

HB 0205

2004

A bill to be entitled

An act relating to homicide of an unborn quick child; amending s. 316.193, F.S.; including the death of an unborn quick child under DUI manslaughter; amending s. 782.071, F.S.; making the killing of an unborn quick child rather than the killing of a viable fetus a "vehicular homicide"; deleting a provision describing the viability of a fetus; amending s. 782.09, F.S.; providing that killing an unborn quick child by injury to the mother which would be murder in any degree if it resulted in the death of the mother is murder in the same degree; providing penalties; providing that the unlawful killing of an unborn quick child by injury to the mother which would be manslaughter if it resulted in the death of the mother is manslaughter; providing penalties; providing that the death of the mother does not bar prosecution under specified circumstances; providing that the section does not authorize prosecution of a person in connection with a termination of pregnancy; amending s. 921.0022, F.S., relating to the Criminal Punishment Code offense severity ranking chart; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) of section 316.193, Florida Statutes, is amended to read:

316.193 Driving under the influence; penalties.--
 (3) Any person:

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- 30 (a) Who is in violation of subsection (1);
 31 (b) Who operates a vehicle; and
 32 (c) Who, by reason of such operation, causes or
 33 contributes to causing:
- 34 1. Damage to the property or person of another commits a
 35 misdemeanor of the first degree, punishable as provided in s.
 36 775.082 or s. 775.083.
- 37 2. Serious bodily injury to another, as defined in s.
 38 316.1933, commits a felony of the third degree, punishable as
 39 provided in s. 775.082, s. 775.083, or s. 775.084.
- 40 3. The death of any human being or unborn quick child
 41 commits DUI manslaughter, and commits:
- 42 a. A felony of the second degree, punishable as provided
 43 in s. 775.082, s. 775.083, or s. 775.084.
- 44 b. A felony of the first degree, punishable as provided in
 45 s. 775.082, s. 775.083, or s. 775.084, if:
- 46 (I) At the time of the crash, the person knew, or should
 47 have known, that the crash occurred; and
- 48 (II) The person failed to give information and render aid
 49 as required by s. 316.062.
- 50 Section 2. Section 782.071, Florida Statutes, is amended
 51 to read:
- 52 782.071 Vehicular homicide.--"Vehicular homicide" is the
 53 killing of a human being, or the killing of an unborn quick
 54 child ~~a viable fetus~~ by any injury to the mother, caused by the
 55 operation of a motor vehicle by another in a reckless manner
 56 likely to cause the death of, or great bodily harm to, another.
- 57 (1) Vehicular homicide is:

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58 (a) A felony of the second degree, punishable as provided
 59 in s. 775.082, s. 775.083, or s. 775.084.

60 (b) A felony of the first degree, punishable as provided
 61 in s. 775.082, s. 775.083, or s. 775.084, if:

62 1. At the time of the accident, the person knew, or should
 63 have known, that the accident occurred; and

64 2. The person failed to give information and render aid as
 65 required by s. 316.062.

66

67 This paragraph does not require that the person knew that the
 68 accident resulted in injury or death.

69 ~~(2) For purposes of this section, a fetus is viable when~~
 70 ~~it becomes capable of meaningful life outside the womb through~~
 71 ~~standard medical measures.~~

72 (2)~~(3)~~ A right of action for civil damages shall exist
 73 under s. 768.19, under all circumstances, for all deaths
 74 described in this section.

75 (3)~~(4)~~ In addition to any other punishment, the court may
 76 order the person to serve 120 community service hours in a
 77 trauma center or hospital that regularly receives victims of
 78 vehicle accidents, under the supervision of a registered nurse,
 79 an emergency room physician, or an emergency medical technician
 80 pursuant to a voluntary community service program operated by
 81 the trauma center or hospital.

82 Section 3. Section 782.09, Florida Statutes, is amended to
 83 read:

84 782.09 Killing of unborn quick child by injury to
 85 mother.--

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86 (1) The unlawful ~~willful~~ killing of an unborn quick child,
 87 by any injury to the mother of such child which would be murder
 88 if it resulted in the death of such mother, shall be deemed
 89 murder in the same degree as that which would have been
 90 committed against the mother. A person who unlawfully kills an
 91 unborn quick child by any injury to the mother:

92 (a) Which would be murder in the first degree constituting
 93 a capital felony if it resulted in the mother's death commits
 94 murder in the first degree constituting a capital felony,
 95 punishable as provided in s. 775.082.

