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A bill to be entitled
 An act relating to crimes against minors; amending ss.
 787.01 and 787.02, F.S.; revising the elements of the
 crimes of kidnapping a minor child and false imprisonment
 of a minor child; amending s. 787.025, F.S.; revising the
 elements of the crime of luring or enticing a minor child
 for an unlawful purpose; specifying an evidentiary fact
 that may be considered by the court in determining whether
 the defendant committed or attempted to commit such
 offense; increasing the penalty imposed for committing
 such offense; reenacting ss. 435.03(2)(l) and (m),
 435.04(2)(m) and (n), and 910.14, F.S., relating to level
 1 and level 2 screening standards and kidnapping, to
 incorporate the amendments to ss. 787.01 and 787.02, F.S.,
 in references thereto; reenacting and amending s.
 921.0022(3)(f), (i), and (j), F.S., relating to the
 Criminal Punishment Code offense severity ranking chart,
 to incorporate the amendments to ss. 787.01 and 787.02,
 F.S., in references thereto; reenacting ss. 775.0823(8)
 and 903.133, F.S., relating to violent offenses committed
 against law enforcement officers, correctional officers,
 state attorneys, assistant state attorneys, justices, or
 judges and bail on appeal, to incorporate the amendment to
 s. 787.01, F.S., in references thereto; reenacting ss.
 775.21(4)(a) , 943.0435(1)(a), 944.606(1)(b),
 944.607(1)(a), and 948.013(2), F.S., relating to the
 Florida Sexual Predators Act, sexual offenders required to
 register with the Department of Corrections, notification

29 upon release of sexual offenders, notification to the
 30 Department of Law Enforcement of information on sexual
 31 offenders, and administrative probation, to incorporate
 32 the amendments to ss. 787.01, 787.02, and 787.025, F.S.,
 33 in references thereto; reenacting ss. 794.0115(2) and
 34 948.32(1), F.S., relating to mandatory sentencing for
 35 dangerous sexual felony offenders and law enforcement
 36 agency requirements upon arrest of persons for certain sex
 37 offenses, to incorporate the amendment to s. 787.025,
 38 F.S., in references thereto; providing an effective date.

39

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

41

42 Section 1. Section 787.01, Florida Statutes, is amended to
 43 read:

44 787.01 Kidnapping; kidnapping of child under age 16 ~~13~~,
 45 aggravating circumstances.--

46 (1)(a) The term "kidnapping" means forcibly, secretly, or
 47 by threat confining, abducting, or imprisoning another person
 48 against her or his will and without lawful authority, with
 49 intent to:

- 50 1. Hold for ransom or reward or as a shield or hostage.
- 51 2. Commit or facilitate commission of any felony.
- 52 3. Inflict bodily harm upon or to terrorize the victim or
 53 another person.
- 54 4. Interfere with the performance of any governmental or
 55 political function.

56 (b) Confinement of a child under the age of 16 ~~13~~ is
 57 against her or his will within the meaning of this subsection if
 58 such confinement is without the consent of the child's ~~her or~~
 59 ~~his~~ parent or legal guardian.

60 (2) A person who kidnaps a person is guilty of a felony of
 61 the first degree, punishable by imprisonment for a term of years
 62 not exceeding life or as provided in s. 775.082, s. 775.083, or
 63 s. 775.084.

64 (3)(a) A person who commits the offense of kidnapping upon
 65 a child under the age of 16 ~~13~~ and who, in the course of
 66 committing the offense, commits one or more of the following:

- 67 1. Aggravated child abuse, as defined in s. 827.03;
- 68 2. Sexual battery, as defined in chapter 794, against the
 69 child;
- 70 3. Lewd or lascivious battery, lewd or lascivious
 71 molestation, lewd or lascivious conduct, or lewd or lascivious
 72 exhibition, in violation of s. 800.04;
- 73 4. A violation of s. 796.03 or s. 796.04, relating to
 74 prostitution, upon the child; or
- 75 5. Exploitation of the child or allowing the child to be
 76 exploited, in violation of s. 450.151,

77
 78 commits a life felony, punishable as provided in s. 775.082, s.
 79 775.083, or s. 775.084.

80 (b) Pursuant to s. 775.021(4), nothing contained herein
 81 shall be construed to prohibit the imposition of separate
 82 judgments and sentences for the life felony described in

83 paragraph (a) and for each separate offense enumerated in
 84 subparagraphs (a)1.-5.

