

By Senator Alexander

17-1574A-04

1                                   A bill to be entitled  
2           An act relating to the criminal use of personal  
3           identification information; amending s.  
4           817.568, F.S.; defining the term "counterfeit  
5           or fictitious personal identification  
6           information"; providing that it is a  
7           third-degree felony for a person to  
8           fraudulently possess the personal  
9           identification information of a deceased  
10          person; providing that a person who  
11          fraudulently uses the personal identification  
12          information of a deceased person commits a  
13          second-degree felony; providing criminal  
14          penalties; requiring a mandatory minimum  
15          sentence; providing that it is a third-degree  
16          felony to fraudulently use, or possess to use,  
17          counterfeit or fictitious personal  
18          identification information of another;  
19          providing criminal penalties; authorizing the  
20          court to reduce or suspend the sentence of a  
21          defendant providing substantial assistance to a  
22          law enforcement agency; requiring that certain  
23          persons convicted of personal identification  
24          information misrepresentation have the offense  
25          reclassified to the next higher degree;  
26          amending s. 921.0022, F.S., relating to the  
27          offense severity ranking chart of the Criminal  
28          Punishment Code; conforming provisions to  
29          changes made by the act; providing an effective  
30          date.  
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1 Be It Enacted by the Legislature of the State of Florida:

2

3 Section 1. Section 817.568, Florida Statutes, is  
4 amended to read:

5 817.568 Criminal use of personal identification  
6 information.--

7 (1) As used in this section, the term:

8 (a) "Access device" means any card, plate, code,  
9 account number, electronic serial number, mobile  
10 identification number, personal identification number, or  
11 other telecommunications service, equipment, or instrument  
12 identifier, or other means of account access that can be used,  
13 alone or in conjunction with another access device, to obtain  
14 money, goods, services, or any other thing of value, or that  
15 can be used to initiate a transfer of funds, other than a  
16 transfer originated solely by paper instrument.

17 (b) "Authorization" means empowerment, permission, or  
18 competence to act.

19 (c) "Counterfeit or fictitious personal identification  
20 information" means any counterfeit, fictitious, or fabricated  
21 information similar to the data listed in paragraph (g),  
22 which, though not truthful or accurate, nevertheless, would in  
23 the context lead a reasonably prudent person to credit its  
24 truthfulness and accuracy.

25 (d)~~(e)~~ "Harass" means to engage in conduct directed at  
26 a specific person that is intended to cause substantial  
27 emotional distress to such person and serves no legitimate  
28 purpose. "Harass" does not mean to use personal identification  
29 information for accepted commercial purposes. The term does  
30 not include constitutionally protected conduct such as

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1 organized protests or the use of personal identification  
2 information for accepted commercial purposes.

3 (e)~~(d)~~ "Individual" means a single human being and  
4 does not mean a firm, association of individuals, corporation,  
5 partnership, joint venture, sole proprietorship, or any other  
6 entity.

7 (f)~~(e)~~ "Person" means a "person" as defined in s.  
8 1.01(3).

9 (g)~~(f)~~ "Personal identification information" means any  
10 name or number that may be used, alone or in conjunction with  
11 any other information, to identify a specific individual,  
12 including any:

13 1. Name, address, social security number, date of  
14 birth, official state-issued or United States-issued driver's  
15 license or identification number, alien registration number,  
16 government passport number, employer or taxpayer  
17 identification number, Medicaid or food stamp account number,  
18 or bank account or credit card number;

19 2. Unique biometric data, such as fingerprint, voice  
20 print, retina or iris image, or other unique physical  
21 representation;

22 3. Unique electronic identification number, address,  
23 or routing code; or

24 4. Telecommunication identifying information or access  
25 device.

26 (2)(a) A ~~Any~~ person who willfully and without  
27 authorization fraudulently uses, or possesses with intent to  
28 fraudulently use, personal identification information  
29 concerning an individual without first obtaining that  
30 individual's consent, commits the offense of fraudulent use of  
31 personal identification information, which is a felony of the

1 third degree, punishable as provided in s. 775.082, s.  
2 775.083, or s. 775.084.

