd	Keeping gambling house.
253	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.

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254	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
255	849.25(2)	3rd	Engaging in bookmaking.
256	860.08	3rd	Interfere with a railroad signal.
257	860.13(1)(a)	3rd	Operate aircraft while under the influence.
258	893.13(2)(a)2.	3rd	Purchase of cannabis.
259	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
260	934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
261		(f) LEVEL 6	
262	316.027(1)(b)	2nd	Accident involving death, failure to stop; leaving scene.
263	316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
264	775.0875(1)	3rd	Taking firearm from law enforcement officer.
	775.21(10)	3rd	Sexual predators; failure to register; failure to renew

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			driver's license or identification card.
265	784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
266	784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
267	784.041	3rd	Felony battery.
268	784.048(3)	3rd	Aggravated stalking; credible threat.
269	784.048(5)	3rd	Aggravated stalking of person under 16.
270	784.07(2)(c)	2nd	Aggravated assault on law enforcement officer.
271	784.074(1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.
272	784.08(2)(b)	2nd	Aggravated assault on a person 65 years of age or older.
273	784.081(2)	2nd	Aggravated assault on specified official or employee.
274	784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.

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275	784.083(2)	2nd	Aggravated assault on code inspector.
276	787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
277	790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
278	790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
279	790.164(1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
280	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
281	794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
282	794.05(1)	2nd	Unlawful sexual activity with specified minor.
283	800.04(5)(d)	3rd	Lewd or lascivious molestation;

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			victim 12 years of age or older but less than 16 years; offender less than 18 years.
284	800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
285	806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
286	810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
287	812.014(2)(b)1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
288	812.014(2)(b)2.	2nd	Property stolen; cargo valued at less than \$50,000, grand theft in 2nd degree.
289	812.015(9)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
290	812.13(2)(c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
291	817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
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293	817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
294	825.102(1)	3rd	Abuse of an elderly person or disabled adult.
295	825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
296	825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
297	825.103(2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
298	827.03(1)	3rd	Abuse of a child.
299	827.03(3)(c)	3rd	Neglect of a child.
300	836.05	2nd	Threats; extortion.
301	<u>838.21</u>	<u>3rd</u>	<u>Disclosure or use of confidential criminal justice information.</u>
	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.

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302	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
303	943.0435(9)	3rd	Sex offenders; failure to comply with reporting requirements.
304	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.
305	944.40	2nd	Escapes.
306	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
307	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
308	951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
309		(g) LEVEL 7	
310	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
311			

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312	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.
313	409.920(2)	3rd	Medicaid provider fraud.
314	456.065(2)	3rd	Practicing a health care profession without a license.
315	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
316	458.327(1)	3rd	Practicing medicine without a license.
317	459.013(1)	3rd	Practicing osteopathic medicine without a license.
318	460.411(1)	3rd	Practicing chiropractic medicine without a license.
319	461.012(1)	3rd	Practicing podiatric medicine without a license.
320	462.17	3rd	Practicing naturopathy without a license.

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321	463.015(1)	3rd	Practicing optometry without a license.
322	464.016(1)	3rd	Practicing nursing without a license.
323	465.015(2)	3rd	Practicing pharmacy without a license.
324	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
325	467.201	3rd	Practicing midwifery without a license.
326	468.366	3rd	Delivering respiratory care services without a license.
327	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
328	483.901(9)	3rd	Practicing medical physics without a license.
329	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
330	484.053	3rd	Dispensing hearing aids without a license.
331	494.0018(2)	1st	Conviction of any violation of ss.

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494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

332

560.123(8)(b)1. 3rd

Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.

333

560.125(5)(a) 3rd

Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

334

655.50(10)(b)1. 3rd

Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

335

782.051(3) 2nd

Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

336

782.07(1) 2nd

Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

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HOUSE AMENDMENT

Bill No.HB 847 CS

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338	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).
339	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
340	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
341	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
342	784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
343	784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
344	784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
345	784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
346	784.081(1)	1st	Aggravated battery on specified

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347			official or employee.
	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
348			
	784.083(1)	1st	Aggravated battery on code inspector.
349			
	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
350			
	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
351			
	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
352			
	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
353			
	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
354			
	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit

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a felony.

355

796.03 2nd Procuring any person under 16
years for prostitution.