85 Section 2. Section 787.02, Florida Statutes, is amended to
 86 read:

87 787.02 False imprisonment; false imprisonment of child
 88 under age 16 ~~13~~, aggravating circumstances.--

89 (1)(a) The term "false imprisonment" means forcibly, by
 90 threat, or secretly confining, abducting, imprisoning, or
 91 restraining another person without lawful authority and against
 92 her or his will.

93 (b) Confinement of a child under the age of 16 ~~13~~ is
 94 against her or his will within the meaning of this section if
 95 such confinement is without the consent of the child's ~~her or~~
 96 ~~his~~ parent or legal guardian.

97 (2) A person who commits the offense of false imprisonment
 98 is guilty of a felony of the third degree, punishable as
 99 provided in s. 775.082, s. 775.083, or s. 775.084.

100 (3)(a) A person who commits the offense of false
 101 imprisonment upon a child under the age of 16 ~~13~~ and who, in the
 102 course of committing the offense, commits any offense enumerated
 103 in subparagraphs 1.-5., commits a felony of the first degree,
 104 punishable by imprisonment for a term of years not exceeding
 105 life or as provided in s. 775.082, s. 775.083, or s. 775.084.

- 106 1. Aggravated child abuse, as defined in s. 827.03;
 107 2. Sexual battery, as defined in chapter 794, against the
 108 child;

109 3. Lewd or lascivious battery, lewd or lascivious
 110 molestation, lewd or lascivious conduct, or lewd or lascivious
 111 exhibition, in violation of s. 800.04;

112 4. A violation of s. 796.03 or s. 796.04, relating to
 113 prostitution, upon the child; or

114 5. Exploitation of the child or allowing the child to be
 115 exploited, in violation of s. 450.151.

116 (b) Pursuant to s. 775.021(4), nothing contained herein
 117 shall be construed to prohibit the imposition of separate
 118 judgments and sentences for the first degree offense described
 119 in paragraph (a) and for each separate offense enumerated in
 120 subparagraphs (a)1.-5.

121 Section 3. Subsection (2) and paragraph (b) of subsection
 122 (3) of section 787.025, Florida Statutes, are amended to read:

123 787.025 Luring or enticing a child.--

124 (2)(a) A person over the age of 18 who, having been
 125 previously convicted of a violation of chapter 794 or s. 800.04,
 126 or a violation of a similar law of another jurisdiction,
 127 intentionally lures or entices, or attempts to lure or entice, a
 128 child under the age of 16 ~~12~~ into a structure, dwelling, or
 129 conveyance for other than a lawful purpose commits a felony of
 130 the second ~~third~~ degree, punishable as provided in s. 775.082,
 131 s. 775.083, or s. 775.084.

132 (b) If the defendant lured or enticed, or attempted to
 133 lure or entice, For purposes of this section, the luring or
 134 enticing, or attempted luring or enticing, of a child under the
 135 age of 16 ~~12~~ into a structure, dwelling, or conveyance without
 136 the consent of the child's parent or legal guardian, that fact

137 does not give rise to a presumption that the defendant committed
 138 or attempted to commit such luring or enticing for ~~shall be~~
 139 ~~prima facie evidence of~~ other than a lawful purpose, but may be
 140 considered with other competent evidence in determining whether
 141 the defendant committed or attempted to commit the luring or
 142 enticing for other than a lawful purpose.

143 (3) It is an affirmative defense to a prosecution under
 144 this section that:

145 (b) The person lured or enticed, or attempted to lure or
 146 entice, the child under the age of 16 ~~12~~ into a structure,
 147 dwelling, or conveyance for a lawful purpose.

148 Section 4. For the purpose of incorporating the amendments
 149 to sections 787.01 and 787.02, Florida Statutes, in references
 150 thereto, paragraphs (l) and (m) of subsection (2) of section
 151 435.03, Florida Statutes, are reenacted to read:

152 435.03 Level 1 screening standards.--

153 (2) Any person for whom employment screening is required
 154 by statute must not have been found guilty of, regardless of
 155 adjudication, or entered a plea of nolo contendere or guilty to,
 156 any offense prohibited under any of the following provisions of
 157 the Florida Statutes or under any similar statute of another
 158 jurisdiction:

159 (l) Section 787.01, relating to kidnapping.

160 (m) Section 787.02, relating to false imprisonment.

