

By the Committee on Judiciary; and Senator Saunders

308-1293-04

1                                   A bill to be entitled  
2           An act relating to protective injunctions;  
3           providing a short title; amending s. 784.046,  
4           F.S.; deleting the definition of the term  
5           "repeat violence" for purposes of protective  
6           injunctions; providing for an injunction for  
7           protection in cases of violence rather than in  
8           cases of repeat violence; providing  
9           requirements for a petition for protection  
10          against violence; redesignating the Domestic,  
11          Dating, and Repeat Violence Injunction  
12          Statewide Verification System in the Department  
13          of Law Enforcement as the "Violence Injunction  
14          Statewide Verification System"; providing for  
15          service of process and enforcement of an  
16          injunction for protection against violence;  
17          amending s. 784.047, F.S.; providing that it is  
18          a first-degree misdemeanor to violate an  
19          injunction for protection against violence;  
20          amending ss. 61.1825, 741.2901, and 741.30,  
21          F.S., relating to the State Case Registry and  
22          domestic violence; providing for the award of  
23          attorney's fees, costs, and certain other  
24          expenses in specified circumstances; conforming  
25          provisions to changes made by the act; amending  
26          s. 784.048, F.S.; revising the elements of the  
27          offense of aggravated stalking to prohibit  
28          certain acts following an injunction for  
29          protection against violence rather than  
30          following an injunction for protection against  
31          repeat violence; amending ss. 790.06 and

1 790.065, F.S., relating to a license to carry a  
2 concealed weapon or firearm and the sale and  
3 delivery of firearms; conforming provisions to  
4 changes made by the act; amending s. 901.15,  
5 F.S.; authorizing arrest without a warrant when  
6 an officer has probable cause to believe that a  
7 person has knowingly committed an act of  
8 violence in violation of an injunction for  
9 protection from violence; amending s. 943.05,  
10 F.S., relating to the Criminal Justice  
11 Information Program; conforming provisions to  
12 changes made by the act; reenacting ss.  
13 775.084(1)(d) and 921.0022(3)(g), F.S.,  
14 relating to violent career criminals and the  
15 offense severity ranking chart of the Criminal  
16 Punishment Code, to incorporate the amendment  
17 to s. 784.048, F.S., in references thereto;  
18 providing an effective date.

19

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

21

22 Section 1. This act may be cited as the "Tonda Soisson  
23 Protective Injunction Act."

24 Section 2. Section 784.046, Florida Statutes, is  
25 amended to read:

26 784.046 Action by victim of ~~repeat~~ violence, sexual  
27 violence, or dating violence for protective injunction; powers  
28 and duties of court and clerk of court; filing and form of  
29 petition; notice and hearing; temporary injunction; issuance;  
30 statewide verification system; enforcement.--

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

1 (a) "Violence" means any assault, aggravated assault,  
2 battery, aggravated battery, sexual assault, sexual battery,  
3 stalking, aggravated stalking, kidnapping, or false  
4 imprisonment, or any criminal offense resulting in physical  
5 injury or death, by a person against any other person.

6 ~~(b) "Repeat violence" means two incidents of violence~~  
7 ~~or stalking committed by the respondent, one of which must~~  
8 ~~have been within 6 months of the filing of the petition, which~~  
9 ~~are directed against the petitioner or the petitioner's~~  
10 ~~immediate family member.~~

11 (b)(c) "Sexual violence" means any one incident of:

- 12 1. Sexual battery, as defined in chapter 794;
- 13 2. A lewd or lascivious act, as defined in chapter  
14 800, committed upon or in the presence of a person younger  
15 than 16 years of age;
- 16 3. Luring or enticing a child, as described in chapter  
17 787;
- 18 4. Sexual performance by a child, as described in  
19 chapter 827; or
- 20 5. Any other forcible felony wherein a sexual act is  
21 committed or attempted,

22  
23 regardless of whether criminal charges based on the incident  
24 were filed, reduced, or dismissed by the state attorney.

25 (c)(d) "Dating violence" means violence between  
26 individuals who have or have had a continuing and significant  
27 relationship of a romantic or intimate nature. The existence  
28 of such a relationship shall be determined based on the  
29 consideration of the following factors:

- 30 1. A dating relationship must have existed within the  
31 past 6 months;

1           2. The nature of the relationship must have been  
2 characterized by the expectation of affection or sexual  
3 involvement between the parties; and

4           3. The frequency and type of interaction between the  
5 persons involved in the relationship must have included that  
6 the persons have been involved over time and on a continuous  
7 basis during the course of the relationship.

8  
9 The term does not include violence in a casual  
10 acquaintanceship or violence between individuals who only have  
11 engaged in ordinary fraternization in a business or social  
12 context.

13           (2)(a) There is created a separate cause of action for  
14 an injunction for protection in cases of ~~repeat~~ violence,  
15 ~~there is created a separate cause of action for an injunction~~  
16 ~~for protection in cases of dating violence, and there is~~  
17 ~~created a separate cause of action for an injunction for~~  
18 ~~protection in cases of sexual violence.~~

19           1.(a) Any person who:

20           a. Is the victim of ~~repeat~~ violence and who has  
21 reasonable cause to believe that he or she is in imminent  
22 danger of becoming the victim of another act of violence;

23           b. Has reasonable cause to believe that he or she is  
24 in imminent danger of becoming the victim of an act of  
25 violence;or

26           c. Is the parent or legal guardian of a ~~any~~ minor  
27 child ~~who is~~ living at home and who seeks an injunction for  
28 protection against ~~repeat~~ violence on behalf of the minor  
29 child,

1 has standing in the circuit court to file a sworn petition for  
2 an injunction for protection against ~~repeat~~ violence.

3 2.(b) Any person who:

4 a. Is the victim of dating violence and has reasonable  
5 cause to believe he or she is in imminent danger of becoming  
6 the victim of another act of dating violence; ~~or any person~~  
7 ~~who~~

8 b. Has reasonable cause to believe he or she is in  
9 imminent danger of becoming the victim of an act of dating  
10 violence; ~~or~~

11 c. Is the parent or legal guardian of any minor child  
12 ~~who is~~ living at home and ~~who~~ seeks an injunction for  
13 protection against dating violence on behalf of that minor  
14 child,

15  
16 has standing in the circuit court to file a sworn petition for  
17 an injunction for protection against dating violence.

