

Bill No. CS for SB 316

Barcode 745476

CHAMBER ACTION

Senate

House

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2	1/AD/2R	.	
	04/20/2005 03:47 PM	.	
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11 Senator Fasano moved the following amendment:

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13 **Senate Amendment**

14 On page 1, lines 20, through

15 page 7, line 11, delete those lines

16 and insert:

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18 Section 1. Paragraphs (e), (f), and (g) of subsection

19 (3) of section 921.0022, Florida Statutes, are amended to

20 read:

21 921.0022 Criminal Punishment Code; offense severity

22 ranking chart.--

23 (3) OFFENSE SEVERITY RANKING CHART

24			
25	Florida	Felony	
26	Statute	Degree	Description
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28			
29			(e) LEVEL 5
30	316.027(1)(a)	3rd	Accidents involving personal
31			injuries, failure to stop;

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1			leaving scene.
2	316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
3	322.34(6)	3rd	Careless operation of motor
4			vehicle with suspended license,
5			resulting in death or serious
6			bodily injury.
7	327.30(5)	3rd	Vessel accidents involving
8			personal injury; leaving scene.
9	381.0041		
10	(11)(b)	3rd	Donate blood, plasma, or organs
11			knowing HIV positive.
12	440.10(1)(g)	2nd	Failure to obtain workers'
13			compensation coverage.
14	440.105(5)	2nd	Unlawful solicitation for the
15			purpose of making workers'
16			compensation claims.
17	440.381(2)	2nd	Submission of false, misleading,
18			or incomplete information with
19			the purpose of avoiding or
20			reducing workers' compensation
21			premiums.
22	624.401(4)(b)2.	2nd	Transacting insurance without a
23			certificate or authority; premium
24			collected \$20,000 or more but
25			less than \$100,000.
26	626.902(1)(c)	2nd	Representing an unauthorized
27			insurer; repeat offender.
28	790.01(2)	3rd	Carrying a concealed firearm.
29	790.162	2nd	Threat to throw or discharge
30			destructive device.
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1	790.163(1)	2nd	False report of deadly explosive
2			or weapon of mass destruction.
3	790.221(1)	2nd	Possession of short-barreled
4			shotgun or machine gun.
5	790.23	2nd	Felons in possession of firearms,
6			ammunition, or electronic weapons
7			or devices.
8	800.04(6)(c)	3rd	Lewd or lascivious conduct;
9			offender less than 18 years.
10	800.04(7)(c)	2nd	Lewd or lascivious exhibition;
11			offender 18 years or older.
12	806.111(1)	3rd	Possess, manufacture, or dispense
13			fire bomb with intent to damage
14			any structure or property.
15	812.0145(2)(b)	2nd	Theft from person 65 years of age
16			or older; \$10,000 or more but
17			less than \$50,000.
18	812.015(8)	3rd	Retail theft; property stolen is
19			valued at \$300 or more and one or
20			more specified acts.
21	812.019(1)	2nd	Stolen property; dealing in or
22			trafficking in.
23	812.131(2)(b)	3rd	Robbery by sudden snatching.
24	812.16(2)	3rd	Owning, operating, or conducting
25			a chop shop.
26	817.034(4)(a)2.	2nd	Communications fraud, value
27			\$20,000 to \$50,000.
28	817.234(11)(b)	2nd	Insurance fraud; property value
29			\$20,000 or more but less than
30			\$100,000.
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1	817.2341(1),		
2	(2)(a)&(3)(a)	3rd	Filing false financial
3			statements, making false entries
4			of material fact or false
5			statements regarding property
6			values relating to the solvency
7			of an insuring entity.
8	817.568(2)(b)	2nd	Fraudulent use of personal
9			identification information; value
10			of benefit, services received,
11			payment avoided, or amount of
12			injury or fraud, \$5,000 or more
13			or use of personal identification
14			information of 10 or more
15			individuals.
16	817.625(2)(b)	2nd	Second or subsequent fraudulent
17			use of scanning device or
18			reencoder.
19	825.1025(4)	3rd	Lewd or lascivious exhibition in
20			the presence of an elderly person
21			or disabled adult.
22	827.071(4)	2nd	Possess with intent to promote
23			any photographic material, motion
24			picture, etc., which includes
25			sexual conduct by a child.
26	<u>827.071(5)</u>	<u>3rd</u>	<u>Possess any photographic</u>
27			<u>material, motion picture, etc.,</u>
28			<u>which includes sexual conduct by</u>
29			<u>a child.</u>
30	839.13(2)(b)	2nd	Falsifying records of an
31			individual in the care and