161 Section 5. For the purpose of incorporating the amendments
 162 to sections 787.01 and 787.02, Florida Statutes, in references
 163 thereto, paragraphs (m) and (n) of subsection (2) of section
 164 435.04, Florida Statutes, are reenacted to read:

165 435.04 Level 2 screening standards.--

166 (2) The security background investigations under this
 167 section must ensure that no persons subject to the provisions of
 168 this section have been found guilty of, regardless of
 169 adjudication, or entered a plea of nolo contendere or guilty to,
 170 any offense prohibited under any of the following provisions of
 171 the Florida Statutes or under any similar statute of another
 172 jurisdiction:

173 (m) Section 787.01, relating to kidnapping.

174 (n) Section 787.02, relating to false imprisonment.

175 Section 6. For the purpose of incorporating the amendment
 176 to section 787.01, Florida Statutes, in a reference thereto,
 177 subsection (8) of section 775.0823, Florida Statutes, is
 178 reenacted to read:

179 775.0823 Violent offenses committed against law
 180 enforcement officers, correctional officers, state attorneys,
 181 assistant state attorneys, justices, or judges.--The Legislature
 182 does hereby provide for an increase and certainty of penalty for
 183 any person convicted of a violent offense against any law
 184 enforcement or correctional officer, as defined in s. 943.10(1),
 185 (2), (3), (6), (7), (8), or (9); against any state attorney
 186 elected pursuant to s. 27.01 or assistant state attorney
 187 appointed under s. 27.181; or against any justice or judge of a
 188 court described in Art. V of the State Constitution, which
 189 offense arises out of or in the scope of the officer's duty as a
 190 law enforcement or correctional officer, the state attorney's or
 191 assistant state attorney's duty as a prosecutor or investigator,

192 or the justice's or judge's duty as a judicial officer, as
 193 follows:

194 (8) For kidnapping as described in s. 787.01, a sentence
 195 pursuant to s. 775.082, s. 775.083, or s. 775.084.

196
 197 Notwithstanding the provisions of s. 948.01, with respect to any
 198 person who is found to have violated this section, adjudication
 199 of guilt or imposition of sentence shall not be suspended,
 200 deferred, or withheld.

201 Section 7. For the purpose of incorporating the amendments
 202 to sections 787.01, 787.02, and 787.025, Florida Statutes, in
 203 references thereto, paragraph (a) of subsection (4) of section
 204 775.21, Florida Statutes, is reenacted to read:

205 775.21 The Florida Sexual Predators Act.--

206 (4) SEXUAL PREDATOR CRITERIA.--

207 (a) For a current offense committed on or after October 1,
 208 1993, upon conviction, an offender shall be designated as a
 209 "sexual predator" under subsection (5), and subject to
 210 registration under subsection (6) and community and public
 211 notification under subsection (7) if:

212 1. The felony is:

213 a. A capital, life, or first-degree felony violation, or
 214 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
 215 is a minor and the defendant is not the victim's parent, or of
 216 chapter 794, s. 800.04, or s. 847.0145, or a violation of a
 217 similar law of another jurisdiction; or

218 b. Any felony violation, or any attempt thereof, of s.
 219 787.01, s. 787.02, or s. 787.025, where the victim is a minor

220 and the defendant is not the victim's parent; chapter 794,
 221 excluding ss. 794.011(10) and 794.0235; s. 796.03; s. 800.04; s.
 222 825.1025(2)(b); s. 827.071; or s. 847.0145; or a violation of a
 223 similar law of another jurisdiction, and the offender has
 224 previously been convicted of or found to have committed, or has
 225 pled nolo contendere or guilty to, regardless of adjudication,
 226 any violation of s. 787.01, s. 787.02, or s. 787.025, where the
 227 victim is a minor and the defendant is not the victim's parent;
 228 s. 794.011(2), (3), (4), (5), or (8); s. 794.05; s. 796.03; s.
 229 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135; or s.
 230 847.0145, or a violation of a similar law of another
 231 jurisdiction;

232 2. The offender has not received a pardon for any felony
 233 or similar law of another jurisdiction that is necessary for the
 234 operation of this paragraph; and

235 3. A conviction of a felony or similar law of another
 236 jurisdiction necessary to the operation of this paragraph has
 237 not been set aside in any postconviction proceeding.