96 (b) Which would be murder in the second degree if it
 97 resulted in the mother's death commits murder in the second
 98 degree, a felony of the first degree, punishable as provided in
 99 s. 775.082, s. 775.083, or s. 775.084.

100 (c) Which would be murder in the third degree if it
 101 resulted in the mother's death commits murder in the third
 102 degree ~~manslaughter~~, a felony of the second degree, punishable
 103 as provided in s. 775.082, s. 775.083, or s. 775.084.

104 (2) The unlawful killing of an unborn quick child by any
 105 injury to the mother of such child which would be manslaughter
 106 if it resulted in the death of such mother shall be deemed
 107 manslaughter. A person who unlawfully kills an unborn quick
 108 child by any injury to the mother which would be manslaughter if
 109 it resulted in the mother's death commits manslaughter, a felony
 110 of the second degree, punishable as provided in s. 775.082, s.
 111 775.083, or s. 775.084.

112 (3) The death of the mother resulting from the same act or
 113 criminal episode which caused the death of the unborn quick
 114 child shall not bar prosecution under this section.

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115 (4) This section does not authorize the prosecution of any
 116 person in connection with a termination of pregnancy pursuant to
 117 chapter 390.

118 Section 4. Paragraph (g) of subsection (3) of section
 119 921.0022, Florida Statutes, is amended, and paragraphs (h), (i),
 120 and (j) of said section are reenacted, to read:

121 921.0022 Criminal Punishment Code; offense severity
 122 ranking chart.--

123 (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.
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

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			bodily harm, permanent disfiguration, permanent disability, or death.
131	409.920(2)	3rd	Medicaid provider fraud.
132	456.065(2)	3rd	Practicing a health care profession without a license.
133	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
134	458.327(1)	3rd	Practicing medicine without a license.
135	459.013(1)	3rd	Practicing osteopathic medicine without a license.
136	460.411(1)	3rd	Practicing chiropractic medicine without a license.
137	461.012(1)	3rd	Practicing podiatric medicine without a license.
138	462.17	3rd	Practicing naturopathy

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			without a license.
139	463.015(1)	3rd	Practicing optometry without a license.
140	464.016(1)	3rd	Practicing nursing without a license.
141	465.015(2)	3rd	Practicing pharmacy without a license.
142	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
143	467.201	3rd	Practicing midwifery without a license.
144	468.366	3rd	Delivering respiratory care services without a license.
145	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
146	483.901(9)	3rd	Practicing medical physics without a license.
147	484.013(1)(c)	3rd	Preparing or dispensing optical devices without

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a prescription.

148

484.053

3rd

Dispensing hearing aids without a license.

149

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.

150

560.123(8)(b)1.

3rd

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

151

560.125(5)(a)

3rd

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

152

655.50(10)(b)1.

3rd

Failure to report financial transactions

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153

782.051(3)

2nd

exceeding \$300 but less than \$20,000 by financial institution.

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

154

782.07(1)

2nd

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

155

782.071

2nd

Killing of human being or unborn quick child ~~viable fetus~~ by the operation of a motor vehicle in a reckless manner (vehicular homicide).

156

782.072

2nd

Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

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157	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
158	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
159	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
160	784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
161	784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
162	784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
163	784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
164	784.081(1)	1st	Aggravated battery on specified official or

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165	784.082(1)	1st	employee. Aggravated battery by detained person on visitor or other detainee.
166	784.083(1)	1st	Aggravated battery on code inspector.
167	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
168	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
169	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
170	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
171	790.166(3)	2nd	Possessing, selling, using, or attempting to

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172
173
174
175
176
177

790.166(4)

2nd

use a hoax weapon of mass destruction.

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 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.