3 (b) A ~~Any~~ person who willfully and without  
4 authorization fraudulently uses personal identification  
5 information concerning an individual without first obtaining  
6 that individual's consent commits a felony of the second  
7 degree, punishable as provided in s. 775.082, s. 775.083, or  
8 s. 775.084, if the pecuniary benefit, the value of the  
9 services received, the payment sought to be avoided, or the  
10 amount of the injury or fraud perpetrated is \$5,000 or more or  
11 if the person fraudulently uses the personal identification  
12 information of 10 or more individuals without their consent.  
13 Notwithstanding any other provision of law, the court shall  
14 sentence any person convicted of committing the offense  
15 described in this paragraph to a mandatory minimum sentence of  
16 3 years' imprisonment.

17 (c) A ~~Any~~ person who willfully and without  
18 authorization fraudulently uses personal identification  
19 information concerning an individual without first obtaining  
20 that individual's consent commits a felony of the first  
21 degree, punishable as provided in s. 775.082, s. 775.083, or  
22 s. 775.084, if the pecuniary benefit, the value of the  
23 services received, the payment sought to be avoided, or the  
24 amount of the injury or fraud perpetrated is \$50,000 or more  
25 or if the person fraudulently uses the personal identification  
26 information of 20 or more individuals without their consent.  
27 Notwithstanding any other provision of law, the court shall  
28 sentence any person convicted of committing the offense  
29 described in this paragraph:

30 1. To a mandatory minimum sentence of 5 years'  
31 imprisonment.

1           2. To a mandatory minimum sentence of 10 years'  
2 imprisonment, if the pecuniary benefit, the value of the  
3 services received, the payment sought to be avoided, or the  
4 amount of the injury or fraud perpetrated is \$100,000 or more  
5 or if the person fraudulently uses the personal identification  
6 information of 30 or more individuals without their consent.

7           (d)1. A person who, following the death of an  
8 individual, willfully possesses with intent to fraudulently  
9 use, personal identification of the deceased individual  
10 commits the offense of fraudulent possession of personal  
11 identification information of a deceased person, a felony of  
12 the third degree, punishable as provided in s. 775.082, s.  
13 775.083, or s. 775.084.

14           2. A person who, following the death of an individual,  
15 willfully and without authorization fraudulently uses personal  
16 identification of the deceased individual commits the offense  
17 of fraudulent use of the personal identification information  
18 of a deceased person, a felony of the second degree,  
19 punishable as provided in s. 775.082, s. 775.083, or s.  
20 775.084. If the pecuniary benefit, the value of the services  
21 received, the payment sought to be avoided, or the amount of  
22 injury or fraud perpetrated is \$50,000 or more or if the  
23 person fraudulently uses the personal identification  
24 information of more than one deceased person, the offense is  
25 fraudulent use of personal identification of a deceased person  
26 in the first degree, a felony of the first degree, punishable  
27 as provided in s. 775.082, s. 775.083, or s. 775.084.

28           3. Notwithstanding any other law, the court shall  
29 sentence a person convicted of committing an offense described  
30 in this paragraph:

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1           a. To a mandatory minimum sentence of 5 years'  
2 imprisonment; or

3           b. To a mandatory minimum sentence of 10 years'  
4 imprisonment, if the pecuniary benefit, the value of the  
5 services received, the payment sought to be avoided, or the  
6 amount of the injury or fraud perpetrated is \$50,000 or more.

7           (e) A person who willfully and fraudulently creates or  
8 uses, or possesses with the intent to use, counterfeit or  
9 fictitious personal identification information concerning a  
10 fictitious individual, or a real individual without first  
11 obtaining that real individual's consent, intending to use the  
12 personal identification information for the purpose of  
13 defrauding another person commits the offense of fraudulent  
14 creation, use, or possession with intent to fraudulently use  
15 counterfeit or fictitious personal identification information,  
16 which is a felony of the third degree, punishable as provided  
17 in s. 775.082, s. 775.083, or s. 775.084.