18 3.(c) ~~Any~~ A person who is the victim of sexual  
19 violence or is the parent or legal guardian of a minor child  
20 ~~who is~~ living at home who is the victim of sexual violence has  
21 standing in the circuit court to file a sworn petition for an  
22 injunction for protection against sexual violence on his or  
23 her own behalf or on behalf of the minor child if:

24 a.1. The person has reported the sexual violence to a  
25 law enforcement agency and is cooperating in any criminal  
26 proceeding against the respondent, regardless of whether  
27 criminal charges based on the sexual violence have been filed,  
28 reduced, or dismissed by the state attorney; or

29 b.2. The respondent who committed the sexual violence  
30 against the victim or minor child was sentenced to a term of  
31 imprisonment in state prison for the sexual violence and the

1 respondent's term of imprisonment has expired or is due to  
2 expire within 90 days following the date the petition is  
3 filed.

4 (b)~~(d)~~ A cause of action for an injunction may be  
5 sought whether or not any other petition, complaint, or cause  
6 of action is currently available or pending between the  
7 parties.

8 (c)~~(e)~~ A cause of action for an injunction does not  
9 require that the petitioner be represented by an attorney.

10 (3)(a) The clerk of the court shall provide a copy of  
11 this section, simplified forms, and clerical assistance for  
12 the preparation and filing of ~~such~~ a petition by any person  
13 who is not represented by counsel.

14 (b) Notwithstanding any other law, the clerk of the  
15 court may not assess a fee for filing a petition for  
16 protection under this section ~~against repeat violence, sexual~~  
17 ~~violence, or dating violence~~. However, subject to legislative  
18 appropriation, the clerk of the court may, each quarter,  
19 submit to the Office of the State Courts Administrator a  
20 certified request for reimbursement for petitions for  
21 protection issued by the court under this section at the rate  
22 of \$40 per petition. The request for reimbursement shall be  
23 submitted in the form and manner prescribed by the Office of  
24 the State Courts Administrator. From this reimbursement, the  
25 clerk shall pay the law enforcement agency serving the  
26 injunction the fee requested by the law enforcement agency;  
27 however, this fee may not exceed \$20.

28 (c) ~~No bond shall be required by~~ The court may not  
29 require a bond for the entry of an injunction.

30 (d) The clerk of the court shall provide the  
31 petitioner with a certified copy of any injunction for

1 protection ~~against repeat violence, sexual violence, or dating~~  
2 ~~violence~~ entered by the court.

3 (4)(a) The sworn petition must ~~shall~~ allege the  
4 incidents of ~~repeat~~ violence, sexual violence, or dating  
5 violence and must ~~shall~~ include the specific facts and  
6 circumstances that form the basis upon which relief is sought.  
7 With respect to a minor child who is living at home, the  
8 parent or legal guardian of the minor child must have been an  
9 eyewitness to, or have direct physical evidence or affidavits  
10 from eyewitnesses of, the specific facts and circumstances  
11 that which form the basis upon which relief is sought.

12 (b) The sworn petition must be in substantially the  
13 following form:

14  
15 PETITION FOR INJUNCTION FOR PROTECTION  
16 AGAINST ~~REPEAT~~ VIOLENCE, SEXUAL  
17 VIOLENCE, OR DATING VIOLENCE  
18

19 Before me, the undersigned authority, personally  
20 appeared Petitioner ...(Name)..., who has been sworn and says  
21 that the following statements are true:

- 22
- 23 1. Petitioner resides at ...(address)...
  - 24 2. Respondent resides at ...(address)...
  - 25 3.a. Petitioner is a victim of violence and has  
26 reasonable cause to believe that he or she is in imminent  
27 danger of becoming the victim of another act of violence or  
28 has reasonable cause to believe that he or she is in imminent  
29 danger of becoming a victim of ~~has suffered repeat~~ violence,  
30 as demonstrated by the fact that the respondent has:  
31 ...(enumerate incidents of violence)...

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b. Petitioner has suffered sexual violence as demonstrated by the fact that the respondent has: (enumerate incident of violence and attach incident report by law enforcement agency or notice of inmate release.)

.....  
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.....

c. Petitioner is a victim of dating violence and has reasonable cause to believe that he or she is in imminent danger of becoming the victim of another act of dating violence or has reasonable cause to believe that he or she is in imminent danger of becoming a victim of dating violence, as demonstrated by the fact that the respondent has: ...(list the specific incident or incidents of violence and describe the length of time of the relationship, whether it has been in existence during the last 6 months, the nature of the relationship of a romantic or intimate nature, the frequency and type of interaction, and any other facts that characterize the relationship.)...

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1           4. Petitioner genuinely fears ~~repeat~~ violence by the  
2 respondent.

3           5. Petitioner seeks: an immediate injunction against  
4 the respondent, enjoining him or her from committing any  
5 further acts of violence; an injunction enjoining the  
6 respondent from committing any further acts of violence; and  
7 an injunction providing any terms the court deems necessary  
8 for the protection of the petitioner and the petitioner's  
9 immediate family, including any injunctions or directives to  
10 law enforcement agencies.

11           (5) Upon the filing of the petition, the court shall  
12 set a hearing to be held at the earliest possible time. The  
13 respondent shall be personally served with a copy of the  
14 petition, notice of hearing, and temporary injunction, if any,  
15 prior to the hearing.

16           (6)(a) When it appears to the court that an immediate  
17 and present danger of violence exists, the court may grant a  
18 temporary injunction, which may be granted in an ex parte  
19 hearing, pending a full hearing, and may grant such relief as  
20 the court deems proper, including an injunction enjoining the  
21 respondent from committing any acts of violence.

22           (b) In a hearing ex parte for the purpose of obtaining  
23 the ~~such~~ temporary injunction, ~~no~~ evidence other than the  
24 verified pleading or affidavit may not ~~shall~~ be used as  
25 evidence, unless the respondent appears at the hearing or has  
26 received reasonable notice of the hearing.

27           (c) The ~~Any such~~ ex parte temporary injunction shall  
28 be effective for a fixed period not to exceed 15 days.  
29 However, an ex parte temporary injunction granted under  
30 subparagraph (2)(c)2. is effective for 15 days following the  
31 date the respondent is released from incarceration. A full

1 hearing, as provided by this section, shall be set for a date  
2 no later than the date when the temporary injunction ceases to  
3 be effective. The court may grant a continuance of the ex  
4 parte injunction and the full hearing before or during a  
5 hearing, for good cause shown by any party.

6 (7)(a) Upon notice and hearing, the court may grant  
7 such relief as the court deems proper, including an  
8 injunction:

9 1.(a) Enjoining the respondent from committing any  
10 acts of violence.