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178	810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
179	810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
180	810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
181	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.
182	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
183	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
183	812.019(2)	1st	Stolen property;

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			initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
184	812.131(2)(a)	2nd	Robbery by sudden snatching.
185	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
186	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
187	817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
188	817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.
189	817.2341(2)(b)& (3)(b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which

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190

825.102(3)(b)

2nd

are a significant cause of the insolvency of that entity.

Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

191

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.

192

827.03(3)(b)

2nd

Neglect of a child causing great bodily harm, disability, or disfigurement.

193

827.04(3)

3rd

Impregnation of a child under 16 years of age by person 21 years of age or older.

194

837.05(2)

3rd

Giving false information about alleged capital felony to a law enforcement officer.

195

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196	838.015	2nd	Bribery.
	838.016	2nd	Unlawful compensation or reward for official behavior.
197	838.021(3)(a)	2nd	Unlawful harm to a public servant.
198	838.22	2nd	Bid tampering.
199	872.06	2nd	Abuse of a dead human body.
200	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, school, or state, county, or municipal park or publicly owned recreational facility or community center.
201	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s.

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			<p>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.</p>
202	893.13(4)(a)	1st	<p>Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).</p>
203	893.135(1)(a)1.	1st	<p>Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.</p>
204	893.135 (1)(b)1.a.	1st	<p>Trafficking in cocaine, more than 28 grams, less than 200 grams.</p>
205	893.135 (1)(c)1.a.	1st	<p>Trafficking in illegal drugs, more than 4 grams, less than 14 grams.</p>
206	893.135 (1)(d)1.	1st	<p>Trafficking in phencyclidine, more than 28 grams, less than 200</p>

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207	893.135(1)(e)1.	1st	grams. Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
208	893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
209	893.135 (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
210	893.135 (1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
211	893.135 (1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
212	893.135 (1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than

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213	896.101(5)(a)	3rd	200 grams. Money laundering, financial transactions exceeding \$300 but less than \$20,000.
214	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
215		(h) LEVEL 8	
216	316.193(3)(c)3.a.	2nd	DUI manslaughter.
217	327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
218	499.0051(7)	1st	Forgery of prescription or legend drug labels.
219	499.0052	1st	Trafficking in contraband legend drugs.
220	560.123(8)(b)2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but

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221	560.125(5)(b)	2nd	<p>less than \$100,000 by money transmitter.</p> <p>Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.</p>
222	655.50(10)(b)2.	2nd	<p>Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.</p>
223	777.03(2)(a)	1st	<p>Accessory after the fact, capital felony.</p>
224	782.04(4)	2nd	<p>Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aircraft piracy, or unlawfully discharging bomb.</p>

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225	782.051(2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).
226	782.071(1)(b)	1st	Committing vehicular homicide and failing to render aid or give information.
227	782.072(2)	1st	Committing vessel homicide and failing to render aid or give information.
228	790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
229	794.011(5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
230	800.04(4)	2nd	Lewd or lascivious battery.
231			

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	806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
232	810.02(2)(a)	1st,PBL	Burglary with assault or battery.
233	810.02(2)(b)	1st,PBL	Burglary; armed with explosives or dangerous weapon.
234	810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
235	812.13(2)(b)	1st	Robbery with a weapon.
236	812.135(2)	1st	Home-invasion robbery.
237	817.568(6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
238	825.102(2)	2nd	Aggravated abuse of an elderly person or

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239

825.1025(2) 2nd

disabled adult.

Lewd or lascivious battery upon an elderly person or disabled adult.

240

825.103(2)(a) 1st

Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.

241

837.02(2) 2nd

Perjury in official proceedings relating to prosecution of a capital felony.

242

837.021(2) 2nd

Making contradictory statements in official proceedings relating to prosecution of a capital felony.

243

860.121(2)(c) 1st

Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.

244

860.16 1st

Aircraft piracy.

245

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	893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
246	893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
247	893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
248	893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
249	893.135(1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
250	893.135(1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
251	893.135(1)(d)1.b.	1st	Trafficking in phencyclidine, more than

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200 grams, less than 400
grams.

252

893.135(1)(e)1.b. 1st

Trafficking in
methaqualone, more than
5 kilograms, less than
25 kilograms.

253

893.135(1)(f)1.b. 1st

Trafficking in
amphetamine, more than
28 grams, less than 200
grams.

