

Bill No. SB 1962, 1st Eng.

Amendment No. \_\_\_\_ Barcode 480252

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  
27  
28  
29  
30  
31

WD/3R  
04/27/2004 05:01 PM

.  
. .  
. .  
. .  
. .  
. .

---

Senator Lynn moved the following amendment:

**Senate Amendment (with title amendment)**

On page 11, lines 13-15, delete those lines

and insert:

Section 11. Section 316.1975, Florida Statutes, is amended to read:

316.1975 Unattended motor vehicle.--

(1) A person driving or in charge of any motor vehicle may not permit it to stand unattended without first stopping the engine, locking the ignition, and removing the key. A vehicle may not be permitted to stand unattended upon any perceptible grade without stopping the engine and effectively setting the brake thereon and turning the front wheels to the curb or side of the street. A violation of this subsection ~~section~~ is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

(2) A person driving or in charge of a semitrailer may not permit it to stand unattended without complying with subsection (1). If the semitrailer is disconnected and left

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1 unattended and free of a truck tractor, a kingpin locking  
2 device must be attached to the semitrailer's kingpin. As used  
3 in this section, the term "kingpin locking device" means a  
4 device designed to slide over and lock the semitrailer's  
5 kingpin to prevent the semitrailer from being connected to the  
6 fifth wheel of a truck tractor.

7 (3) Any semitrailer, as defined in s. 320.01(5), which  
8 is not attached to a truck tractor and which is left  
9 unattended on public or private property where the public is  
10 an invitee must have a kingpin locking device attached. A  
11 violation of this subsection is a noncriminal traffic  
12 infraction, punishable as a moving violation as provided in  
13 chapter 318.

14 (4)(2) This section does not apply to the operator of:

15 (a) An authorized emergency vehicle while in the  
16 performance of official duties and the vehicle is equipped  
17 with an activated antitheft device that prohibits the vehicle  
18 from being driven;

19 (b) A licensed delivery truck or other delivery  
20 vehicle while making deliveries; or

21 (c) A solid waste or recovered materials collection  
22 vehicle while collecting such items.

23 Section 12. Section 316.526, Florida Statutes, is  
24 created to read:

25 316.526 Security devices required.--

26 (1) A driver or other person responsible for a  
27 semitrailer, as defined in s. 320.01(5), which is used in  
28 commerce, who allows the semitrailer to be parked unattended  
29 without being attached to a motor vehicle, must ensure that  
30 the semitrailer is secured by a locking device that prohibits  
31 the unauthorized movement of the semitrailer.

Bill No. SB 1962, 1st Eng.

Amendment No. \_\_\_\_ Barcode 480252

1           (2) Any unattended semitrailer found without the  
2 required locking device may be towed to a secure facility by a  
3 commercial towing service acting at the direction of a law  
4 enforcement officer. The owner or carrier operating the  
5 semitrailer shall be responsible for reasonable towing fees,  
6 not to exceed \$300, which are incurred to tow and secure the  
7 semitrailer for a period not exceeding 24 hours.

8           (3) Subsections (1) and (2) do not apply when a  
9 semitrailer is:

10           (a) Used to transport agricultural or forestry  
11 products when parked at a harvest site.

12           (b) Parked at a terminal as defined in s. 316.003.

13           (c) Displayed for sale, lease, or rent by a licensed  
14 dealer.

15           (d) An empty trailer.

16           Section 13. Subsections (1) and (2) of section  
17 812.014, Florida Statutes, are reenacted to read:

18           812.014 Theft.--

19           (1) A person commits theft if he or she knowingly  
20 obtains or uses, or endeavors to obtain or to use, the  
21 property of another with intent to, either temporarily or  
22 permanently:

23           (a) Deprive the other person of a right to the  
24 property or a benefit from the property.

25           (b) Appropriate the property to his or her own use or  
26 to the use of any person not entitled to the use of the  
27 property.