11 2.(b) Ordering such other relief as the court deems  
12 necessary for the protection of the petitioner, including  
13 injunctions or directives to law enforcement agencies, as  
14 provided in this section.

15 (b)(c) The terms of the injunction shall remain in  
16 full force and effect until modified or dissolved. Either  
17 party may move at any time to modify or dissolve the  
18 injunction. Such relief may be granted in addition to other  
19 civil or criminal remedies.

20 (c)(d) A temporary or final judgment on injunction for  
21 protection ~~against repeat violence, sexual violence, or dating~~  
22 ~~violence~~ entered pursuant to this section shall, on its face,  
23 indicate that:

24 1. The injunction is valid and enforceable in all  
25 counties of the State of Florida.

26 2. Law enforcement officers may use their arrest  
27 powers pursuant to s. 901.15(6) to enforce the terms of the  
28 injunction.

29 3. The court had jurisdiction over the parties and  
30 matter under the laws of Florida and that reasonable notice  
31 and opportunity to be heard was given to the person against

1 whom the order is sought sufficient to protect that person's  
2 right to due process.

3 4. The date that the respondent was served with the  
4 temporary or final order, if obtainable.

5 (8)(a)1. The clerk of the court shall furnish a copy  
6 of the petition, notice of hearing, and temporary injunction,  
7 if any, to the sheriff or a law enforcement agency of the  
8 county where the respondent resides or can be found, who shall  
9 serve it upon the respondent as soon thereafter as possible on  
10 any day of the week and at any time of the day or night. The  
11 clerk of the court shall be responsible for furnishing to the  
12 sheriff ~~such~~ information on the respondent's physical  
13 description and location as is required by the department to  
14 comply with the verification procedures set forth in this  
15 section. Notwithstanding any other provision of law to the  
16 contrary, the chief judge of each circuit, in consultation  
17 with the appropriate sheriff, may authorize a law enforcement  
18 agency within the chief judge's jurisdiction to effect this  
19 type of service and to receive a portion of the service fee.  
20 No person shall be authorized or permitted to serve or execute  
21 an injunction issued under this section unless the person is a  
22 law enforcement officer as defined in chapter 943.

23 2. If the respondent is in the custody of the  
24 Department of Corrections and the petition for an injunction  
25 has been filed as provided in subparagraph (2)(c)2., the clerk  
26 of the court shall furnish a copy of the petition, notice of  
27 hearing, and temporary injunction, if any, to the Department  
28 of Corrections and copies shall be served upon the respondent  
29 as soon thereafter as possible on any day of the week and at  
30 any time of the day or night. The petition, notice of hearing,  
31 or temporary injunction may be served in a state prison by a

1 correctional officer as defined in chapter 943. If the  
2 respondent in custody is not served before his or her release,  
3 a copy of the petition, notice of hearing, and temporary  
4 injunction, if any, shall be forwarded to the sheriff of the  
5 county specified in the respondent's release plan for service  
6 as provided in subparagraph 1.

7 3. When an injunction is issued, if the petitioner  
8 requests the assistance of a law enforcement agency, the court  
9 may order that an officer from the appropriate law enforcement  
10 agency accompany the petitioner and assist in the execution or  
11 service of the injunction. A law enforcement officer shall  
12 accept a copy of an injunction for protection ~~against repeat~~  
13 ~~violence, sexual violence, or dating violence~~, certified by  
14 the clerk of the court, from the petitioner and immediately  
15 serve it upon a respondent who has been located but not yet  
16 served.

17 (b) The ~~There shall be created a Domestic, Dating,~~  
18 ~~Sexual, and Repeat~~ Violence Injunction Statewide Verification  
19 System is created within the Department of Law Enforcement.  
20 The department shall establish, implement, and maintain a  
21 statewide communication system capable of electronically  
22 transmitting information to and between criminal justice  
23 agencies relating to injunctions for protection pursuant to s.  
24 741.30 and this section ~~domestic violence injunctions, dating~~  
25 ~~violence injunctions, sexual violence injunctions, and repeat~~  
26 ~~violence injunctions~~ issued by the courts throughout the  
27 state. The ~~Such~~ information must include, but need is not be  
28 limited to, information as to the existence and status of any  
29 injunction for verification purposes.

30 (c)1. Within 24 hours after the court issues, changes,  
31 or vacates an injunction for protection ~~against repeat~~

1 ~~violence, sexual violence, or dating violence or changes or~~  
2 ~~vacates an injunction for protection against repeat violence,~~  
3 ~~sexual violence, or dating violence,~~ the clerk of the court  
4 must forward a copy of the injunction to the sheriff with  
5 jurisdiction over the residence of the petitioner.

6         2. Within 24 hours after service of process of an  
7 injunction for protection ~~against repeat violence, sexual~~  
8 ~~violence, or dating violence~~ upon a respondent, the law  
9 enforcement officer must forward the written proof of service  
10 of process to the sheriff with jurisdiction over the residence  
11 of the petitioner.

12         3. Within 24 hours after the sheriff receives a  
13 certified copy of the injunction for protection ~~against repeat~~  
14 ~~violence, sexual violence, or dating violence,~~ the sheriff  
15 must make information relating to the injunction available to  
16 other law enforcement agencies by electronically transmitting  
17 the ~~such~~ information to the department.

18         4. Within 24 hours after the sheriff or other law  
19 enforcement officer has made service upon the respondent and  
20 the sheriff has been so notified, the sheriff must make  
21 information relating to the service available to other law  
22 enforcement agencies by electronically transmitting the ~~such~~  
23 information to the department.

24         5. Within 24 hours after an injunction for protection  
25 ~~against repeat violence, sexual violence, or dating violence~~  
26 is lifted, terminated, or otherwise rendered no longer  
27 effective by ruling of the court, the clerk of the court must  
28 notify the sheriff or local law enforcement agency receiving  
29 original notification of the injunction as provided in  
30 subparagraph 2. That agency shall, within 24 hours after  
31

1 receiving the ~~such~~ notification from the clerk of the court,  
2 notify the department of the ~~such~~ action of the court.

3 (9)(a) The court shall enforce, through a civil or  
4 criminal contempt proceeding, a violation of an injunction for  
5 protection. The court may enforce the respondent's compliance  
6 with the injunction by imposing a monetary assessment. The  
7 clerk of the court shall collect and receive such assessments.  
8 On a monthly basis, the clerk shall transfer the moneys  
9 collected pursuant to this paragraph to the State Treasury for  
10 deposit in the Crimes Compensation Trust Fund established in  
11 s. 960.21.