238 Section 8. For the purpose of incorporating the amendment
 239 to section 787.025, Florida Statutes, in a reference thereto,
 240 subsection (2) of section 794.0115, Florida Statutes, is
 241 reenacted to read:

242 794.0115 Dangerous sexual felony offender; mandatory
 243 sentencing.--

244 (2) Any person who is convicted of a violation of s.
 245 787.025; s. 794.011(2), (3), (4), (5), or (8); s. 800.04(4) or
 246 (5); s. 825.1025(2) or (3); s. 827.071(2), (3), or (4); or s.
 247 847.0145; or of any similar offense under a former designation,

248 | which offense the person committed when he or she was 18 years
 249 | of age or older, and the person:

250 | (a) Caused serious personal injury to the victim as a
 251 | result of the commission of the offense;

252 | (b) Used or threatened to use a deadly weapon during the
 253 | commission of the offense;

254 | (c) Victimized more than one person during the course of
 255 | the criminal episode applicable to the offense;

256 | (d) Committed the offense while under the jurisdiction of
 257 | a court for a felony offense under the laws of this state, for
 258 | an offense that is a felony in another jurisdiction, or for an
 259 | offense that would be a felony if that offense were committed in
 260 | this state; or

261 | (e) Has previously been convicted of a violation of s.
 262 | 787.025; s. 794.011(2), (3), (4), (5), or (8); s. 800.04(4) or
 263 | (5); s. 825.1025(2) or (3); s. 827.071(2), (3), or (4); s.
 264 | 847.0145; of any offense under a former statutory designation
 265 | which is similar in elements to an offense described in this
 266 | paragraph; or of any offense that is a felony in another
 267 | jurisdiction, or would be a felony if that offense were
 268 | committed in this state, and which is similar in elements to an
 269 | offense described in this paragraph,

270 |
 271 | is a dangerous sexual felony offender, who must be sentenced to
 272 | a mandatory minimum term of 25 years imprisonment up to, and
 273 | including, life imprisonment.

274 Section 9. For the purpose of incorporating the amendment
 275 to section 787.01, Florida Statutes, in a reference thereto,
 276 section 903.133, Florida Statutes, is reenacted to read:

277 903.133 Bail on appeal; prohibited for certain felony
 278 convictions.--Notwithstanding the provisions of s. 903.132, no
 279 person adjudged guilty of a felony of the first degree for a
 280 violation of s. 782.04(2) or (3), s. 787.01, s. 794.011(4), s.
 281 806.01, s. 893.13, or s. 893.135, or adjudged guilty of a
 282 violation of s. 794.011(2) or (3), shall be admitted to bail
 283 pending review either by posttrial motion or appeal.

284 Section 10. For the purpose of incorporating the
 285 amendments to sections 787.01 and 787.02, Florida Statutes, in
 286 references thereto, section 910.14, Florida Statutes, is
 287 reenacted to read:

288 910.14 Kidnapping.--A person who commits an offense
 289 provided for in s. 787.01 or s. 787.02 may be tried in any
 290 county in which the person's victim has been taken or confined
 291 during the course of the offense.

292 Section 11. For the purpose of incorporating the
 293 amendments to sections 787.01 and 787.02, Florida Statutes, in
 294 references thereto, paragraphs (f), (i), and (j) of subsection
 295 (3) of section 921.0022, Florida Statutes, are reenacted and
 296 amended to read:

297 921.0022 Criminal Punishment Code; offense severity
 298 ranking chart.--

299 (3) OFFENSE SEVERITY RANKING CHART

300

Florida	Felony	Description
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	Statute	Degree	
301			
302			(f) LEVEL 6
303	316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
304	499.0051(3)	2nd	Forgery of pedigree papers.
305	499.0051(4)	2nd	Purchase or receipt of legend drug from unauthorized person.
306	499.0051(5)	2nd	Sale of legend drug to unauthorized person.
307	775.0875(1)	3rd	Taking firearm from law enforcement officer.
308	775.21(10)	3rd	Sexual predators; failure to register; failure to renew driver's license or

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309			identification card.
	784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
310			
	784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
311			
	784.041	3rd	Felony battery.
312			
	784.048(3)	3rd	Aggravated stalking; credible threat.
313			
	784.048(5)	3rd	Aggravated stalking of person under 16.
314			
	784.07(2)(c)	2nd	Aggravated assault on law enforcement officer.
315			
	784.074(1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.
316			