18           (3) Neither paragraph (2)(b) nor paragraph (2)(c)  
19 prevents a court from imposing a greater sentence of  
20 incarceration as authorized by law. If the minimum mandatory  
21 terms of imprisonment imposed under paragraph (2)(b) or  
22 paragraph (2)(c) exceed the maximum sentences authorized under  
23 s. 775.082, s. 775.084, or the Criminal Punishment Code under  
24 chapter 921, the mandatory minimum sentence must be imposed.  
25 If the mandatory minimum terms of imprisonment under paragraph  
26 (2)(b) or paragraph (2)(c) are less than the sentence that  
27 could be imposed under s. 775.082, s. 775.084, or the Criminal  
28 Punishment Code under chapter 921, the sentence imposed by the  
29 court must include the mandatory minimum term of imprisonment  
30 as required by paragraph (2)(b) or paragraph (2)(c).

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1           (4) The prosecutor may request the sentencing court to  
2 reduce or suspend the sentence of any person who is convicted  
3 of a violation of this section and who provides substantial  
4 assistance to a law enforcement agency or the prosecuting  
5 agency in the identification, arrest, or conviction of any of  
6 that person's accomplices, accessories, coconspirators, or  
7 principals or of any other person engaged in fraudulent  
8 possession or use of personal identification information. The  
9 arresting agency shall be given an opportunity to be heard  
10 with respect to the court's consideration of aggravating or  
11 mitigating circumstances. Upon good cause shown, the matter  
12 may be filed and heard in camera. The court may reduce or  
13 suspend the sentence if the court finds that the defendant  
14 rendered substantial assistance.

15           ~~(5)(4)~~ A Any person who willfully and without  
16 authorization possesses, uses, or attempts to use personal  
17 identification information concerning an individual without  
18 first obtaining that individual's consent, and who does so for  
19 the purpose of harassing that individual, commits the offense  
20 of harassment by use of personal identification information,  
21 which is a misdemeanor of the first degree, punishable as  
22 provided in s. 775.082 or s. 775.083.

23           ~~(6)(5)~~ If an offense prohibited under this section was  
24 facilitated or furthered by the use of a public record, as  
25 defined in s. 119.011, the offense is reclassified to the next  
26 higher degree as follows:

27           (a) A misdemeanor of the first degree is reclassified  
28 as a felony of the third degree.

29           (b) A felony of the third degree is reclassified as a  
30 felony of the second degree.

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1 (c) A felony of the second degree is reclassified as a  
2 felony of the first degree.

3  
4 For purposes of sentencing under chapter 921 and incentive  
5 gain-time eligibility under chapter 944, a felony offense that  
6 is reclassified under this subsection is ranked one level  
7 above the ranking under s. 921.0022 of the felony offense  
8 committed, and a misdemeanor offense that is reclassified  
9 under this subsection is ranked in level 2 of the offense  
10 severity ranking chart in s. 921.0022.

11 ~~(7)(6)~~ A Any person who willfully and without  
12 authorization fraudulently uses personal identification  
13 information concerning an individual who is less than 18 years  
14 of age without first obtaining the consent of that individual  
15 or of his or her legal guardian commits a felony of the second  
16 degree, punishable as provided in s. 775.082, s. 775.083, or  
17 s. 775.084.

18 (8)(a) A person who commits any criminal act specified  
19 in this section and, for the purpose of obtaining or using the  
20 personal identification information, misrepresents himself or  
21 herself to be a law enforcement officer or an employee or  
22 representative of a bank, credit card company, credit  
23 counseling company, or a credit reporting agency, or who  
24 wrongfully represents that he or she is seeking to assist the  
25 victim with a problem with the victim's credit history shall  
26 at sentencing have his or her offense reclassified to the next  
27 higher degree as provided in this subsection. The  
28 reclassification shall be made in the following manner:

29 1. In the case of a misdemeanor, the offense is  
30 reclassified as a felony of the third degree.