12 (b) If the respondent is arrested by a law enforcement  
13 officer under s. 901.15(10) for committing any of the acts of  
14 violence as are defined in s. 784.046(1)~~an act of repeat~~  
15 ~~violence, sexual violence, or dating violence~~ in violation of  
16 an injunction for protection, the respondent shall be held in  
17 custody until brought before the court as expeditiously as  
18 possible for the purpose of enforcing the injunction and for  
19 admittance to bail in accordance with chapter 903 and the  
20 applicable rules of criminal procedure, pending a hearing.

21 (10) The petitioner or the respondent may move the  
22 court to modify or dissolve an injunction at any time.

23 (11) A law enforcement officer acting in good faith  
24 under this section and the officer's employing agency shall be  
25 immune from all liability, civil or criminal, that might  
26 otherwise be incurred or imposed by reason of the officer's or  
27 agency's actions in carrying out the provisions of this  
28 section.

29 Section 3. Section 784.047, Florida Statutes, is  
30 amended to read:

31

1           784.047 Penalties for violating protective injunction  
2 ~~against violators.--~~A person who willfully violates an  
3 injunction for protection ~~against repeat violence or dating~~  
4 ~~violence~~, issued pursuant to s. 784.046, or a foreign  
5 protection order accorded full faith and credit pursuant to s.  
6 741.315 by:

7           (1) Refusing to vacate the dwelling that the parties  
8 share;

9           (2) Going to the petitioner's residence, school, place  
10 of employment, or a specified place frequented regularly by  
11 the petitioner and any named family or household member;

12           (3) Committing any of the acts of violence as are  
13 defined in s. 784.046(1)~~an act of repeat violence or dating~~  
14 ~~violence~~ against the petitioner;

15           (4) Committing any other violation of the injunction  
16 through an intentional unlawful threat, word, or act to do  
17 violence to the petitioner; or

18           (5) Telephoning, contacting, or otherwise  
19 communicating with the petitioner directly or indirectly,  
20 unless the injunction specifically allows indirect contact  
21 through a third party;

22  
23 commits a misdemeanor of the first degree, punishable as  
24 provided in s. 775.082 or s. 775.083.

25           Section 4. Paragraph (a) of subsection (3) of section  
26 61.1825, Florida Statutes, is amended to read:

27           61.1825 State Case Registry.--

28           (3)(a) For the purpose of this section, a family  
29 violence indicator must be placed on a record when:

30           1. A party executes a sworn statement requesting that  
31 a family violence indicator be placed on that party's record

1 which states that the party has reason to believe that release  
2 of information to the Federal Case Registry may result in  
3 physical or emotional harm to the party or the child; or

4         2. A temporary or final injunction for protection  
5 against domestic violence has been granted pursuant to s.  
6 741.30(6), an injunction for protection against domestic  
7 violence has been issued by a court of a foreign state  
8 pursuant to s. 741.315, or a temporary or final injunction for  
9 protection ~~against repeat violence~~ has been granted pursuant  
10 to s. 784.046; or

11         3. The department has received information on a Title  
12 IV-D case from the ~~Domestic Violence and Repeat Violence~~  
13 Injunction Statewide Verification System, established pursuant  
14 to s. 784.046 ~~s. 784.046(8)(b)~~, that a court has granted a  
15 party an a domestic violence or repeat violence injunction for  
16 protection pursuant to s. 741.30 or s. 784.046.

17         Section 5. Subsection (3) of section 741.2901, Florida  
18 Statutes, is amended to read:

19         741.2901 Domestic violence cases; prosecutors;  
20 legislative intent; investigation; duty of circuits; first  
21 appearance.--

22         (3) Prior to a defendant's first appearance in any  
23 charge of domestic violence as defined in s. 741.28, the State  
24 Attorney's Office shall perform a thorough investigation of  
25 the defendant's history, including, but not limited to: prior  
26 arrests for domestic violence, prior arrests for nondomestic  
27 charges, prior injunctions for protection issued pursuant to  
28 s. 741.30 or s. 784.046 which list ~~against domestic and repeat~~  
29 ~~violence filed listing~~ the defendant as respondent and noting  
30 history of other victims, and prior walk-in domestic  
31 complaints filed against the defendant. This information shall



1 be presented at first appearance, when setting bond, and when  
2 passing sentence, for consideration by the court. When a  
3 defendant is arrested for an act of domestic violence, the  
4 defendant shall be held in custody until brought before the  
5 court for admittance to bail in accordance with chapter 903.  
6 In determining bail, the court shall consider the safety of  
7 the victim, the victim's children, and any other person who  
8 may be in danger if the defendant is released.

9 Section 6. Paragraph (c) of subsection (2), paragraph  
10 (a) of subsection (6), and paragraph (b) of subsection (8) of  
11 section 741.30, Florida Statutes, as amended by section 113 of  
12 chapter 2003-402, Laws of Florida, are amended to read:

13 741.30 Domestic violence; injunction; powers and  
14 duties of court and clerk; petition; notice and hearing;  
15 temporary injunction; issuance of injunction; statewide  
16 verification system; enforcement.--

17 (2)

18 (c)1. The clerk of the court shall assist petitioners  
19 in seeking both injunctions for protection against domestic  
20 violence and enforcement for a violation thereof as specified  
21 in this section.

22 2. All clerks' offices shall provide simplified  
23 petition forms for the injunction, any modifications, and the  
24 enforcement thereof, including instructions for completion.

25 ~~3. The clerk of the court shall advise petitioners of~~  
26 ~~the opportunity to apply for a certificate of indigence in~~  
27 ~~lieu of prepayment for the cost of the filing fee, as provided~~  
28 ~~in paragraph (a).~~

29 3.4. The clerk of the court shall ensure the  
30 petitioner's privacy to the extent practical while completing  
31

1 the forms for injunctions for protection against domestic  
2 violence.

3 4.5. The clerk of the court shall provide petitioners  
4 with a minimum of two certified copies of the order of  
5 injunction, one of which is serviceable and will inform the  
6 petitioner of the process for service and enforcement.

7 5.6. Clerks of court and appropriate staff in each  
8 county shall receive training in the effective assistance of  
9 petitioners as provided or approved by the Florida Association  
10 of Court Clerks.

11 6.7. The clerk of the court in each county shall make  
12 available informational brochures on domestic violence when  
13 such brochures are provided by local certified domestic  
14 violence centers.

15 7.8. The clerk of the court in each county shall  
16 distribute a statewide uniform informational brochure to  
17 petitioners at the time of filing for an injunction for  
18 protection issued pursuant to this section or s. 784.046  
19 ~~against domestic or repeat violence~~ when such brochures become  
20 available. The brochure must include information about the  
21 effect of giving the court false information about domestic  
22 violence.