28           (2)(a)1. If the property stolen is valued at \$100,000  
29 or more; or

30           2. If the property stolen is cargo valued at \$50,000  
31 or more that has entered the stream of interstate or

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1 intrastate commerce from the shipper's loading platform to the  
2 consignee's receiving dock; or

3 3. If the offender commits any grand theft and:

4 a. In the course of committing the offense the  
5 offender uses a motor vehicle as an instrumentality, other  
6 than merely as a getaway vehicle, to assist in committing the  
7 offense and thereby damages the real property of another; or

8 b. In the course of committing the offense the  
9 offender causes damage to the real or personal property of  
10 another in excess of \$1,000,

11  
12 the offender commits grand theft in the first degree,  
13 punishable as a felony of the first degree, as provided in s.  
14 775.082, s. 775.083, or s. 775.084.

15 (b)1. If the property stolen is valued at \$20,000 or  
16 more, but less than \$100,000;

17 2. The property stolen is cargo valued at less than  
18 \$50,000 that has entered the stream of interstate or  
19 intrastate commerce from the shipper's loading platform to the  
20 consignee's receiving dock; or

21 3. The property stolen is emergency medical equipment,  
22 valued at \$300 or more, that is taken from a facility licensed  
23 under chapter 395 or from an aircraft or vehicle permitted  
24 under chapter 401,

25  
26 the offender commits grand theft in the second degree,  
27 punishable as a felony of the second degree, as provided in s.  
28 775.082, s. 775.083, or s. 775.084. Emergency medical  
29 equipment means mechanical or electronic apparatus used to  
30 provide emergency services and care as defined in s.  
31 395.002(10) or to treat medical emergencies.

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1 (c) It is grand theft of the third degree and a felony  
 2 of the third degree, punishable as provided in s. 775.082, s.  
 3 775.083, or s. 775.084, if the property stolen is:  
 4 1. Valued at \$300 or more, but less than \$5,000.  
 5 2. Valued at \$5,000 or more, but less than \$10,000.  
 6 3. Valued at \$10,000 or more, but less than \$20,000.  
 7 4. A will, codicil, or other testamentary instrument.  
 8 5. A firearm.  
 9 6. A motor vehicle, except as provided in paragraph  
 10 (2)(a).  
 11 7. Any commercially farmed animal, including any  
 12 animal of the equine, bovine, or swine class, or other grazing  
 13 animal, and including aquaculture species raised at a  
 14 certified aquaculture facility. If the property stolen is  
 15 aquaculture species raised at a certified aquaculture  
 16 facility, then a \$10,000 fine shall be imposed.  
 17 8. Any fire extinguisher.  
 18 9. Any amount of citrus fruit consisting of 2,000 or  
 19 more individual pieces of fruit.  
 20 10. Taken from a designated construction site  
 21 identified by the posting of a sign as provided for in s.  
 22 810.09(2)(d).  
 23 11. Any stop sign.  
 24 12. Anyhydrous ammonia.  
 25 (d) It is grand theft of the third degree and a felony  
 26 of the third degree, punishable as provided in s. 775.082, s.  
 27 775.083, or s. 775.084, if the property stolen is valued at  
 28 \$100 or more, but less than \$300, and is taken from a dwelling  
 29 as defined in s. 810.011(2) or from the unenclosed curtilage  
 30 of a dwelling pursuant to s. 810.09(1).

31 (e) Except as provided in paragraph (d), if the

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1 | property stolen is valued at \$100 or more, but less than \$300,  
2 | the offender commits petit theft of the first degree,  
3 | punishable as a misdemeanor of the first degree, as provided  
4 | in s. 775.082 or s. 775.083.

5 | Section 14. Section 812.0147, Florida Statutes, is  
6 | created to read:

7 | 812.0147 Unlawful possession or use of a fifth  
8 | wheel.--

9 | (1) It is unlawful for any person to modify, alter,  
10 | attempt to alter, and if altered, to sell, possess, offer for  
11 | sale, move, or caused to be moved onto the highways of this  
12 | state a device known as a fifth wheel with the intent to use  
13 | the fifth wheel to commit or attempt to commit theft. For the  
14 | purpose of this section, the term "fifth wheel" applies only  
15 | to a fifth wheel on a heavy commercial motor vehicle.

