

Bill No. CS for SB 1118

Amendment No. \_\_\_\_ Barcode 112980

CHAMBER ACTION

Senate

House

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Senator Cowin moved the following amendment:

**Senate Amendment (with title amendment)**

On page 2, between lines 18 and 19,

insert:

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

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

(3) OFFENSE SEVERITY RANKING CHART

Florida	Felony	
Statute	Degree	Description

		(g) LEVEL 7
316.027(1)(b)	2nd	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.

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1	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
2			bodily injury.
3	402.319(2)	2nd	Misrepresentation and negligence
4			or intentional act resulting in
5			great bodily harm, permanent
6			disfiguration, permanent
7			disability, or death.
8	409.920(2)	3rd	Medicaid provider fraud.
9	456.065(2)	3rd	Practicing a health care
10			profession without a license.
11	456.065(2)	2nd	Practicing a health care
12			profession without a license
13			which results in serious bodily
14			injury.
15	458.327(1)	3rd	Practicing medicine without a
16			license.
17	459.013(1)	3rd	Practicing osteopathic medicine
18			without a license.
19	460.411(1)	3rd	Practicing chiropractic medicine
20			without a license.
21	461.012(1)	3rd	Practicing podiatric medicine
22			without a license.
23	462.17	3rd	Practicing naturopathy without a
24			license.
25	463.015(1)	3rd	Practicing optometry without a
26			license.
27	464.016(1)	3rd	Practicing nursing without a
28			license.
29	465.015(2)	3rd	Practicing pharmacy without a
30			license.
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1	466.026(1)	3rd	Practicing dentistry or dental
2			hygiene without a license.
3	467.201	3rd	Practicing midwifery without a
4			license.
5	468.366	3rd	Delivering respiratory care
6			services without a license.
7	483.828(1)	3rd	Practicing as clinical laboratory
8			personnel without a license.
9	483.901(9)	3rd	Practicing medical physics
10			without a license.
11	484.013(1)(c)	3rd	Preparing or dispensing optical
12			devices without a prescription.
13	484.053	3rd	Dispensing hearing aids without a
14			license.
15	494.0018(2)	1st	Conviction of any violation of
16			ss. 494.001-494.0077 in which the
17			total money and property
18			unlawfully obtained exceeded
19			\$50,000 and there were five or
20			more victims.
21	560.123(8)(b)1.	3rd	Failure to report currency or
22			payment instruments exceeding
23			\$300 but less than \$20,000 by
24			money transmitter.
25	560.125(5)(a)	3rd	Money transmitter business by
26			unauthorized person, currency or
27			payment instruments exceeding
28			\$300 but less than \$20,000.
29	655.50(10)(b)1.	3rd	Failure to report financial
30			transactions exceeding \$300 but
31			less than \$20,000 by financial

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1			institution.
2	782.051(3)	2nd	Attempted felony murder of a
3			person by a person other than the
4			perpetrator or the perpetrator of
5			an attempted felony.
6	782.07(1)	2nd	Killing of a human being by the
7			act, procurement, or culpable
8			negligence of another
9			(manslaughter).
10	782.071	2nd	Killing of human being or viable
11			fetus by the operation of a motor
12			vehicle in a reckless manner
13			(vehicular homicide).
14	782.072	2nd	Killing of a human being by the
15			operation of a vessel in a
16			reckless manner (vessel
17			homicide).
18	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
19			causing great bodily harm or
20			disfigurement.
21	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
22			weapon.
23	784.045(1)(b)	2nd	Aggravated battery; perpetrator
24			aware victim pregnant.
25	784.048(4)	3rd	Aggravated stalking; violation of
26			injunction or court order.
27	<u>784.048(7)</u>	<u>3rd</u>	<u>Aggravated stalking; violation of</u>
28			<u>court order.</u>
29	784.07(2)(d)	1st	Aggravated battery on law
30			enforcement officer.
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1	784.074(1)(a)	1st	Aggravated battery on sexually
2			violent predators facility staff.
3	784.08(2)(a)	1st	Aggravated battery on a person 65
4			years of age or older.
5	784.081(1)	1st	Aggravated battery on specified
6			official or employee.
7	784.082(1)	1st	Aggravated battery by detained
8			person on visitor or other
9			detainee.
10	784.083(1)	1st	Aggravated battery on code
11			inspector.
12	790.07(4)	1st	Specified weapons violation
13			subsequent to previous conviction
14			of s. 790.07(1) or (2).
15	790.16(1)	1st	Discharge of a machine gun under
16			specified circumstances.
17	790.165(2)	2nd	Manufacture, sell, possess, or
18			deliver hoax bomb.
19	790.165(3)	2nd	Possessing, displaying, or
20			threatening to use any hoax bomb
21			while committing or attempting to
22			commit a felony.
23	790.166(3)	2nd	Possessing, selling, using, or
24			attempting to use a hoax weapon
25			of mass destruction.
26	790.166(4)	2nd	Possessing, displaying, or
27			threatening to use a hoax weapon
28			of mass destruction while
29			committing or attempting to
30			commit a felony.
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1	796.03	2nd	Procuring any person under 16
2			years for prostitution.
3	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
4			victim less than 12 years of age;
5			offender less than 18 years.
6	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
7			victim 12 years of age or older
8			but less than 16 years; offender
9			18 years or older.
10	806.01(2)	2nd	Maliciously damage structure by
11			fire or explosive.
12	810.02(3)(a)	2nd	Burglary of occupied dwelling;
13			unarmed; no assault or battery.
14	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
15			unarmed; no assault or battery.
16	810.02(3)(d)	2nd	Burglary of occupied conveyance;
17			unarmed; no assault or battery.
18	812.014(2)(a)	1st	Property stolen, valued at
19			\$100,000 or more; cargo stolen
20			valued at \$50,000 or more;
21			property stolen while causing
22			other property damage; 1st degree
23			grand theft.
24	812.014(2)(b)3.	2nd	Property stolen, emergency
25			medical equipment; 2nd degree
26			grand theft.
27	812.0145(2)(a)	1st	Theft from person 65 years of age
28			or older; \$50,000 or more.
29	812.019(2)	1st	Stolen property; initiates,
30			organizes, plans, etc., the theft
31			of property and traffics in