23 (6)(a) Upon notice and hearing, when it appears to the  
24 court that the petitioner is either the victim of domestic  
25 violence as defined by s. 741.28 or has reasonable cause to  
26 believe he or she is in imminent danger of becoming a victim  
27 of domestic violence, the court may grant such relief as the  
28 court deems proper, including an injunction:

29 1. Restraining the respondent from committing any acts  
30 of domestic violence.

31

1           2. Awarding to the petitioner the exclusive use and  
2 possession of the dwelling that the parties share or excluding  
3 the respondent from the residence of the petitioner.

4           3. On the same basis as provided in chapter 61,  
5 awarding temporary custody of, or temporary visitation rights  
6 with regard to, a minor child or children of the parties.

7           4. On the same basis as provided in chapter 61,  
8 establishing temporary support for a minor child or children  
9 or the petitioner.

10           5. Ordering the respondent to participate in  
11 treatment, intervention, or counseling services to be paid for  
12 by the respondent. When the court orders the respondent to  
13 participate in a batterers' intervention program, the court,  
14 or any entity designated by the court, must provide the  
15 respondent with a list of all certified batterers'  
16 intervention programs and all programs which have submitted an  
17 application to the Department of Corrections to become  
18 certified under s. 741.325, from which the respondent must  
19 choose a program in which to participate. If there are no  
20 certified batterers' intervention programs in the circuit, the  
21 court shall provide a list of acceptable programs from which  
22 the respondent must choose a program in which to participate.

23           6. Referring a petitioner to a certified domestic  
24 violence center. The court must provide the petitioner with a  
25 list of certified domestic violence centers in the circuit  
26 which the petitioner may contact.

27           7. Ordering such other relief as the court deems  
28 necessary for the protection of a victim of domestic violence,  
29 including injunctions or directives to law enforcement  
30 agencies, as provided in this section.

31

1 If the court has entered an ex parte temporary injunction and  
2 determines at the extension hearing that the petitioner did  
3 not have reasonable cause to believe that he or she was in  
4 danger of becoming the victim of an act of domestic violence,  
5 or if the court finds that the petitioner knowingly provided  
6 false information to the court regarding the alleged domestic  
7 violence, the court may award respondent reasonable attorney's  
8 fees and costs and the reasonable reimbursement of temporary  
9 living expenses resulting from the issuance of the ex parte  
10 temporary injunction.

11 (8)

12 (b) The ~~There shall be created a Domestic and Repeat~~  
13 ~~Violence Injunction Statewide Verification System~~ is created  
14 within the Department of Law Enforcement. The department shall  
15 establish, implement, and maintain a statewide communication  
16 system capable of electronically transmitting information to  
17 and between criminal justice agencies relating to domestic  
18 violence injunctions and ~~repeat~~ violence injunctions issued by  
19 the courts throughout the state. Such information must  
20 include, but is not limited to, information as to the  
21 existence and status of any injunction for verification  
22 purposes.

23 Section 7. Subsection (4) of section 784.048, Florida  
24 Statutes, is amended to read:

25 784.048 Stalking; definitions; penalties.--

26 (4) Any person who, after an injunction for protection  
27 issued ~~against repeat violence or dating violence~~ pursuant to  
28 s. 784.046, or an injunction for protection against domestic  
29 violence issued pursuant to s. 741.30, or after any other  
30 court-imposed prohibition of conduct toward the subject person  
31 or that person's property, knowingly, willfully, maliciously,

1 and repeatedly follows, harasses, or cyberstalks another  
2 person commits the offense of aggravated stalking, a felony of  
3 the third degree, punishable as provided in s. 775.082, s.  
4 775.083, or s. 775.084.

5 Section 8. Subsections (2) and (3) of section 790.06,  
6 Florida Statutes, are amended to read:

7 790.06 License to carry concealed weapon or firearm.--

8 (2) The Department of Agriculture and Consumer  
9 Services shall issue a license if the applicant:

10 (a) Is a resident of the United States or is a  
11 consular security official of a foreign government that  
12 maintains diplomatic relations and treaties of commerce,  
13 friendship, and navigation with the United States and is  
14 certified as such by the foreign government and by the  
15 appropriate embassy in this country;

16 (b) Is 21 years of age or older;

17 (c) Does not suffer from a physical infirmity which  
18 prevents the safe handling of a weapon or firearm;

19 (d) Is not ineligible to possess a firearm pursuant to  
20 s. 790.23 by virtue of having been convicted of a felony;

21 (e) Has not been committed for the abuse of a  
22 controlled substance or been found guilty of a crime under the  
23 provisions of chapter 893 or similar laws of any other state  
24 relating to controlled substances within a 3-year period  
25 immediately preceding the date on which the application is  
26 submitted;

27 (f) Does not chronically and habitually use alcoholic  
28 beverages or other substances to the extent that his or her  
29 normal faculties are impaired. It shall be presumed that an  
30 applicant chronically and habitually uses alcoholic beverages  
31 or other substances to the extent that his or her normal

1 faculties are impaired if the applicant has been committed  
2 under chapter 397 or under the provisions of former chapter  
3 396 or has been convicted under s. 790.151 or has been deemed  
4 a habitual offender under s. 856.011(3), or has had two or  
5 more convictions under s. 316.193 or similar laws of any other  
6 state, within the 3-year period immediately preceding the date  
7 on which the application is submitted;

8 (g) Desires a legal means to carry a concealed weapon  
9 or firearm for lawful self-defense;

10 (h) Demonstrates competence with a firearm by any one  
11 of the following:

12 1. Completion of any hunter education or hunter safety  
13 course approved by the Fish and Wildlife Conservation  
14 Commission or a similar agency of another state;

15 2. Completion of any National Rifle Association  
16 firearms safety or training course;

17 3. Completion of any firearms safety or training  
18 course or class available to the general public offered by a  
19 law enforcement, junior college, college, or private or public  
20 institution or organization or firearms training school,  
21 utilizing instructors certified by the National Rifle  
22 Association, Criminal Justice Standards and Training  
23 Commission, or the Department of Agriculture and Consumer  
24 Services;

25 4. Completion of any law enforcement firearms safety  
26 or training course or class offered for security guards,  
27 investigators, special deputies, or any division or  
28 subdivision of law enforcement or security enforcement;

29 5. Presents evidence of equivalent experience with a  
30 firearm through participation in organized shooting  
31 competition or military service;