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317	784.08(2)(b)	2nd	Aggravated assault on a person 65 years of age or older.
318	784.081(2)	2nd	Aggravated assault on specified official or employee.
319	784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
320	784.083(2)	2nd	Aggravated assault on code inspector.
321	787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
322	790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
	790.161(2)	2nd	Make, possess, or throw destructive

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323	790.164(1)	2nd	device with intent to do bodily harm or damage property.
324	790.19	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
325	794.011(8)(a)	3rd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
326	794.05(1)	2nd	Solicitation of minor to participate in sexual activity by custodial adult.
327	800.04(5)(d)	3rd	Unlawful sexual activity with specified minor.
			Lewd or lascivious molestation; victim 12 years of age or

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328	800.04(6)(b)	2nd	older but less than 16 years; offender less than 18 years.
329	806.031(2)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
330	810.02(3)(c)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
331	812.014(2)(b)1.	2nd	Burglary of occupied structure; unarmed; no assault or battery.
332	812.015(9)	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
			Retail theft; property stolen \$300 or more; second or

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333	812.13(2)(c)	2nd	subsequent conviction.
334	817.034(4)(a)1.	1st	Robbery, no firearm or other weapon (strong-arm robbery).
335	817.4821(5)	2nd	Communications fraud, value greater than \$50,000.
336	825.102(1)	3rd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
337	825.102(3)(c)	3rd	Abuse of an elderly person or disabled adult.
338	825.1025(3)	3rd	Neglect of an elderly person or disabled adult.
			Lewd or lascivious molestation of an

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339	825.103(2)(c)	3rd	elderly person or disabled adult.
340	827.03(1)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
341	827.03(3)(c)	3rd	Abuse of a child.
342	827.071(2) & (3)	2nd	Neglect of a child.
343	836.05	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
344	836.10	2nd	Threats; extortion.
345	843.12	3rd	Written threats to kill or do bodily injury.
			Aids or assists person to escape.

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351	944.40	2nd	Escapes.
352	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
353	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
354	951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
355			(i) LEVEL 9
356	316.193(3)(c)3.b.	1st	DUI manslaughter; failing to render aid or give information.
	327.35(3)(c)3.b.	1st	BUI manslaughter; failing to render aid or give

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357	499.0053	1st	information.
358	560.123(8)(b)3.	1st	Sale or purchase of contraband legend drugs resulting in great bodily harm.
359	560.125(5)(c)	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
360	655.50(10)(b)3.	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
			Failure to report financial transactions totaling or exceeding \$100,000 by financial

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361	775.0844	1st	institution.
362	782.04(1)	1st	Aggravated white collar crime.
363	782.04(3)	1st,PBL	Attempt, conspire, or solicit to commit premeditated murder.
364	782.051(1)	1st	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
365	782.07(2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
			Aggravated manslaughter of an elderly person or disabled adult.

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787.01(1)(a)1. 1st,PBL Kidnapping; hold for ransom or reward or as a shield or hostage.

367

787.01(1)(a)2. 1st,PBL Kidnapping with intent to commit or facilitate commission of any felony.

368

787.01(1)(a)4. 1st,PBL Kidnapping with intent to interfere with performance of any governmental or political function.

369

787.02(3)(a) 1st False imprisonment; child under age 16 ~~13~~; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.

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370	790.161	1st	Attempted capital destructive device offense.
371	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
372	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
373	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
374	794.011(4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
375	794.011(8)(b)	1st	Sexual battery;

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376	800.04(5)(b)	1st	engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority. Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
377	812.13(2)(a)	1st,PBL	Robbery with firearm or other deadly weapon.
378	812.133(2)(a)	1st,PBL	Carjacking; firearm or other deadly weapon.
379	812.135(2)(b)	1st	Home-invasion robbery with weapon.
380	817.568(7)	2nd,PBL	Fraudulent use of personal identification information of an

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			<p>individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.</p>
381	827.03(2)	1st	<p>Aggravated child abuse.</p>
382	847.0145(1)	1st	<p>Selling, or otherwise transferring custody or control, of a minor.</p>
383	847.0145(2)	1st	<p>Purchasing, or otherwise obtaining custody or control, of a minor.</p>
384	859.01	1st	<p>Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food,</p>

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			drink, medicine, or water with intent to kill or injure another person.
385	893.135	1st	Attempted capital trafficking offense.
386	893.135(1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
387	893.135(1)(b)1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
388	893.135(1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
389	893.135(1)(d)1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
390	893.135(1)(e)1.c.	1st	Trafficking in methaqualone, more