16 | (2) Any person who violates subsection (1) commits a  
17 | felony of the second degree, punishable as provided in s.  
18 | 775.082, s. 775.083, or s. 775.084.

19 | Section 15. Paragraphs (f), (g), and (h) of subsection  
20 | (3) of section 921.0022, Florida Statutes, are amended to  
21 | read:

22 | 921.0022 Criminal Punishment Code; offense severity  
23 | ranking chart.--

24 | (3) OFFENSE SEVERITY RANKING CHART

25 |

26 | Florida                      Felony  
27 | Statute                      Degree                      Description

28 |

29 |

30 |    (f)    LEVEL 6

31 |

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1	316.193(2)(b)	3rd	Felony DUI, 4th or subsequent
2			conviction.
3	499.0051(3)	2nd	Forgery of pedigree papers.
4	499.0051(4)	2nd	Purchase or receipt of legend
5			drug from unauthorized person.
6	499.0051(5)	2nd	Sale of legend drug to
7			unauthorized person.
8	775.0875(1)	3rd	Taking firearm from law
9			enforcement officer.
10	775.21(10)	3rd	Sexual predators; failure to
11			register; failure to renew
12			driver's license or
13			identification card.
14	784.021(1)(a)	3rd	Aggravated assault; deadly weapon
15			without intent to kill.
16	784.021(1)(b)	3rd	Aggravated assault; intent to
17			commit felony.
18	784.041	3rd	Felony battery.
19	784.048(3)	3rd	Aggravated stalking; credible
20			threat.
21	784.048(5)	3rd	Aggravated stalking of person
22			under 16.
23	784.07(2)(c)	2nd	Aggravated assault on law
24			enforcement officer.
25	784.074(1)(b)	2nd	Aggravated assault on sexually
26			violent predators facility staff.
27	784.08(2)(b)	2nd	Aggravated assault on a person 65
28			years of age or older.
29	784.081(2)	2nd	Aggravated assault on specified
30			official or employee.
31			

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1	784.082(2)	2nd	Aggravated assault by detained
2			person on visitor or other
3			detainee.
4	784.083(2)	2nd	Aggravated assault on code
5			inspector.
6	787.02(2)	3rd	False imprisonment; restraining
7			with purpose other than those in
8			s. 787.01.
9	790.115(2)(d)	2nd	Discharging firearm or weapon on
10			school property.
11	790.161(2)	2nd	Make, possess, or throw
12			destructive device with intent to
13			do bodily harm or damage
14			property.
15	790.164(1)	2nd	False report of deadly explosive,
16			weapon of mass destruction, or
17			act of arson or violence to state
18			property.
19	790.19	2nd	Shooting or throwing deadly
20			missiles into dwellings, vessels,
21			or vehicles.
22	794.011(8)(a)	3rd	Solicitation of minor to
23			participate in sexual activity by
24			custodial adult.
25	794.05(1)	2nd	Unlawful sexual activity with
26			specified minor.
27	800.04(5)(d)	3rd	Lewd or lascivious molestation;
28			victim 12 years of age or older
29			but less than 16 years; offender
30			less than 18 years.
31			



Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1	800.04(6)(b)	2nd	Lewd or lascivious conduct;
2			offender 18 years of age or
3			older.
4	806.031(2)	2nd	Arson resulting in great bodily
5			harm to firefighter or any other
6			person.
7	810.02(3)(c)	2nd	Burglary of occupied structure;
8			unarmed; no assault or battery.
9	812.014(2)(b)1.	2nd	Property stolen \$20,000 or more,
10			but less than \$100,000, grand
11			theft in 2nd degree.
12	<del>812.014(2)(b)2.</del>	<del>2nd</del>	<del>Property stolen; cargo valued at</del>
13			<del>less than \$50,000, grand theft in</del>
14			<del>2nd degree.</del>
15	812.015(9)	2nd	Retail theft; property stolen
16			\$300 or more; second or
17			subsequent conviction.
18	812.13(2)(c)	2nd	Robbery, no firearm or other
19			weapon (strong-arm robbery).
20	817.034(4)(a)1.	1st	Communications fraud, value
21			greater than \$50,000.
22	817.4821(5)	2nd	Possess cloning paraphernalia
23			with intent to create cloned
24			cellular telephones.
25	825.102(1)	3rd	Abuse of an elderly person or
26			disabled adult.
27	825.102(3)(c)	3rd	Neglect of an elderly person or
28			disabled adult.
29	825.1025(3)	3rd	Lewd or lascivious molestation of
30			an elderly person or disabled
31			adult.

