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A bill to be entitled
 An act relating to protection and care of elders; amending
 s. 825.102, F.S.; reclassifying the offense of aggravated
 abuse of an elderly person or disabled adult from a second
 degree felony to a first degree felony; amending s.
 921.0022, F.S., relating to the offense severity ranking
 chart of the Criminal Punishment Code, to conform;
 creating s. 943.17296, F.S., relating to training in
 identification and investigation of elder abuse and
 neglect for certified law enforcement officers; requiring
 that the training be completed by a time certain;
 providing that an officer's certification becomes inactive
 in certain circumstances related to the failure to
 complete the training; providing an effective date.

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

Section 1. Subsection (2) of section 825.102, Florida
 Statutes, is amended to read:

825.102 Abuse, aggravated abuse, and neglect of an elderly
 person or disabled adult; penalties.--

(2) "Aggravated abuse of an elderly person or disabled
 adult" occurs when a person:

(a) Commits aggravated battery on an elderly person or
 disabled adult;

(b) Willfully tortures, maliciously punishes, or willfully
 and unlawfully cages, an elderly person or disabled adult; or

(c) Knowingly or willfully abuses an elderly person or

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29 | disabled adult and in so doing causes great bodily harm,
 30 | permanent disability, or permanent disfigurement to the elderly
 31 | person or disabled adult.

32 |
 33 | A person who commits aggravated abuse of an elderly person or
 34 | disabled adult commits a felony of the first ~~second~~ degree,
 35 | punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

36 | Section 2. Paragraph (h) of subsection (3) of section
 37 | 921.0022, Florida Statutes, is amended to read:

38 | 921.0022 Criminal Punishment Code; offense severity
 39 | ranking chart.--

40 | (3) OFFENSE SEVERITY RANKING CHART

41 |

Florida Statute	Felony Degree	Description
		(h) LEVEL 8
316.193(3)(c)3.a.	2nd	DUI manslaughter.
316.1935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
327.35(3)(c)3.	2nd	Vessel BUI manslaughter.

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47	499.0051(7)	1st	Forgery of prescription or legend drug labels.
48	499.0052	1st	Trafficking in contraband legend drugs.
49	560.123(8)(b)2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
50	560.125(5)(b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
	655.50(10)(b)2.	2nd	Failure to report financial transactions

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totaling or
 exceeding \$20,000,
 but less than
 \$100,000 by
 financial
 institutions.

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777.03(2)(a) 1st

Accessory after the
 fact, capital
 felony.

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782.04(4) 2nd

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.

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782.051(2) 1st

Attempted felony
 murder while
 perpetrating or
 attempting to

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782.071(1)(b)

1st

perpetrate a felony
not enumerated in s.
782.04(3).

Committing vehicular
homicide and failing
to render aid or
give information.

55

782.072(2)

1st

Committing vessel
homicide and failing
to render aid or
give information.

56

790.161(3)

1st

Discharging a
destructive device
which results in
bodily harm or
property damage.

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794.011(5)

2nd

Sexual battery,
victim 12 years or
over, offender does
not use physical
force likely to
cause serious
injury.

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59	800.04(4)	2nd	Lewd or lascivious battery.
60	806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
61	810.02(2)(a)	1st,PBL	Burglary with assault or battery.
62	810.02(2)(b)	1st,PBL	Burglary; armed with explosives or dangerous weapon.
63	810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
	812.014(2)(a)2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.

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64	812.13(2)(b)	1st	Robbery with a weapon.
65	812.135(2)(c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
66	817.568(6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
67	825.102(2)	<u>1st</u> 2nd	Aggravated abuse of an elderly person or disabled adult.
68	825.1025(2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
69	825.103(2)(a)	1st	Exploiting an elderly person or disabled adult and

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70	837.02(2)	2nd	property is valued at \$100,000 or more.
71	837.021(2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
72	860.121(2)(c)	1st	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
73	860.16	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
74	893.13(1)(b)	1st	Aircraft piracy. Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).

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75	893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
76	893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
77	893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
78	893.135(1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
79	893.135(1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
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81	893.135(1)(d)1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
82	893.135(1)(e)1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
83	893.135(1)(f)1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
84	893.135(1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
85	893.135(1)(h)1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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86	893.135(1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
87	893.135(1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
88	895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
89	895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
	895.03(3)	1st	Conduct or participate in any enterprise through

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pattern of
racketeering
activity.

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896.101(5)(b) 2nd

Money laundering,
financial
transactions
totaling or
exceeding \$20,000,
but less than
\$100,000.

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896.104(4)(a)2. 2nd

Structuring
transactions to
evade reporting or
registration
requirements,
financial
transactions
totaling or
exceeding \$20,000
but less than
\$100,000.

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93 Section 3. Section 943.17296, Florida Statutes, is created
94 to read:

95 943.17296 Training in identification and investigation of
96 elder abuse and neglect.--Each certified law enforcement officer

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97 must successfully complete training in the identification and
98 investigation of elder abuse and neglect as a part of the
99 officer's basic recruit training required in s. 943.13(9) or
100 continuing training or education required under s. 943.135(1)
101 before June 30, 2008. The training shall be developed in
102 consultation with the Department of Elderly Affairs and must
103 incorporate instruction on identification of and appropriate
104 responses to persons suffering from dementia and on the
105 identification and investigation of elder abuse and neglect. If
106 an officer fails to meet the training requirements, his or her
107 certification shall become inactive until the employing agency
108 notifies the commission that the officer has completed the
109 training.

110 Section 4. This act shall take effect July 1, 2005.