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391	893.135(1)(f)1.c.	1st	than 25 kilograms.
392	893.135(1)(h)1.c.	1st	Trafficking in amphetamine, more than 200 grams.
393	893.135(1)(j)1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
394	893.135(1)(k)2.c.	1st	Trafficking in 1,4- Butanediol, 10 kilograms or more.
395	896.101(5)(c)	1st	Trafficking in Phenethylamines, 400 grams or more. Money laundering, financial instruments totaling or exceeding \$100,000.
396	896.104(4)(a)3.	1st	Structuring transactions to evade reporting or

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397			registration requirements, financial transactions totaling or exceeding \$100,000.
398	499.00545	1st	(j) LEVEL 10 Sale or purchase of contraband legend drugs resulting in death.
399	782.04(2)	1st,PBL	Unlawful killing of human; act is homicide, unpremeditated.
400	787.01(1)(a)3.	1st,PBL	Kidnapping; inflict bodily harm upon or terrorize victim.
401	787.01(3)(a)	Life	Kidnapping; child under age <u>16</u> 13 , perpetrator also commits aggravated child abuse, sexual

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402	782.07(3)	1st	battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
403	794.011(3)	Life	Aggravated manslaughter of a child.
404	812.135(2)(a)	1st, PBL	Sexual battery; victim 12 years or older, offender uses or threatens to use deadly weapon or physical force to cause serious injury.
405	876.32	1st	Home-invasion robbery with firearm or other deadly weapon.
406			Treason against the state.

407 Section 12. For the purpose of incorporating the
 408 amendments to sections 787.01, 787.02, and 787.025, Florida
 409 Statutes, in references thereto, paragraph (a) of subsection (1)
 410 of section 943.0435, Florida Statutes, is reenacted to read:

411 943.0435 Sexual offenders required to register with the
 412 department; penalty.--

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

414 (a) "Sexual offender" means a person who:

415 1. Has been convicted of committing, or attempting,
 416 soliciting, or conspiring to commit, any of the criminal
 417 offenses proscribed in the following statutes in this state or
 418 similar offenses in another jurisdiction: s. 787.01, s. 787.02,
 419 or s. 787.025, where the victim is a minor and the defendant is
 420 not the victim's parent; chapter 794, excluding ss. 794.011(10)
 421 and 794.0235; s. 796.03; s. 800.04; s. 825.1025; s. 827.071; s.
 422 847.0133; s. 847.0135; s. 847.0137; s. 847.0138; s. 847.0145; or
 423 any similar offense committed in this state which has been
 424 redesignated from a former statute number to one of those listed
 425 in this subparagraph; and

426 2. Has been released on or after October 1, 1997, from the
 427 sanction imposed for any conviction of an offense described in
 428 subparagraph 1. For purposes of subparagraph 1., a sanction
 429 imposed in this state or in any other jurisdiction includes, but
 430 is not limited to, a fine, probation, community control, parole,
 431 conditional release, control release, or incarceration in a
 432 state prison, federal prison, private correctional facility, or
 433 local detention facility; or

434 3. Establishes or maintains a residence in this state and
 435 who has not been designated as a sexual predator by a court of
 436 this state but who has been designated as a sexual predator, as
 437 a sexually violent predator, or by another sexual offender
 438 designation in another state or jurisdiction and was, as a
 439 result of such designation, subjected to registration or
 440 community or public notification, or both, or would be if the
 441 person were a resident of that state or jurisdiction; or

442 4. Establishes or maintains a residence in this state who
 443 is in the custody or control of, or under the supervision of,
 444 any other state or jurisdiction as a result of a conviction for
 445 committing, or attempting, soliciting, or conspiring to commit,
 446 any of the criminal offenses proscribed in the following
 447 statutes or similar offense in another jurisdiction: s. 787.01,
 448 s. 787.02, or s. 787.025, where the victim is a minor and the
 449 defendant is not the victim's parent; chapter 794, excluding ss.
 450 794.011(10) and 794.0235; s. 796.03; s. 800.04; s. 825.1025; s.
 451 827.071; s. 847.0133; s. 847.0135; s. 847.0137; s. 847.0138; s.
 452 847.0145; or any similar offense committed in this state which
 453 has been redesignated from a former statute number to one of
 454 those listed in this subparagraph.