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1	825.103(2)(c)	3rd	Exploiting an elderly person or
2			disabled adult and property is
3			valued at less than \$20,000.
4	827.03(1)	3rd	Abuse of a child.
5	827.03(3)(c)	3rd	Neglect of a child.
6	827.071(2)&(3)	2nd	Use or induce a child in a sexual
7			performance, or promote or direct
8			such performance.
9	836.05	2nd	Threats; extortion.
10	836.10	2nd	Written threats to kill or do
11			bodily injury.
12	843.12	3rd	Aids or assists person to escape.
13	847.0135(3)	3rd	Solicitation of a child, via a
14			computer service, to commit an
15			unlawful sex act.
16	914.23	2nd	Retaliation against a witness,
17			victim, or informant, with bodily
18			injury.
19	943.0435(9)	3rd	Sex offenders; failure to comply
20			with reporting requirements.
21	944.35(3)(a)2.	3rd	Committing malicious battery upon
22			or inflicting cruel or inhuman
23			treatment on an inmate or
24			offender on community
25			supervision, resulting in great
26			bodily harm.
27	944.40	2nd	Escapes.
28	944.46	3rd	Harboring, concealing, aiding
29			escaped prisoners.
30	944.47(1)(a)5.	2nd	Introduction of contraband
31			(firearm, weapon, or explosive)

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1			into correctional facility.
2	951.22(1)	3rd	Intoxicating drug, firearm, or
3			weapon introduced into county
4			facility.
5			(g) LEVEL 7
6	316.027(1)(b)	2nd	Accident involving death, failure
7			to stop; leaving scene.
8	316.193(3)(c)2.	3rd	DUI resulting in serious bodily
9			injury.
10	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
11			bodily injury.
12	402.319(2)	2nd	Misrepresentation and negligence
13			or intentional act resulting in
14			great bodily harm, permanent
15			disfiguration, permanent
16			disability, or death.
17	409.920(2)	3rd	Medicaid provider fraud.
18	456.065(2)	3rd	Practicing a health care
19			profession without a license.
20	456.065(2)	2nd	Practicing a health care
21			profession without a license
22			which results in serious bodily
23			injury.
24	458.327(1)	3rd	Practicing medicine without a
25			license.
26	459.013(1)	3rd	Practicing osteopathic medicine
27			without a license.
28	460.411(1)	3rd	Practicing chiropractic medicine
29			without a license.
30	461.012(1)	3rd	Practicing podiatric medicine
31			without a license.

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1	462.17	3rd	Practicing naturopathy without a
2			license.
3	463.015(1)	3rd	Practicing optometry without a
4			license.
5	464.016(1)	3rd	Practicing nursing without a
6			license.
7	465.015(2)	3rd	Practicing pharmacy without a
8			license.
9	466.026(1)	3rd	Practicing dentistry or dental
10			hygiene without a license.
11	467.201	3rd	Practicing midwifery without a
12			license.
13	468.366	3rd	Delivering respiratory care
14			services without a license.
15	483.828(1)	3rd	Practicing as clinical laboratory
16			personnel without a license.
17	483.901(9)	3rd	Practicing medical physics
18			without a license.
19	484.013(1)(c)	3rd	Preparing or dispensing optical
20			devices without a prescription.
21	484.053	3rd	Dispensing hearing aids without a
22			license.
23	494.0018(2)	1st	Conviction of any violation of
24			ss. 494.001-494.0077 in which the
25			total money and property
26			unlawfully obtained exceeded
27			\$50,000 and there were five or
28			more victims.
29	560.123(8)(b)1.	3rd	Failure to report currency or
30			payment instruments exceeding
31			\$300 but less than \$20,000 by