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1			stolen property.
2	812.131(2)(a)	2nd	Robbery by sudden snatching.
3	812.133(2)(b)	1st	Carjacking; no firearm, deadly
4			weapon, or other weapon.
5	817.234(8)(a)	2nd	Solicitation of motor vehicle
6			accident victims with intent to
7			defraud.
8	817.234(9)	2nd	Organizing, planning, or
9			participating in an intentional
10			motor vehicle collision.
11	817.234(11)(c)	1st	Insurance fraud; property value
12			\$100,000 or more.
13	817.2341(2)(b)&		
14	(3)(b)	1st	Making false entries of material
15			fact or false statements
16			regarding property values
17			relating to the solvency of an
18			insuring entity which are a
19			significant cause of the
20			insolvency of that entity.
21	825.102(3)(b)	2nd	Neglecting an elderly person or
22			disabled adult causing great
23			bodily harm, disability, or
24			disfigurement.
25	825.103(2)(b)	2nd	Exploiting an elderly person or
26			disabled adult and property is
27			valued at \$20,000 or more, but
28			less than \$100,000.
29	827.03(3)(b)	2nd	Neglect of a child causing great
30			bodily harm, disability, or
31			disfigurement.

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1	827.04(3)	3rd	Impregnation of a child under 16
2			years of age by person 21 years
3			of age or older.
4	837.05(2)	3rd	Giving false information about
5			alleged capital felony to a law
6			enforcement officer.
7	838.015	2nd	Bribery.
8	838.016	2nd	Unlawful compensation or reward
9			for official behavior.
10	838.021(3)(a)	2nd	Unlawful harm to a public
11			servant.
12	838.22	2nd	Bid tampering.
13	872.06	2nd	Abuse of a dead human body.
14	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
15			cocaine (or other drug prohibited
16			under s. 893.03(1)(a), (1)(b),
17			(1)(d), (2)(a), (2)(b), or
18			(2)(c)4.) within 1,000 feet of a
19			child care facility, school, or
20			state, county, or municipal park
21			or publicly owned recreational
22			facility or community center.
23	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
24			cocaine or other drug prohibited
25			under s. 893.03(1)(a), (1)(b),
26			(1)(d), (2)(a), (2)(b), or
27			(2)(c)4., within 1,000 feet of
28			property used for religious
29			services or a specified business
30			site.
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1	893.13(4)(a)	1st	Deliver to minor cocaine (or
2			other s. 893.03(1)(a), (1)(b),
3			(1)(d), (2)(a), (2)(b), or
4			(2)(c)4. drugs).
5	893.135(1)(a)1.	1st	Trafficking in cannabis, more
6			than 25 lbs., less than 2,000
7			lbs.
8	893.135		
9	(1)(b)1.a.	1st	Trafficking in cocaine, more than
10			28 grams, less than 200 grams.
11	893.135		
12	(1)(c)1.a.	1st	Trafficking in illegal drugs,
13			more than 4 grams, less than 14
14			grams.
15	893.135		
16	(1)(d)1.	1st	Trafficking in phencyclidine,
17			more than 28 grams, less than 200
18			grams.
19	893.135(1)(e)1.	1st	Trafficking in methaqualone, more
20			than 200 grams, less than 5
21			kilograms.
22	893.135(1)(f)1.	1st	Trafficking in amphetamine, more
23			than 14 grams, less than 28
24			grams.
25	893.135		
26	(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4
27			grams or more, less than 14
28			grams.
29	893.135		
30	(1)(h)1.a.	1st	Trafficking in
31			gamma-hydroxybutyric acid (GHB),

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1 1 kilogram or more, less than 5  
2 kilograms.  
3 893.135  
4 (1)(j)1.a. 1st Trafficking in 1,4-Butanediol, 1  
5 kilogram or more, less than 5  
6 kilograms.  
7 893.135  
8 (1)(k)2.a. 1st Trafficking in Phenethylamines,  
9 10 grams or more, less than 200  
10 grams.  
11 896.101(5)(a) 3rd Money laundering, financial  
12 transactions exceeding \$300 but  
13 less than \$20,000.  
14 896.104(4)(a)1. 3rd Structuring transactions to evade  
15 reporting or registration  
16 requirements, financial  
17 transactions exceeding \$300 but  
18 less than \$20,000.

19  
20 (Redesignate subsequent sections.)

21  
22  
23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 On page 1, line 16, following the semicolon

26  
27 insert:

28 amending s. 921.0022, F.S.; providing for  
29 placement of the offense of "aggravated  
30 stalking" on the offense severity ranking  
31 chart;