254

893.135(1)(g)1.b. 1st

Trafficking in
flunitrazepam, 14 grams
or more, less than 28
grams.

255

893.135(1)(h)1.b. 1st

Trafficking in gamma-
hydroxybutyric acid
(GHB), 5 kilograms or
more, less than 10
kilograms.

256

893.135(1)(j)1.b. 1st

Trafficking in 1,4-
Butanediol, 5 kilograms
or more, less than 10
kilograms.

257

893.135(1)(k)2.b. 1st

Trafficking in
Phenethylamines, 200

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			grams or more, less than 400 grams.
258	895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
259	895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
260	895.03(3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
261	896.101(5)(b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
262	896.104(4)(a)2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or

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exceeding \$20,000 but
less than \$100,000.

263

(i) LEVEL 9

264

316.193(3)(c)3.b.

1st

DUI manslaughter;
failing to render aid or
give information.

265

327.35(3)(c)3.b.

1st

BUI manslaughter;
failing to render aid or
give information.

266

499.0053

1st

Sale or purchase of
contraband legend drugs
resulting in great
bodily harm.

267

560.123(8)(b)3.

1st

Failure to report
currency or payment
instruments totaling or
exceeding \$100,000 by
money transmitter.

268

560.125(5)(c)

1st

Money transmitter
business by unauthorized
person, currency, or
payment instruments
totaling or exceeding
\$100,000.

269

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	655.50(10)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
270	775.0844	1st	Aggravated white collar crime.
271	782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
272	782.04(3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
273	782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
274	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
275	787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or reward or as a

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276

787.01(1)(a)2. 1st,PBL

shield or hostage.

Kidnapping with intent to commit or facilitate commission of any felony.

277

787.01(1)(a)4. 1st,PBL

Kidnapping with intent to interfere with performance of any governmental or political function.

278

787.02(3)(a) 1st

False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.

279

790.161 1st

Attempted capital destructive device offense.

280

790.166(2) 1st,PBL

Possessing, selling, using, or attempting to use a weapon of mass destruction.

281

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282	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
283	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
284	794.011(4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
285	794.011(8)(b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
286	800.04(5)(b)	1st	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
287	812.13(2)(a)	1st,PBL	Robbery with firearm or other deadly weapon.
288	812.133(2)(a)	1st,PBL	Carjacking; firearm or other deadly weapon.

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	817.568(7)	2nd,PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
289	827.03(2)	1st	Aggravated child abuse.
290	847.0145(1)	1st	Selling, or otherwise transferring custody or control, of a minor.
291	847.0145(2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
292	859.01	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.
293	893.135	1st	Attempted capital trafficking offense.
294			

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295	893.135(1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
296	893.135(1)(b)1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
297	893.135(1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
298	893.135(1)(d)1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
299	893.135(1)(e)1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
300	893.135(1)(f)1.c.	1st	Trafficking in amphetamine, more than 200 grams.
301	893.135(1)(h)1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
	893.135(1)(j)1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms

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302

893.135(1)(k)2.c. 1st

or more.

Trafficking in Phenethylamines, 400 grams or more.

303

896.101(5)(c) 1st

Money laundering, financial instruments totaling or exceeding \$100,000.

304

896.104(4)(a)3. 1st

Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.

305

(j) LEVEL 10

306

499.0054 1st

Sale or purchase of contraband legend drugs resulting in death.

307

782.04(2) 1st,PBL

Unlawful killing of human; act is homicide, unpremeditated.

308

787.01(1)(a)3. 1st,PBL

Kidnapping; inflict bodily harm upon or terrorize victim.

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309 787.01(3)(a) Life Kidnapping; child under
age 13, perpetrator also
commits aggravated child
abuse, sexual battery,
or lewd or lascivious
battery, molestation,
conduct, or exhibition.

310 782.07(3) 1st Aggravated manslaughter
of a child.

311 794.011(3) Life Sexual battery; victim
12 years or older,
offender uses or
threatens to use deadly
weapon or physical force
to cause serious injury.

312 876.32 1st Treason against the
state.

313
314 Section 5. This act shall take effect October 1, 2004, and
315 shall apply to offenses committed on or after that date.