1           6. Is licensed or has been licensed to carry a firearm  
2 in this state or a county or municipality of this state,  
3 unless the ~~such~~ license has been revoked for cause; or

4           7. Completion of any firearms training or safety  
5 course or class conducted by a state-certified or National  
6 Rifle Association certified firearms instructor;

7  
8 A photocopy of a certificate of completion of any of the  
9 courses or classes; or an affidavit from the instructor,  
10 school, club, organization, or group that conducted or taught  
11 said course or class attesting to the completion of the course  
12 or class by the applicant; or a copy of any document which  
13 shows completion of the course or class or evidences  
14 participation in firearms competition shall constitute  
15 evidence of qualification under this paragraph; any person who  
16 conducts a course pursuant to subparagraph 2., subparagraph  
17 3., or subparagraph 7., or who, as an instructor, attests to  
18 the completion of such courses, must maintain records  
19 certifying that he or she observed the student safely handle  
20 and discharge the firearm;

21           (i) Has not been adjudicated an incapacitated person  
22 under s. 744.331, or similar laws of any other state, unless 5  
23 years have elapsed since the applicant's restoration to  
24 capacity by court order;

25           (j) Has not been committed to a mental institution  
26 under chapter 394, or similar laws of any other state, unless  
27 the applicant produces a certificate from a licensed  
28 psychiatrist that he or she has not suffered from disability  
29 for at least 5 years prior to the date of submission of the  
30 application;

31

1           (k) Has not had adjudication of guilt withheld or  
2 imposition of sentence suspended on any felony or misdemeanor  
3 crime of domestic violence unless 3 years have elapsed since  
4 probation or any other conditions set by the court have been  
5 fulfilled, or the record has been sealed or expunged;

6           (1) Has not been issued an injunction that is  
7 currently in force and effect and that restrains the applicant  
8 from committing any of the acts of violence as are defined in  
9 s. 741.28(2) or s. 784.046(1)~~acts of domestic violence or~~  
10 ~~acts of repeat violence~~; and

11           (m) Is not prohibited from purchasing or possessing a  
12 firearm by any other provision of Florida or federal law.

13           (3) The Department of Agriculture and Consumer  
14 Services shall deny a license if the applicant has been found  
15 guilty of, had adjudication of guilt withheld for, or had  
16 imposition of sentence suspended for one or more crimes of  
17 violence constituting a misdemeanor, unless 3 years have  
18 elapsed since probation or any other conditions set by the  
19 court have been fulfilled or the record has been sealed or  
20 expunged. The Department of Agriculture and Consumer Services  
21 shall revoke a license if the licensee has been found guilty  
22 of, had adjudication of guilt withheld for, or had imposition  
23 of sentence suspended for one or more crimes of violence  
24 within the preceding 3 years. The department shall, upon  
25 notification by a law enforcement agency, a court, or the  
26 Florida Department of Law Enforcement and subsequent written  
27 verification, suspend a license or the processing of an  
28 application for a license if the licensee or applicant is  
29 arrested or formally charged with a crime that would  
30 disqualify such person from having a license under this  
31 section, until final disposition of the case. The department



1 shall suspend a license or the processing of an application  
2 for a license if the licensee or applicant is issued an  
3 injunction that restrains the licensee or applicant from  
4 committing acts of domestic violence or acts of ~~repeat~~  
5 violence.

6 Section 9. Paragraph (c) of subsection (2) of section  
7 790.065, Florida Statutes, is amended to read:

8 790.065 Sale and delivery of firearms.--

9 (2) Upon receipt of a request for a criminal history  
10 record check, the Department of Law Enforcement shall, during  
11 the licensee's call or by return call, forthwith:

12 (c)1. Review any records available to it to determine  
13 whether the potential buyer or transferee has been indicted or  
14 has had an information filed against her or him for an offense  
15 that is a felony under either state or federal law, or, as  
16 mandated by federal law, has had an injunction for protection  
17 against domestic violence entered against the potential buyer  
18 or transferee under s. 741.30, has had an injunction for  
19 protection ~~against repeat violence~~ entered against the  
20 potential buyer or transferee under s. 784.046, or has been  
21 arrested for a dangerous crime as specified in s.

22 907.041(4)(a) or for any of the following enumerated offenses:

- 23 a. Criminal anarchy under ss. 876.01 and 876.02.  
24 b. Extortion under s. 836.05.  
25 c. Explosives violations under s. 552.22(1) and (2).  
26 d. Controlled substances violations under chapter 893.  
27 e. Resisting an officer with violence under s. 843.01.  
28 f. Weapons and firearms violations under this chapter.  
29 g. Treason under s. 876.32.  
30 h. Assisting self-murder under s. 782.08.  
31 i. Sabotage under s. 876.38.

1           j. Stalking or aggravated stalking under s. 784.048.

2

3 If the review indicates any such indictment, information, or  
4 arrest, the department shall provide to the licensee a  
5 conditional nonapproval number.

6           2. Within 24 working hours, the department shall  
7 determine the disposition of the indictment, information, or  
8 arrest and inform the licensee as to whether the potential  
9 buyer is prohibited from receiving or possessing a firearm.  
10 For purposes of this paragraph, "working hours" means the  
11 hours from 8 a.m. to 5 p.m. Monday through Friday, excluding  
12 legal holidays.

13           3. The office of the clerk of court, at no charge to  
14 the department, shall respond to any department request for  
15 data on the disposition of the indictment, information, or  
16 arrest as soon as possible, but in no event later than 8  
17 working hours.

18           4. The department shall determine as quickly as  
19 possible within the allotted time period whether the potential  
20 buyer is prohibited from receiving or possessing a firearm.

21           5. If the potential buyer is not so prohibited, or if  
22 the department cannot determine the disposition information  
23 within the allotted time period, the department shall provide  
24 the licensee with a conditional approval number.

25           6. If the buyer is so prohibited, the conditional  
26 nonapproval number shall become a nonapproval number.

27           7. The department shall continue its attempts to  
28 obtain the disposition information and may retain a record of  
29 all approval numbers granted without sufficient disposition  
30 information. If the department later obtains disposition  
31 information which indicates:

1 a. That the potential buyer is not prohibited from  
2 owning a firearm, it shall treat the record of the transaction  
3 in accordance with this section; or

4 b. That the potential buyer is prohibited from owning  
5 a firearm, it shall immediately revoke the conditional  
6 approval number and notify local law enforcement.

7 8. During the time that disposition of the indictment,  
8 information, or arrest is pending and until the department is  
9 notified by the potential buyer that there has been a final  
10 disposition of the indictment, information, or arrest, the  
11 conditional nonapproval number shall remain in effect.