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1			money transmitter.
2	560.125(5)(a)	3rd	Money transmitter business by
3			unauthorized person, currency or
4			payment instruments exceeding
5			\$300 but less than \$20,000.
6	655.50(10)(b)1.	3rd	Failure to report financial
7			transactions exceeding \$300 but
8			less than \$20,000 by financial
9			institution.
10	782.051(3)	2nd	Attempted felony murder of a
11			person by a person other than the
12			perpetrator or the perpetrator of
13			an attempted felony.
14	782.07(1)	2nd	Killing of a human being by the
15			act, procurement, or culpable
16			negligence of another
17			(manslaughter).
18	782.071	2nd	Killing of human being or viable
19			fetus by the operation of a motor
20			vehicle in a reckless manner
21			(vehicular homicide).
22	782.072	2nd	Killing of a human being by the
23			operation of a vessel in a
24			reckless manner (vessel
25			homicide).
26	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
27			causing great bodily harm or
28			disfigurement.
29	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
30			weapon.
31			

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1	784.045(1)(b)	2nd	Aggravated battery; perpetrator
2			aware victim pregnant.
3	784.048(4)	3rd	Aggravated stalking; violation of
4			injunction or court order.
5	784.07(2)(d)	1st	Aggravated battery on law
6			enforcement officer.
7	784.074(1)(a)	1st	Aggravated battery on sexually
8			violent predators facility staff.
9	784.08(2)(a)	1st	Aggravated battery on a person 65
10			years of age or older.
11	784.081(1)	1st	Aggravated battery on specified
12			official or employee.
13	784.082(1)	1st	Aggravated battery by detained
14			person on visitor or other
15			detainee.
16	784.083(1)	1st	Aggravated battery on code
17			inspector.
18	790.07(4)	1st	Specified weapons violation
19			subsequent to previous conviction
20			of s. 790.07(1) or (2).
21	790.16(1)	1st	Discharge of a machine gun under
22			specified circumstances.
23	790.165(2)	2nd	Manufacture, sell, possess, or
24			deliver hoax bomb.
25	790.165(3)	2nd	Possessing, displaying, or
26			threatening to use any hoax bomb
27			while committing or attempting to
28			commit a felony.
29	790.166(3)	2nd	Possessing, selling, using, or
30			attempting to use a hoax weapon
31			of mass destruction.

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

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

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1	812.014(2)(b)3.	2nd	Property stolen, emergency
2			medical equipment; 2nd degree
3			grand theft.
4	812.0145(2)(a)	1st	Theft from person 65 years of age
5			or older; \$50,000 or more.
6	812.019(2)	1st	Stolen property; initiates,
7			organizes, plans, etc., the theft
8			of property and traffics in
9			stolen property.
10	812.131(2)(a)	2nd	Robbery by sudden snatching.
11	812.133(2)(b)	1st	Carjacking; no firearm, deadly
12			weapon, or other weapon.
13	817.234(8)(a)	2nd	Solicitation of motor vehicle
14			accident victims with intent to
15			defraud.
16	817.234(9)	2nd	Organizing, planning, or
17			participating in an intentional
18			motor vehicle collision.
19	817.234(11)(c)	1st	Insurance fraud; property value
20			\$100,000 or more.
21	817.2341(2)(b)&		
22	(3)(b)	1st	Making false entries of material
23			fact or false statements
24			regarding property values
25			relating to the solvency of an
26			insuring entity which are a
27			significant cause of the
28			insolvency of that entity.
29	825.102(3)(b)	2nd	Neglecting an elderly person or
30			disabled adult causing great
31			bodily harm, disability, or



Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1			disfigurement.
2	825.103(2)(b)	2nd	Exploiting an elderly person or
3			disabled adult and property is
4			valued at \$20,000 or more, but
5			less than \$100,000.
6	827.03(3)(b)	2nd	Neglect of a child causing great
7			bodily harm, disability, or
8			disfigurement.
9	827.04(3)	3rd	Impregnation of a child under 16
10			years of age by person 21 years
11			of age or older.
12	837.05(2)	3rd	Giving false information about
13			alleged capital felony to a law
14			enforcement officer.
15	838.015	2nd	Bribery.
16	838.016	2nd	Unlawful compensation or reward
17			for official behavior.
18	838.021(3)(a)	2nd	Unlawful harm to a public
19			servant.
20	838.22	2nd	Bid tampering.
21	872.06	2nd	Abuse of a dead human body.
22	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
23			cocaine (or other drug prohibited
24			under s. 893.03(1)(a), (1)(b),
25			(1)(d), (2)(a), (2)(b), or
26			(2)(c)4.) within 1,000 feet of a
27			child care facility, school, or
28			state, county, or municipal park
29			or publicly owned recreational
30			facility or community center.
31			

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
2			cocaine or other drug prohibited
3			under s. 893.03(1)(a), (1)(b),
4			(1)(d), (2)(a), (2)(b), or
5			(2)(c)4., within 1,000 feet of
6			property used for religious
7			services or a specified business
8			site.
9	893.13(4)(a)	1st	Deliver to minor cocaine (or
10			other s. 893.03(1)(a), (1)(b),
11			(1)(d), (2)(a), (2)(b), or
12			(2)(c)4. drugs).
13	893.135(1)(a)1.	1st	Trafficking in cannabis, more
14			than 25 lbs., less than 2,000
15			lbs.
16	893.135		
17	(1)(b)1.a.	1st	Trafficking in cocaine, more than
18			28 grams, less than 200 grams.
19	893.135		
20	(1)(c)1.a.	1st	Trafficking in illegal drugs,
21			more than 4 grams, less than 14
22			grams.
23	893.135		
24	(1)(d)1.	1st	Trafficking in phencyclidine,
25			more than 28 grams, less than 200
26			grams.
27	893.135(1)(e)1.	1st	Trafficking in methaqualone, more
28			than 200 grams, less than 5
29			kilograms.
30	893.135(1)(f)1.	1st	Trafficking in amphetamine, more
31			than 14 grams, less than 28

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1			grams.
2	893.135		
3	(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4
4			grams or more, less than 14
5			grams.
6	893.135		
7	(1)(h)1.a.	1st	Trafficking in
8			gamma-hydroxybutyric acid (GHB),
9			1 kilogram or more, less than 5
10			kilograms.
11	893.135		
12	(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1
13			kilogram or more, less than 5
14			kilograms.
15	893.135		
16	(1)(k)2.a.	1st	Trafficking in Phenethylamines,
17			10 grams or more, less than 200
18			grams.
19	896.101(5)(a)	3rd	Money laundering, financial
20			transactions exceeding \$300 but
21			less than \$20,000.
22	896.104(4)(a)1.	3rd	Structuring transactions to evade
23			reporting or registration
24			requirements, financial
25			transactions exceeding \$300 but
26			less than \$20,000.
27			(h) LEVEL 8
28	316.193		
29	(3)(c)3.a.	2nd	DUI manslaughter.
30	327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
31			

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1	499.0051(7)	1st	Forgery of prescription or legend
2			drug labels.
3	499.0052	1st	Trafficking in contraband legend
4			drugs.
5	560.123(8)(b)2.	2nd	Failure to report currency or
6			payment instruments totaling or
7			exceeding \$20,000, but less than
8			\$100,000 by money transmitter.
9	560.125(5)(b)	2nd	Money transmitter business by
10			unauthorized person, currency or
11			payment instruments totaling or
12			exceeding \$20,000, but less than
13			\$100,000.
14	655.50(10)(b)2.	2nd	Failure to report financial
15			transactions totaling or
16			exceeding \$20,000, but less than
17			\$100,000 by financial
18			institutions.
19	777.03(2)(a)	1st	Accessory after the fact, capital
20			felony.
21	782.04(4)	2nd	Killing of human without design
22			when engaged in act or attempt of
23			any felony other than arson,
24			sexual battery, robbery,
25			burglary, kidnapping, aircraft
26			piracy, or unlawfully discharging
27			bomb.
28	782.051(2)	1st	Attempted felony murder while
29			perpetrating or attempting to
30			perpetrate a felony not
31			enumerated in s. 782.04(3).