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1           2. In the case of a felony of the third degree, the  
2 offense is reclassified as a felony of the second degree.

3           3. In the case of a felony of the second degree, the  
4 offense is reclassified as a felony of the first degree.

5           4. In the case of a felony of the first degree or a  
6 felony of the first degree punishable by a term of  
7 imprisonment not exceeding life, the offense is reclassified  
8 as a life felony.

9           (b) For purposes of sentencing under chapter 921, the  
10 following offense severity ranking levels apply:

11           1. An offense that is a misdemeanor of the first  
12 degree and that is reclassified under this section as a felony  
13 of the third degree is ranked in level 2 of the offense  
14 severity ranking chart.

15           2. A felony offense that is reclassified under this  
16 section is ranked one level above the ranking specified in s.  
17 921.0022 or s. 921.0023 for the offense committed.

18           (9)(7) A ~~Any~~ person who is in the relationship of  
19 parent or legal guardian, or who otherwise exercises custodial  
20 authority over an individual who is less than 18 years of age,  
21 who willfully and fraudulently uses personal identification  
22 information of that individual commits a felony of the second  
23 degree, punishable as provided in s. 775.082, s. 775.083, or  
24 s. 775.084.

25           (10)(8) This section does not prohibit any lawfully  
26 authorized investigative, protective, or intelligence activity  
27 of a law enforcement agency of this state or any of its  
28 political subdivisions, of any other state or its political  
29 subdivisions, or of the Federal Government or its political  
30 subdivisions.

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1           (11)~~(9)~~(a) In sentencing a defendant convicted of an  
2 offense under this section, the court may order that the  
3 defendant make restitution pursuant to s. 775.089 to any  
4 victim of the offense. In addition to the victim's  
5 out-of-pocket costs, the ~~such~~ restitution may include payment  
6 of any other costs, including attorney's fees incurred by the  
7 victim in clearing the victim's credit history or credit  
8 rating, or any costs incurred in connection with any civil or  
9 administrative proceeding to satisfy any debt, lien, or other  
10 obligation of the victim arising as the result of the actions  
11 of the defendant.

12           (b) The sentencing court may issue such orders as are  
13 necessary to correct any public record that contains false  
14 information given in violation of this section.

15           (12)~~(10)~~ Prosecutions for violations of this section  
16 may be brought on behalf of the state by any state attorney or  
17 by the statewide prosecutor.

18           (13)~~(11)~~ The Legislature finds that, in the absence of  
19 evidence to the contrary, the location where a victim gives or  
20 fails to give consent to the use of personal identification  
21 information is the county where the victim generally resides.

22           (14)~~(12)~~ Notwithstanding any other provision of law,  
23 venue for the prosecution and trial of violations of this  
24 section may be commenced and maintained in any county in which  
25 an element of the offense occurred, including the county where  
26 the victim generally resides.

27           (15)~~(13)~~ A prosecution of an offense prohibited under  
28 subsection (2), subsection (7)~~(6)~~, or subsection (9)~~(7)~~ must  
29 be commenced within 3 years after the offense occurred.  
30 However, a prosecution may be commenced within 1 year after  
31 discovery of the offense by an aggrieved party, or by a person

1 who has a legal duty to represent the aggrieved party and who  
2 is not a party to the offense, if such prosecution is  
3 commenced within 5 years after the violation occurred.