12 Section 10. Subsection (10) of section 901.15, Florida  
13 Statutes, is amended to read:

14 901.15 When arrest by officer without warrant is  
15 lawful.--A law enforcement officer may arrest a person without  
16 a warrant when:

17 (10) The officer has probable cause to believe that  
18 the person has knowingly committed any of the acts of violence  
19 as are defined in s. 784.046(1)~~an act of repeat violence~~ in  
20 violation of an injunction for protection ~~from repeat violence~~  
21 entered pursuant to s. 784.046 or a foreign protection order  
22 accorded full faith and credit pursuant to s. 741.315.

23 Section 11. Paragraph (e) of subsection (2) of section  
24 943.05, Florida Statutes, is amended to read:

25 943.05 Criminal Justice Information Program; duties;  
26 crime reports.--

27 (2) The program shall:

28 (e) Establish, implement, and maintain a ~~Domestic and~~  
29 ~~Repeat~~ Violence Injunction Statewide Verification System  
30 capable of electronically transmitting information to and  
31 between criminal justice agencies relating to injunctions for

1 protection issued pursuant to ss. 741.30 and 784.046 ~~domestic~~  
2 ~~violence injunctions and repeat violence injunctions~~ issued by  
3 the courts throughout the state. The ~~Such~~ information must  
4 include, but is not limited to, information as to the  
5 existence and status of any such injunction for verification  
6 purposes.

7 Section 12. For the purpose of incorporating the  
8 amendment made by this act to section 784.048, Florida  
9 Statutes, in references thereto, paragraph (d) of subsection  
10 (1) of section 775.084, Florida Statutes, is reenacted to  
11 read:

12 775.084 Violent career criminals; habitual felony  
13 offenders and habitual violent felony offenders; three-time  
14 violent felony offenders; definitions; procedure; enhanced  
15 penalties or mandatory minimum prison terms.--

16 (1) As used in this act:

17 (d) "Violent career criminal" means a defendant for  
18 whom the court must impose imprisonment pursuant to paragraph  
19 (4)(d), if it finds that:

20 1. The defendant has previously been convicted as an  
21 adult three or more times for an offense in this state or  
22 other qualified offense that is:

23 a. Any forcible felony, as described in s. 776.08;

24 b. Aggravated stalking, as described in s. 784.048(3)  
25 and (4);

26 c. Aggravated child abuse, as described in s.  
27 827.03(2);

28 d. Aggravated abuse of an elderly person or disabled  
29 adult, as described in s. 825.102(2);

30  
31

1 e. Lewd or lascivious battery, lewd or lascivious  
2 molestation, lewd or lascivious conduct, or lewd or lascivious  
3 exhibition, as described in s. 800.04;

4 f. Escape, as described in s. 944.40; or

5 g. A felony violation of chapter 790 involving the use  
6 or possession of a firearm.

7 2. The defendant has been incarcerated in a state  
8 prison or a federal prison.

9 3. The primary felony offense for which the defendant  
10 is to be sentenced is a felony enumerated in subparagraph 1.  
11 and was committed on or after October 1, 1995, and:

12 a. While the defendant was serving a prison sentence  
13 or other sentence, or court-ordered or lawfully imposed  
14 supervision that is imposed as a result of a prior conviction  
15 for an enumerated felony; or

16 b. Within 5 years after the conviction of the last  
17 prior enumerated felony, or within 5 years after the  
18 defendant's release from a prison sentence, probation,  
19 community control, control release, conditional release,  
20 parole, or court-ordered or lawfully imposed supervision or  
21 other sentence that is imposed as a result of a prior  
22 conviction for an enumerated felony, whichever is later.

23 4. The defendant has not received a pardon for any  
24 felony or other qualified offense that is necessary for the  
25 operation of this paragraph.

26 5. A conviction of a felony or other qualified offense  
27 necessary to the operation of this paragraph has not been set  
28 aside in any postconviction proceeding.

29 Section 13. For the purpose of incorporating the  
30 amendment made by this act to section 784.048, Florida  
31 Statutes, in references thereto, paragraph (g) of subsection

1 (3) of section 921.0022, Florida Statutes, is reenacted to  
2 read:

3 921.0022 Criminal Punishment Code; offense severity  
4 ranking chart.--

5 (3) OFFENSE SEVERITY RANKING CHART

6	7	8	9
10	11	12	13
14	15	16	17
18	Florida	Felony	
19	Statute	Degree	Description
20			(g) LEVEL 7
21	316.027(1)(b)	2nd	Accident involving death, failure
22			to stop; leaving scene.
23	316.193(3)(c)2.	3rd	DUI resulting in serious bodily
24			injury.
25	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
26			bodily injury.
27	402.319(2)	2nd	Misrepresentation and negligence
28			or intentional act resulting in
29			great bodily harm, permanent
30			disfiguration, permanent
31			disability, or death.
	409.920(2)	3rd	Medicaid provider fraud.
	456.065(2)	3rd	Practicing a health care
			profession without a license.
	456.065(2)	2nd	Practicing a health care
			profession without a license
			which results in serious bodily
			injury.
	458.327(1)	3rd	Practicing medicine without a
			license.

1	459.013(1)	3rd	Practicing osteopathic medicine
2			without a license.
3	460.411(1)	3rd	Practicing chiropractic medicine
4			without a license.
5	461.012(1)	3rd	Practicing podiatric medicine
6			without a license.
7	462.17	3rd	Practicing naturopathy without a
8			license.
9	463.015(1)	3rd	Practicing optometry without a
10			license.
11	464.016(1)	3rd	Practicing nursing without a
12			license.
13	465.015(2)	3rd	Practicing pharmacy without a
14			license.
15	466.026(1)	3rd	Practicing dentistry or dental
16			hygiene without a license.
17	467.201	3rd	Practicing midwifery without a
18			license.
19	468.366	3rd	Delivering respiratory care
20			services without a license.
21	483.828(1)	3rd	Practicing as clinical laboratory
22			personnel without a license.
23	483.901(9)	3rd	Practicing medical physics
24			without a license.
25	484.013(1)(c)	3rd	Preparing or dispensing optical
26			devices without a prescription.
27	484.053	3rd	Dispensing hearing aids without a
28			license.
29			
30			
31			

