



1       (e) A statute defining any offense listed in s.  
2 775.084(1)(b)1.; or

3       (f) Any other statute defining an offense that  
4 involves the use or threat of physical force or violence  
5 against any individual,

6  
7 shall be reclassified to the next higher degree as provided in  
8 this section if the offense is committed at a location where a  
9 religious institution as defined in s. 496.404 is conducting  
10 or carrying on religious services or activities at the time of  
11 the offense.

12       (2)(a) In the case of a misdemeanor of the second  
13 degree, the offense is reclassified to a misdemeanor of the  
14 first degree.

15       (b) In the case of a misdemeanor of the first degree,  
16 the offense is reclassified to a felony of the third degree.  
17 For purposes of sentencing under chapter 921, such offense is  
18 ranked in level 2 of the offense severity ranking chart.

19       (3)(a) In the case of a felony of the third degree,  
20 the offense is reclassified to a felony of the second degree.

21       (b) In the case of a felony of the second degree, the  
22 offense is reclassified to a felony of the first degree.

23  
24 For purposes of sentencing under chapter 921, a felony offense  
25 that is reclassified under this subsection is ranked one level  
26 above the ranking under s. 921.0022 or s. 921.0023 of the  
27 offense committed.

28       Section 3. Subsection (2) of section 921.0022, Florida  
29 Statutes, is amended to read:

30       921.0022 Criminal Punishment Code; offense severity  
31 ranking chart.--

1           (2) The offense severity ranking chart has 10 offense  
2 levels, ranked from least severe, which are level 1 offenses,  
3 to most severe, which are level 10 offenses, and each felony  
4 offense is assigned to a level according to the severity of  
5 the offense. For purposes of determining which felony offenses  
6 are specifically listed in the offense severity ranking chart  
7 and which severity level has been assigned to each of these  
8 offenses, the numerical statutory references in the left  
9 column of the chart and the felony degree designations in the  
10 middle column of the chart are controlling; the language in  
11 the right column of the chart is provided solely for  
12 descriptive purposes. Reclassification of the degree of the  
13 felony through the application of s. 775.0845, s. 775.0861, s.  
14 775.087, s. 775.0875, s. 794.023, or any other law that  
15 provides an enhanced penalty for a felony offense, to any  
16 offense listed in the offense severity ranking chart in this  
17 section shall not cause the offense to become unlisted and is  
18 not subject to the provisions of s. 921.0023.

19           Section 4. This act shall take effect July 1, 2005,  
20 and shall apply to offenses committed on or after that date.

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22                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
23   COMMITTEE SUBSTITUTE FOR  
24   Senate Bill 1096

25 This committee substitute deletes a reference to incentive  
26 gain-time provisions, as offense levels are no longer relevant  
27 to the awarding of incentive gain-time for any offense  
28 committed after October 1, 1995.  
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