455 Section 13. For the purpose of incorporating the
 456 amendments to sections 787.01, 787.02, and 787.025, Florida
 457 Statutes, in references thereto, paragraph (b) of subsection (1)
 458 of section 944.606, Florida Statutes, is reenacted to read:

459 944.606 Sexual offenders; notification upon release.--

460 (1) As used in this section:

461 (b) "Sexual offender" means a person who has been
 462 convicted of committing, or attempting, soliciting, or
 463 conspiring to commit, any of the criminal offenses proscribed in
 464 the following statutes in this state or similar offenses in
 465 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025, where
 466 the victim is a minor and the defendant is not the victim's
 467 parent; chapter 794, excluding ss. 794.011(10) and 794.0235; s.
 468 796.03; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.
 469 847.0135; s. 847.0137; s. 847.0138; s. 847.0145; or any similar
 470 offense committed in this state which has been redesignated from
 471 a former statute number to one of those listed in this
 472 subsection, when the department has received verified
 473 information regarding such conviction; an offender's
 474 computerized criminal history record is not, in and of itself,
 475 verified information.

476 Section 14. For the purpose of incorporating the
 477 amendments to sections 787.01, 787.02, and 787.025, Florida
 478 Statutes, in references thereto, paragraph (a) of subsection (1)
 479 of section 944.607, Florida Statutes, is reenacted to read:

480 944.607 Notification to Department of Law Enforcement of
 481 information on sexual offenders.--

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

483 (a) "Sexual offender" means a person who is in the custody
 484 or control of, or under the supervision of, the department or is
 485 in the custody of a private correctional facility:

486 1. On or after October 1, 1997, as a result of a
 487 conviction for committing, or attempting, soliciting, or
 488 conspiring to commit, any of the criminal offenses proscribed in

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489 the following statutes in this state or similar offenses in
490 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025, where
491 the victim is a minor and the defendant is not the victim's
492 parent; chapter 794, excluding ss. 794.011(10) and 794.0235; s.
493 796.03; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.
494 847.0135; s. 847.0137; s. 847.0138; s. 847.0145; or any similar
495 offense committed in this state which has been redesignated from
496 a former statute number to one of those listed in this
497 paragraph; or

498 2. Who establishes or maintains a residence in this state
499 and who has not been designated as a sexual predator by a court
500 of this state but who has been designated as a sexual predator,
501 as a sexually violent predator, or by another sexual offender
502 designation in another state or jurisdiction and was, as a
503 result of such designation, subjected to registration or
504 community or public notification, or both, or would be if the
505 person were a resident of that state or jurisdiction.

506 Section 15. For the purpose of incorporating the
507 amendments to sections 787.01, 787.02, and 787.025, Florida
508 Statutes, in references thereto, subsection (2) of section
509 948.013, Florida Statutes, is reenacted to read:

510 948.013 Administrative probation.--

511 (2) Effective for an offense committed on or after July 1,
512 1998, a person is ineligible for placement on administrative
513 probation if the person is sentenced to or is serving a term of
514 probation or community control, regardless of the conviction or
515 adjudication, for committing, or attempting, conspiring, or
516 soliciting to commit, any of the felony offenses described in s.

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517 787.01 or s. 787.02, where the victim is a minor and the
518 defendant is not the victim's parent; s. 787.025; chapter 794;
519 s. 796.03; s. 800.04; s. 825.1025(2)(b); s. 827.071; s.
520 847.0133; s. 847.0135; or s. 847.0145.

521 Section 16. For the purpose of incorporating the amendment
522 to section 787.025, Florida Statutes, in a reference thereto,
523 subsection (1) of section 948.32, Florida Statutes, is reenacted
524 to read:

525 948.32 Requirements of law enforcement agency upon arrest
526 of persons for certain sex offenses.--

527 (1) When any state or local law enforcement agency
528 investigates or arrests a person for committing, or attempting,
529 soliciting, or conspiring to commit, a violation of s. 787.025,
530 chapter 794, s. 796.03, s. 800.04, s. 827.071, s. 847.0133, s.
531 847.0135, or s. 847.0145, the law enforcement agency shall
532 contact the Department of Corrections to verify whether the
533 person under investigation or under arrest is on probation,
534 community control, parole, conditional release, or control
535 release.

536 Section 17. This act shall take effect July 1, 2005.