1	494.0018(2)	1st	Conviction of any violation of
2			ss. 494.001-494.0077 in which the
3			total money and property
4			unlawfully obtained exceeded
5			\$50,000 and there were five or
6			more victims.
7	560.123(8)(b)1.	3rd	Failure to report currency or
8			payment instruments exceeding
9			\$300 but less than \$20,000 by
10			money transmitter.
11	560.125(5)(a)	3rd	Money transmitter business by
12			unauthorized person, currency or
13			payment instruments exceeding
14			\$300 but less than \$20,000.
15	655.50(10)(b)1.	3rd	Failure to report financial
16			transactions exceeding \$300 but
17			less than \$20,000 by financial
18			institution.
19	782.051(3)	2nd	Attempted felony murder of a
20			person by a person other than the
21			perpetrator or the perpetrator of
22			an attempted felony.
23	782.07(1)	2nd	Killing of a human being by the
24			act, procurement, or culpable
25			negligence of another
26			(manslaughter).
27	782.071	2nd	Killing of human being or viable
28			fetus by the operation of a motor
29			vehicle in a reckless manner
30			(vehicular homicide).
31			



1	782.072	2nd	Killing of a human being by the
2			operation of a vessel in a
3			reckless manner (vessel
4			homicide).
5	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
6			causing great bodily harm or
7			disfigurement.
8	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
9			weapon.
10	784.045(1)(b)	2nd	Aggravated battery; perpetrator
11			aware victim pregnant.
12	784.048(4)	3rd	Aggravated stalking; violation of
13			injunction or court order.
14	784.07(2)(d)	1st	Aggravated battery on law
15			enforcement officer.
16	784.074(1)(a)	1st	Aggravated battery on sexually
17			violent predators facility staff.
18	784.08(2)(a)	1st	Aggravated battery on a person 65
19			years of age or older.
20	784.081(1)	1st	Aggravated battery on specified
21			official or employee.
22	784.082(1)	1st	Aggravated battery by detained
23			person on visitor or other
24			detainee.
25	784.083(1)	1st	Aggravated battery on code
26			inspector.
27	790.07(4)	1st	Specified weapons violation
28			subsequent to previous conviction
29			of s. 790.07(1) or (2).
30	790.16(1)	1st	Discharge of a machine gun under
31			specified circumstances.

1	790.165(2)	2nd	Manufacture, sell, possess, or
2			deliver hoax bomb.
3	790.165(3)	2nd	Possessing, displaying, or
4			threatening to use any hoax bomb
5			while committing or attempting to
6			commit a felony.
7	790.166(3)	2nd	Possessing, selling, using, or
8			attempting to use a hoax weapon
9			of mass destruction.
10	790.166(4)	2nd	Possessing, displaying, or
11			threatening to use a hoax weapon
12			of mass destruction while
13			committing or attempting to
14			commit a felony.
15	796.03	2nd	Procuring any person under 16
16			years for prostitution.
17	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
18			victim less than 12 years of age;
19			offender less than 18 years.
20	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
21			victim 12 years of age or older
22			but less than 16 years; offender
23			18 years or older.
24	806.01(2)	2nd	Maliciously damage structure by
25			fire or explosive.
26	810.02(3)(a)	2nd	Burglary of occupied dwelling;
27			unarmed; no assault or battery.
28	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
29			unarmed; no assault or battery.
30	810.02(3)(d)	2nd	Burglary of occupied conveyance;
31			unarmed; no assault or battery.

1	812.014(2)(a)	1st	Property stolen, valued at
2			\$100,000 or more; cargo stolen
3			valued at \$50,000 or more;
4			property stolen while causing
5			other property damage; 1st degree
6			grand theft.
7	812.014(2)(b)3.	2nd	Property stolen, emergency
8			medical equipment; 2nd degree
9			grand theft.
10	812.0145(2)(a)	1st	Theft from person 65 years of age
11			or older; \$50,000 or more.
12	812.019(2)	1st	Stolen property; initiates,
13			organizes, plans, etc., the theft
14			of property and traffics in
15			stolen property.
16	812.131(2)(a)	2nd	Robbery by sudden snatching.
17	812.133(2)(b)	1st	Carjacking; no firearm, deadly
18			weapon, or other weapon.
19	817.234(8)(a)	2nd	Solicitation of motor vehicle
20			accident victims with intent to
21			defraud.
22	817.234(9)	2nd	Organizing, planning, or
23			participating in an intentional
24			motor vehicle collision.
25	817.234(11)(c)	1st	Insurance fraud; property value
26			\$100,000 or more.
27			
28			
29			
30			
31			

1	817.2341(2)(b)& (3)(b)1st		Making false entries of material
2			fact or false statements
3			regarding property values
4			relating to the solvency of an
5			insuring entity which are a
6			significant cause of the
7			insolvency of that entity.
8	825.102(3)(b)	2nd	Neglecting an elderly person or
9			disabled adult causing great
10			bodily harm, disability, or
11			disfigurement.
12	825.103(2)(b)	2nd	Exploiting an elderly person or
13			disabled adult and property is
14			valued at \$20,000 or more, but
15			less than \$100,000.
16	827.03(3)(b)	2nd	Neglect of a child causing great
17			bodily harm, disability, or
18			disfigurement.
19	827.04(3)	3rd	Impregnation of a child under 16
20			years of age by person 21 years
21			of age or older.
22	837.05(2)	3rd	Giving false information about
23			alleged capital felony to a law
24			enforcement officer.
25	838.015	2nd	Bribery.
26	838.016	2nd	Unlawful compensation or reward
27			for official behavior.
28	838.021(3)(a)	2nd	Unlawful harm to a public
29			servant.
30	838.22	2nd	Bid tampering.
31	872.06	2nd	Abuse of a dead human body.

1	893.13(1)(c)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 a
6			child care facility, school, or
7			state, county, or municipal park
8			or publicly owned recreational
9			facility or community center.
10	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
11			cocaine or other drug prohibited
12			under s. 893.03(1)(a), (1)(b),
13			(1)(d), (2)(a), (2)(b), or
14			(2)(c)4., within 1,000 feet of
15			property used for religious
16			services or a specified business
17			site.
18	893.13(4)(a)	1st	Deliver to minor cocaine (or
19			other s. 893.03(1)(a), (1)(b),
20			(1)(d), (2)(a), (2)(b), or
21			(2)(c)4. drugs).
22	893.135(1)(a)1.	1st	Trafficking in cannabis, more
23			than 25 lbs., less than 2,000
24			lbs.
25	893.135 (1)(b)1.a.1st		Trafficking in cocaine, more than
26			28 grams, less than 200 grams.
27	893.135 (1)(c)1.a.1st		Trafficking in illegal drugs,
28			more than 4 grams, less than 14
29			grams.
30			
31			

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