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1	782.071(1)(b)	1st	Committing vehicular homicide and
2			failing to render aid or give
3			information.
4	782.072(2)	1st	Committing vessel homicide and
5			failing to render aid or give
6			information.
7	790.161(3)	1st	Discharging a destructive device
8			which results in bodily harm or
9			property damage.
10	794.011(5)	2nd	Sexual battery, victim 12 years
11			or over, offender does not use
12			physical force likely to cause
13			serious injury.
14	800.04(4)	2nd	Lewd or lascivious battery.
15	806.01(1)	1st	Maliciously damage dwelling or
16			structure by fire or explosive,
17			believing person in structure.
18	810.02(2)(a)	1st,PBL	Burglary with assault or battery.
19	810.02(2)(b)	1st,PBL	Burglary; armed with explosives
20			or dangerous weapon.
21	810.02(2)(c)	1st	Burglary of a dwelling or
22			structure causing structural
23			damage or \$1,000 or more property
24			damage.
25	<u>812.014(2)(a)2.</u>	<u>1st</u>	<u>Property stolen; cargo valued at</u>
26			<u>\$50,000 or more, grand theft in</u>
27			<u>1st degree.</u>
28	812.13(2)(b)	1st	Robbery with a weapon.
29	812.135(2)	1st	Home-invasion robbery.
30	817.568(6)	2nd	Fraudulent use of personal
31			identification information of an

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1			individual under the age of 18.
2	825.102(2)	2nd	Aggravated abuse of an elderly
3			person or disabled adult.
4	825.1025(2)	2nd	Lewd or lascivious battery upon
5			an elderly person or disabled
6			adult.
7	825.103(2)(a)	1st	Exploiting an elderly person or
8			disabled adult and property is
9			valued at \$100,000 or more.
10	837.02(2)	2nd	Perjury in official proceedings
11			relating to prosecution of a
12			capital felony.
13	837.021(2)	2nd	Making contradictory statements
14			in official proceedings relating
15			to prosecution of a capital
16			felony.
17	860.121(2)(c)	1st	Shooting at or throwing any
18			object in path of railroad
19			vehicle resulting in great bodily
20			harm.
21	860.16	1st	Aircraft piracy.
22	893.13(1)(b)	1st	Sell or deliver in excess of 10
23			grams of any substance specified
24			in s. 893.03(1)(a) or (b).
25	893.13(2)(b)	1st	Purchase in excess of 10 grams of
26			any substance specified in s.
27			893.03(1)(a) or (b).
28	893.13(6)(c)	1st	Possess in excess of 10 grams of
29			any substance specified in s.
30			893.03(1)(a) or (b).
31			

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1	893.135(1)(a)2.	1st	Trafficking in cannabis, more
2			than 2,000 lbs., less than 10,000
3			lbs.
4	893.135		
5	(1)(b)1.b.	1st	Trafficking in cocaine, more than
6			200 grams, less than 400 grams.
7	893.135		
8	(1)(c)1.b.	1st	Trafficking in illegal drugs,
9			more than 14 grams, less than 28
10			grams.
11	893.135		
12	(1)(d)1.b.	1st	Trafficking in phencyclidine,
13			more than 200 grams, less than
14			400 grams.
15	893.135		
16	(1)(e)1.b.	1st	Trafficking in methaqualone, more
17			than 5 kilograms, less than 25
18			kilograms.
19	893.135		
20	(1)(f)1.b.	1st	Trafficking in amphetamine, more
21			than 28 grams, less than 200
22			grams.
23	893.135		
24	(1)(g)1.b.	1st	Trafficking in flunitrazepam, 14
25			grams or more, less than 28
26			grams.
27	893.135		
28	(1)(h)1.b.	1st	Trafficking in
29			gamma-hydroxybutyric acid (GHB),
30			5 kilograms or more, less than 10
31			kilograms.