4 Section 2. Paragraphs (h) and (i) of subsection (3) of  
5 section 921.0022, Florida Statutes, are amended to read:

6 921.0022 Criminal Punishment Code; offense severity  
7 ranking chart.--

8 (3) OFFENSE SEVERITY RANKING CHART

9

10 Florida Statute	Felony Degree	Description
		(h) LEVEL 8
15 316.193		
16 (3)(c)3.a.	2nd	DUI manslaughter.
17 327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
18 499.0051(7)	1st	Forgery of prescription or legend 19 drug labels.
20 499.0052	1st	Trafficking in contraband legend 21 drugs.
22 560.123(8)(b)2.	2nd	Failure to report currency or 23 payment instruments totaling or 24 exceeding \$20,000, but less than 25 \$100,000 by money transmitter.
26 560.125(5)(b)	2nd	Money transmitter business by 27 unauthorized person, currency or 28 payment instruments totaling or 29 exceeding \$20,000, but less than 30 \$100,000.

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1	655.50(10)(b)2.	2nd	Failure to report financial
2			transactions totaling or
3			exceeding \$20,000, but less than
4			\$100,000 by financial
5			institutions.
6	777.03(2)(a)	1st	Accessory after the fact, capital
7			felony.
8	782.04(4)	2nd	Killing of human without design
9			when engaged in act or attempt of
10			any felony other than arson,
11			sexual battery, robbery,
12			burglary, kidnapping, aircraft
13			piracy, or unlawfully discharging
14			bomb.
15	782.051(2)	1st	Attempted felony murder while
16			perpetrating or attempting to
17			perpetrate a felony not
18			enumerated in s. 782.04(3).
19	782.071(1)(b)	1st	Committing vehicular homicide and
20			failing to render aid or give
21			information.
22	782.072(2)	1st	Committing vessel homicide and
23			failing to render aid or give
24			information.
25	790.161(3)	1st	Discharging a destructive device
26			which results in bodily harm or
27			property damage.
28	794.011(5)	2nd	Sexual battery, victim 12 years
29			or over, offender does not use
30			physical force likely to cause
31			serious injury.

1	800.04(4)	2nd	Lewd or lascivious battery.
2	806.01(1)	1st	Maliciously damage dwelling or
3			structure by fire or explosive,
4			believing person in structure.
5	810.02(2)(a)	1st,PBL	Burglary with assault or battery.
6	810.02(2)(b)	1st,PBL	Burglary; armed with explosives
7			or dangerous weapon.
8	810.02(2)(c)	1st	Burglary of a dwelling or
9			structure causing structural
10			damage or \$1,000 or more property
11			damage.
12	812.13(2)(b)	1st	Robbery with a weapon.
13	812.135(2)	1st	Home-invasion robbery.
14	817.568( <u>7</u> )+ <del>6</del>	2nd	Fraudulent use of personal
15			identification information of an
16			individual under the age of 18.
17	825.102(2)	2nd	Aggravated abuse of an elderly
18			person or disabled adult.
19	825.1025(2)	2nd	Lewd or lascivious battery upon
20			an elderly person or disabled
21			adult.
22	825.103(2)(a)	1st	Exploiting an elderly person or
23			disabled adult and property is
24			valued at \$100,000 or more.
25	837.02(2)	2nd	Perjury in official proceedings
26			relating to prosecution of a
27			capital felony.
28	837.021(2)	2nd	Making contradictory statements
29			in official proceedings relating
30			to prosecution of a capital
31			felony.