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1			custody of a state agency
2			involving great bodily harm or
3			death.
4	843.01	3rd	Resist officer with violence to
5			person; resist arrest with
6			violence.
7	<u>847.0137(2) &amp; (3)</u>	<u>3rd</u>	<u>Transmission of pornography by</u>
8			<u>electronic device or equipment.</u>
9	<u>847.0138(2) &amp; (3)</u>	<u>3rd</u>	<u>Transmission of material harmful</u>
10			<u>to minors to a minor by</u>
11			<u>electronic device or equipment.</u>
12	874.05(2)	2nd	Encouraging or recruiting another
13			to join a criminal street gang;
14			second or subsequent offense.
15	893.13(1)(a)1.	2nd	Sell, manufacture, or deliver
16			cocaine (or other s.
17			893.03(1)(a), (1)(b), (1)(d),
18			(2)(a), (2)(b), or (2)(c)4.
19			drugs).
20	893.13(1)(c)2.	2nd	Sell, manufacture, or deliver
21			cannabis (or other s.
22			893.03(1)(c), (2)(c)1., (2)(c)2.,
23			(2)(c)3., (2)(c)5., (2)(c)6.,
24			(2)(c)7., (2)(c)8., (2)(c)9.,
25			(3), or (4) drugs) within 1,000
26			feet of a child care facility,
27			school, or state, county, or
28			municipal park or publicly owned
29			recreational facility or
30			community center.
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1	893.13(1)(d)1.	1st	Sell, manufacture, or deliver
2			cocaine (or other s.
3			893.03(1)(a), (1)(b), (1)(d),
4			(2)(a), (2)(b), or (2)(c)4.
5			drugs) within 1,000 feet of
6			university.
7	893.13(1)(e)2.	2nd	Sell, manufacture, or deliver
8			cannabis or other drug prohibited
9			under s. 893.03(1)(c), (2)(c)1.,
10			(2)(c)2., (2)(c)3., (2)(c)5.,
11			(2)(c)6., (2)(c)7., (2)(c)8.,
12			(2)(c)9., (3), or (4) within
13			1,000 feet of property used for
14			religious services or a specified
15			business site.
16	893.13(1)(f)1.	1st	Sell, manufacture, or deliver
17			cocaine (or other s.
18			893.03(1)(a), (1)(b), (1)(d), or
19			(2)(a), (2)(b), or (2)(c)4.
20			drugs) within 1,000 feet of
21			public housing facility.
22	893.13(4)(b)	2nd	Deliver to minor cannabis (or
23			other s. 893.03(1)(c), (2)(c)1.,
24			(2)(c)2., (2)(c)3., (2)(c)5.,
25			(2)(c)6., (2)(c)7., (2)(c)8.,
26			(2)(c)9., (3), or (4) drugs).
27			(f) LEVEL 6
28	316.193(2)(b)	3rd	Felony DUI, 4th or subsequent
29			conviction.
30	499.0051(3)	2nd	Forgery of pedigree papers.
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1	499.0051(4)	2nd	Purchase or receipt of legend
2			drug from unauthorized person.
3	499.0051(5)	2nd	Sale of legend drug to
4			unauthorized person.
5	775.0875(1)	3rd	Taking firearm from law
6			enforcement officer.
7	775.21(10)	3rd	Sexual predators; failure to
8			register; failure to renew
9			driver's license or
10			identification card.
11	784.021(1)(a)	3rd	Aggravated assault; deadly weapon
12			without intent to kill.
13	784.021(1)(b)	3rd	Aggravated assault; intent to
14			commit felony.
15	784.041	3rd	Felony battery.
16	784.048(3)	3rd	Aggravated stalking; credible
17			threat.
18	784.048(5)	3rd	Aggravated stalking of person
19			under 16.
20	784.07(2)(c)	2nd	Aggravated assault on law
21			enforcement officer.
22	784.074(1)(b)	2nd	Aggravated assault on sexually
23			violent predators facility staff.
24	784.08(2)(b)	2nd	Aggravated assault on a person 65
25			years of age or older.
26	784.081(2)	2nd	Aggravated assault on specified
27			official or employee.
28	784.082(2)	2nd	Aggravated assault by detained
29			person on visitor or other
30			detainee.
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1	784.083(2)	2nd	Aggravated assault on code
2			inspector.