356

800.04(5)(c)1. 2nd Lewd or lascivious molestation;
victim less than 12 years of age;
offender less than 18 years.

357

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.

358

806.01(2) 2nd Maliciously damage structure by
fire or explosive.

359

810.02(3)(a) 2nd Burglary of occupied dwelling;
unarmed; no assault or battery.

360

810.02(3)(b) 2nd Burglary of unoccupied dwelling;
unarmed; no assault or battery.

361

810.02(3)(d) 2nd Burglary of occupied conveyance;
unarmed; no assault or battery.

362

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.

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363	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
364	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
365	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
366	812.131(2)(a)	2nd	Robbery by sudden snatching.
367	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
368	817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.
369	825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
370	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.

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371	827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
372	<u>837.02(3)</u>	<u>2nd</u>	<u>Perjury by a public servant in an official proceeding.</u>
373	837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
374	<u>838.015</u>	<u>2nd</u>	<u>Bribery.</u>
375	<u>838.016</u>	<u>2nd</u>	<u>Unlawful compensation or reward for official behavior.</u>
376	<u>838.021(3)(a)</u>	<u>2nd</u>	<u>Unlawful harm to a public servant.</u>
377	<u>838.022</u>	<u>3rd</u>	<u>Official misconduct.</u>
378	<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>
379	872.06	2nd	Abuse of a dead human body.
380	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

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381	893.13(1)(e)1. 1st	child care facility or school. 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.
382	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).
383	893.135(1)(a)1. 1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
384	893.135(1)(b)1. 1st a.	Trafficking in cocaine, more than 28 grams, less than 200 grams.
385	893.135(1)(c)1. 1st a.	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
386	893.135(1)(d)1. 1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
387	893.135(1)(e)1. 1st	Trafficking in methaqualone, more than 200 grams, less than 5

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kilograms.

388

893.135(1)(f)1. 1st Trafficking in amphetamine, more than 14 grams, less than 28 grams.

389

893.135(1)(g)1. 1st Trafficking in flunitrazepam, 4
a. grams or more, less than 14 grams.

390

893.135(1)(h)1. 1st Trafficking in gamma-
a. hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.

391

893.135(1)(j)1. 1st Trafficking in 1,4-Butanediol, 1
a. kilogram or more, less than 5 kilograms.

392

893.135(1)(k)2. 1st Trafficking in Phenethylamines, 10
a. grams or more, less than 200 grams.

393

896.101(5)(a) 3rd Money laundering, financial transactions exceeding \$300 but less than \$20,000.

394

896.104(4)(a)1. 3rd Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

395

396

Section 9. Section 839.25, Florida Statutes, is repealed.

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397 Section 10. Subsection (2) of section 112.534, Florida
398 Statutes, is amended to read:

399 112.534 Failure to comply; official misconduct.--

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

402 Section 11. Paragraph (d) of subsection (4) of section
403 117.01, Florida Statutes, is amended to read:

404 117.01 Appointment, application, suspension, revocation,
405 application fee, bond, and oath.--

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

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

411
412 ===== T I T L E A M E N D M E N T =====

413 Remove line(s) 12-38, and insert:
414 government; providing a popular name; amending s. 838.014, F.S.;
415 revising, providing, and deleting definitions; amending s.
416 838.015, F.S.; revising the definition of "bribery" and
417 increasing the penalty therefor; amending s. 838.016, F.S.;
418 increasing the penalty for unlawful compensation for official
419 behavior; creating ss. 838.022, 838.22, and 838.23, F.S.;
420 providing criminal penalties for official misconduct, and bid
421 tampering; providing definitions; providing status of
422 confidential informants and confidential sources; amending s.
423 837.02, F.S.; providing a criminal penalty for perjury in an
424 official proceeding by a public servant; amending s. 905.34,
425 F.S.; expanding the jurisdiction of the statewide grand jury to

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426 include violations of ch. 838, F.S.; amending s. 921.0022, F.S.;
427 deleting specified felonies from and adding specified felonies
428 to the Criminal Punishment Code offense severity ranking chart;
429 repealing s. 839.25, F.S., relating to official misconduct;
430 amending ss. 112.534 and 117.01, F.S.; conforming cross
431 references to changes made by the act;

432

433