1	860.121(2)(c)	1st	Shooting at or throwing any
2			object in path of railroad
3			vehicle resulting in great bodily
4			harm.
5	860.16	1st	Aircraft piracy.
6	893.13(1)(b)	1st	Sell or deliver in excess of 10
7			grams of any substance specified
8			in s. 893.03(1)(a) or (b).
9	893.13(2)(b)	1st	Purchase in excess of 10 grams of
10			any substance specified in s.
11			893.03(1)(a) or (b).
12	893.13(6)(c)	1st	Possess in excess of 10 grams of
13			any substance specified in s.
14			893.03(1)(a) or (b).
15	893.135(1)(a)2.	1st	Trafficking in cannabis, more
16			than 2,000 lbs., less than 10,000
17			lbs.
18	893.135		
19	(1)(b)1.b.	1st	Trafficking in cocaine, more than
20			200 grams, less than 400 grams.
21	893.135		
22	(1)(c)1.b.	1st	Trafficking in illegal drugs,
23			more than 14 grams, less than 28
24			grams.
25	893.135		
26	(1)(d)1.b.	1st	Trafficking in phencyclidine,
27			more than 200 grams, less than
28			400 grams.
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1	893.135		
2	(1)(e)1.b.	1st	Trafficking in methaqualone, more
3			than 5 kilograms, less than 25
4			kilograms.
5	893.135		
6	(1)(f)1.b.	1st	Trafficking in amphetamine, more
7			than 28 grams, less than 200
8			grams.
9	893.135		
10	(1)(g)1.b.	1st	Trafficking in flunitrazepam, 14
11			grams or more, less than 28
12			grams.
13	893.135		
14	(1)(h)1.b.	1st	Trafficking in
15			gamma-hydroxybutyric acid (GHB),
16			5 kilograms or more, less than 10
17			kilograms.
18	893.135		
19	(1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5
20			kilograms or more, less than 10
21			kilograms.
22	893.135		
23	(1)(k)2.b.	1st	Trafficking in Phenethylamines,
24			200 grams or more, less than 400
25			grams.
26	895.03(1)	1st	Use or invest proceeds derived
27			from pattern of racketeering
28			activity.
29			
30			
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1	895.03(2)	1st	Acquire or maintain through
2			racketeering activity any
3			interest in or control of any
4			enterprise or real property.
5	895.03(3)	1st	Conduct or participate in any
6			enterprise through pattern of
7			racketeering activity.
8	896.101(5)(b)	2nd	Money laundering, financial
9			transactions totaling or
10			exceeding \$20,000, but less than
11			\$100,000.
12	896.104(4)(a)2.	2nd	Structuring transactions to evade
13			reporting or registration
14			requirements, financial
15			transactions totaling or
16			exceeding \$20,000 but less than
17			\$100,000.
18			(i) LEVEL 9
19	316.193		
20	(3)(c)3.b.	1st	DUI manslaughter; failing to
21			render aid or give information.
22	327.35(3)(c)3.b.	1st	BUI manslaughter; failing to
23			render aid or give information.
24	499.0053	1st	Sale or purchase of contraband
25			legend drugs resulting in great
26			bodily harm.
27	560.123(8)(b)3.	1st	Failure to report currency or
28			payment instruments totaling or
29			exceeding \$100,000 by money
30			transmitter.
31			



1	560.125(5)(c)	1st	Money transmitter business by
2			unauthorized person, currency, or
3			payment instruments totaling or
4			exceeding \$100,000.
5	655.50(10)(b)3.	1st	Failure to report financial
6			transactions totaling or
7			exceeding \$100,000 by financial
8			institution.
9	775.0844	1st	Aggravated white collar crime.
10	782.04(1)	1st	Attempt, conspire, or solicit to
11			commit premeditated murder.
12	782.04(3)	1st,PBL	Accomplice to murder in
13			connection with arson, sexual
14			battery, robbery, burglary, and
15			other specified felonies.
16	782.051(1)	1st	Attempted felony murder while
17			perpetrating or attempting to
18			perpetrate a felony enumerated in
19			s. 782.04(3).
20	782.07(2)	1st	Aggravated manslaughter of an
21			elderly person or disabled adult.
22	787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or
23			reward or as a shield or hostage.
24	787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit
25			or facilitate commission of any
26			felony.
27	787.01(1)(a)4.	1st,PBL	Kidnapping with intent to
28			interfere with performance of any
29			governmental or political
30			function.
31			