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1	893.135		
2	(1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5
3			kilograms or more, less than 10
4			kilograms.
5	893.135		
6	(1)(k)2.b.	1st	Trafficking in Phenethylamines,
7			200 grams or more, less than 400
8			grams.
9	895.03(1)	1st	Use or invest proceeds derived
10			from pattern of racketeering
11			activity.
12	895.03(2)	1st	Acquire or maintain through
13			racketeering activity any
14			interest in or control of any
15			enterprise or real property.
16	895.03(3)	1st	Conduct or participate in any
17			enterprise through pattern of
18			racketeering activity.
19	896.101(5)(b)	2nd	Money laundering, financial
20			transactions totaling or
21			exceeding \$20,000, but less than
22			\$100,000.
23	896.104(4)(a)2.	2nd	Structuring transactions to evade
24			reporting or registration
25			requirements, financial
26			transactions totaling or
27			exceeding \$20,000 but less than
28			\$100,000.
29	Section 16. This act shall take effect July 1, 2004.		
30			
31			



Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

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

2 And the title is amended as follows:

3           Delete everything before the enacting clause,

4

5 and insert:

6                           A bill to be entitled

7           An act relating to criminal justice; creating  
8           s. 787.05, F.S.; specifying elements of the  
9           offense of unlawfully obtaining labor or  
10          services; providing criminal penalties;  
11          creating s. 787.06, F.S.; providing  
12          definitions; specifying elements of the offense  
13          of human trafficking; providing criminal  
14          penalties; providing applicability; creating s.  
15          796.035, F.S.; providing that it is a felony of  
16          the first degree for a parent, legal guardian,  
17          or other person having custody or control of a  
18          minor to offer to, or to actually, sell or  
19          otherwise transfer custody or control of such  
20          minor, with knowledge that such sale or  
21          transfer will result in force, fraud, or  
22          coercion being used to cause the minor to  
23          engage in prostitution or otherwise participate  
24          in the trade of sex trafficking; providing  
25          criminal penalties; creating s. 796.045, F.S.;  
26          providing for the offense of sex trafficking;  
27          providing that it is a felony of the second  
28          degree to knowingly recruit, entice, harbor,  
29          transport, provide, or obtain a person, knowing  
30          that force, fraud, or coercion will be used to  
31          cause that person to engage in prostitution;

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1 providing that it is a felony of the first  
2 degree if sex trafficking involves a person  
3 under the age of 14 or results in death;  
4 providing criminal penalties; amending s.  
5 895.02, F.S.; expanding the definition of  
6 racketeering activity to include the offenses  
7 created herein; reenacting ss. 16.56(1)(a),  
8 27.34(1), 655.50(3)(g), 896.101(2)(g), and  
9 905.34(3), F.S., which relate to the authority  
10 of the Office of Statewide Prosecution to  
11 investigate and prosecute certain offenses, the  
12 contribution of funds by counties and  
13 municipalities towards salaries of assistant  
14 state attorneys, the Florida Control of Money  
15 Laundering in Financial Institutions Act, the  
16 Florida Money Laundering Act, and the subject  
17 matter jurisdiction of the statewide grand  
18 jury, respectively, to incorporate the  
19 amendment to s. 895.02, F.S., in references  
20 thereto; providing applicability; amending s.  
21 316.1975, F.S.; requiring that an unattended  
22 semitrailer have a kingpin locking device  
23 attached to the semitrailer; providing that  
24 failing to provide a locking device is a  
25 noncriminal traffic infraction; creating s.  
26 316.526, F.S.; requiring that an unattended  
27 semitrailer have a locking device attached;  
28 providing that an unattended semitrailer may be  
29 towed under specified conditions; providing for  
30 exceptions; reenacting s. 812.014(1) and (2),  
31 F.S., relating to theft; creating s. 812.0147,

Bill No. SB 1962, 1st Enq.

Amendment No. \_\_\_\_ Barcode 480252

1 F.S.; providing that it is unlawful to possess  
2 or use a fifth wheel to commit or attempt to  
3 commit theft; providing criminal penalties;  
4 amending s. 921.0022, F.S.; reclassifying the  
5 offenses of cargo theft of the first degree and  
6 cargo theft of the second degree under the  
7 offense severity ranking chart of the Criminal  
8 Punishment Code to increase the penalties  
9 imposed for any such offense; providing an  
10 effective date.

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31