3	787.02(2)	3rd	False imprisonment; restraining
4			with purpose other than those in
5			s. 787.01.
6	790.115(2)(d)	2nd	Discharging firearm or weapon on
7			school property.
8	790.161(2)	2nd	Make, possess, or throw
9			destructive device with intent to
10			do bodily harm or damage
11			property.
12	790.164(1)	2nd	False report of deadly explosive,
13			weapon of mass destruction, or
14			act of arson or violence to state
15			property.
16	790.19	2nd	Shooting or throwing deadly
17			missiles into dwellings, vessels,
18			or vehicles.
19	794.011(8)(a)	3rd	Solicitation of minor to
20			participate in sexual activity by
21			custodial adult.
22	794.05(1)	2nd	Unlawful sexual activity with
23			specified minor.
24	800.04(5)(d)	3rd	Lewd or lascivious molestation;
25			victim 12 years of age or older
26			but less than 16 years; offender
27			less than 18 years.
28	800.04(6)(b)	2nd	Lewd or lascivious conduct;
29			offender 18 years of age or
30			older.
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1	806.031(2)	2nd	Arson resulting in great bodily
2			harm to firefighter or any other
3			person.
4	810.02(3)(c)	2nd	Burglary of occupied structure;
5			unarmed; no assault or battery.
6	812.014(2)(b)1.	2nd	Property stolen \$20,000 or more,
7			but less than \$100,000, grand
8			theft in 2nd degree.
9	812.015(9)	2nd	Retail theft; property stolen
10			\$300 or more; second or
11			subsequent conviction.
12	812.13(2)(c)	2nd	Robbery, no firearm or other
13			weapon (strong-arm robbery).
14	817.034(4)(a)1.	1st	Communications fraud, value
15			greater than \$50,000.
16	817.4821(5)	2nd	Possess cloning paraphernalia
17			with intent to create cloned
18			cellular telephones.
19	825.102(1)	3rd	Abuse of an elderly person or
20			disabled adult.
21	825.102(3)(c)	3rd	Neglect of an elderly person or
22			disabled adult.
23	825.1025(3)	3rd	Lewd or lascivious molestation of
24			an elderly person or disabled
25			adult.
26	825.103(2)(c)	3rd	Exploiting an elderly person or
27			disabled adult and property is
28			valued at less than \$20,000.
29	827.03(1)	3rd	Abuse of a child.
30	827.03(3)(c)	3rd	Neglect of a child.
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1	827.071(2)&(3)	2nd	Use or induce a child in a sexual
2			performance, or promote or direct
3			such performance.
4	836.05	2nd	Threats; extortion.
5	836.10	2nd	Written threats to kill or do
6			bodily injury.
7	843.12	3rd	Aids or assists person to escape.
8	847.0135(2)(3)	3rd	<u>Facilitates sexual conduct of or</u>
9			<u>with a minor or the visual</u>
10			<u>depiction of such conduct.</u>
11			<del>Solicitation of a child, via a</del>
12			<del>computer service, to commit an</del>
13			<del>unlawful sex act.</del>
14	914.23	2nd	Retaliation against a witness,
15			victim, or informant, with bodily
16			injury.
17	943.0435(9)	3rd	Sex offenders; failure to comply
18			with reporting requirements.
19	944.35(3)(a)2.	3rd	Committing malicious battery upon
20			or inflicting cruel or inhuman
21			treatment on an inmate or
22			offender on community
23			supervision, resulting in great
24			bodily harm.
25	944.40	2nd	Escapes.
26	944.46	3rd	Harboring, concealing, aiding
27			escaped prisoners.
28	944.47(1)(a)5.	2nd	Introduction of contraband
29			(firearm, weapon, or explosive)
30			into correctional facility.
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1	951.22(1)	3rd	Intoxicating drug, firearm, or
2			weapon introduced into county
3			facility.
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