1	787.02(3)(a)	1st	False imprisonment; child under
2			age 13; perpetrator also commits
3			aggravated child abuse, sexual
4			battery, or lewd or lascivious
5			battery, molestation, conduct, or
6			exhibition.
7	790.161	1st	Attempted capital destructive
8			device offense.
9	790.166(2)	1st,PBL	Possessing, selling, using, or
10			attempting to use a weapon of
11			mass destruction.
12	794.011(2)	1st	Attempted sexual battery; victim
13			less than 12 years of age.
14	794.011(2)	Life	Sexual battery; offender younger
15			than 18 years and commits sexual
16			battery on a person less than 12
17			years.
18	794.011(4)	1st	Sexual battery; victim 12 years
19			or older, certain circumstances.
20	794.011(8)(b)	1st	Sexual battery; engage in sexual
21			conduct with minor 12 to 18 years
22			by person in familial or
23			custodial authority.
24	800.04(5)(b)	1st	Lewd or lascivious molestation;
25			victim less than 12 years;
26			offender 18 years or older.
27	812.13(2)(a)	1st,PBL	Robbery with firearm or other
28			deadly weapon.
29	812.133(2)(a)	1st,PBL	Carjacking; firearm or other
30			deadly weapon.
31			

1	817.568 <u>(9)</u> <del>(7)</del>	2nd,PBL	Fraudulent use of personal
2			identification information of an
3			individual under the age of 18 by
4			his or her parent, legal
5			guardian, or person exercising
6			custodial authority.
7	827.03(2)	1st	Aggravated child abuse.
8	847.0145(1)	1st	Selling, or otherwise
9			transferring custody or control,
10			of a minor.
11	847.0145(2)	1st	Purchasing, or otherwise
12			obtaining custody or control, of
13			a minor.
14	859.01	1st	Poisoning or introducing
15			bacteria, radioactive materials,
16			viruses, or chemical compounds
17			into food, drink, medicine, or
18			water with intent to kill or
19			injure another person.
20	893.135	1st	Attempted capital trafficking
21			offense.
22	893.135(1)(a)3.	1st	Trafficking in cannabis, more
23			than 10,000 lbs.
24	893.135		
25	(1)(b)1.c.	1st	Trafficking in cocaine, more than
26			400 grams, less than 150
27			kilograms.
28	893.135		
29	(1)(c)1.c.	1st	Trafficking in illegal drugs,
30			more than 28 grams, less than 30
31			kilograms.

1 893.135  
2 (1)(d)1.c. 1st Trafficking in phencyclidine,  
3 more than 400 grams.  
4 893.135  
5 (1)(e)1.c. 1st Trafficking in methaqualone, more  
6 than 25 kilograms.  
7 893.135  
8 (1)(f)1.c. 1st Trafficking in amphetamine, more  
9 than 200 grams.  
10 893.135  
11 (1)(h)1.c. 1st Trafficking in  
12 gamma-hydroxybutyric acid (GHB),  
13 10 kilograms or more.  
14 893.135  
15 (1)(j)1.c. 1st Trafficking in 1,4-Butanediol, 10  
16 kilograms or more.  
17 893.135  
18 (1)(k)2.c. 1st Trafficking in Phenethylamines,  
19 400 grams or more.  
20 896.101(5)(c) 1st Money laundering, financial  
21 instruments totaling or exceeding  
22 \$100,000.  
23 896.104(4)(a)3. 1st Structuring transactions to evade  
24 reporting or registration  
25 requirements, financial  
26 transactions totaling or  
27 exceeding \$100,000.  
28 Section 3. This act shall take effect July 1, 2004.  
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SENATE SUMMARY

Provides that a person who fraudulently possesses the personal identification information of a deceased person commits a felony of the third degree and a person who fraudulently uses the personal identification information of a deceased person commits a felony of the second degree. Provides criminal penalties and requires a mandatory minimum sentence. Provides that a person who fraudulently uses, or possesses to use, counterfeit or fictitious personal identification information of another commits a felony of the third degree. Authorizes the court to reduce or suspend the sentence of a defendant who provides substantial assistance to law enforcement. Requires that certain persons convicted of personal identification information misrepresentation have the offense reclassified to the next higher degree.