

1 A bill to be entitled
 2 An act relating to vehicle crashes; creating the "Justin
 3 McWilliams 'Justice For Justin' Act"; amending s. 316.027,
 4 F.S.; requiring the driver of a vehicle involved in a
 5 crash occurring on public or private property that results
 6 in injury of a person to immediately stop the vehicle and
 7 remain at the scene; providing that failure to stop the
 8 vehicle and remain at the scene by the driver of a vehicle
 9 involved in a crash occurring on public or private
 10 property that results in the death of a person is a first
 11 degree felony; providing penalties; amending s. 921.0022,
 12 F.S.; revising felony classification in the Criminal
 13 Punishment Code offense severity ranking chart for
 14 specified violations; providing an effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. This act may be cited as the "Justin McWilliams
 19 'Justice For Justin' Act."

20 Section 2. Subsection (1) of section 316.027, Florida
 21 Statutes, is amended to read:

22 316.027 Crash involving death or personal injuries.--

23 (1)(a) The driver of any vehicle involved in a crash
 24 occurring on public or private property that results ~~resulting~~
 25 in injury of any person must immediately stop the vehicle at the
 26 scene of the crash, or as close thereto as possible, and must
 27 remain at the scene of the crash until he or she has fulfilled
 28 the requirements of s. 316.062. Any person who willfully

29 violates this paragraph commits ~~is guilty~~ of a felony of the
 30 third degree, punishable as provided in s. 775.082, s. 775.083,
 31 or s. 775.084.

32 (b) The driver of any vehicle involved in a crash
 33 occurring on public or private property that results ~~resulting~~
 34 in the death of any person must immediately stop the vehicle at
 35 the scene of the crash, or as close thereto as possible, and
 36 must remain at the scene of the crash until he or she has
 37 fulfilled the requirements of s. 316.062. Any person who
 38 willfully violates this paragraph commits ~~is guilty~~ of a felony
 39 of the first ~~second~~ degree, punishable as provided in s.
 40 775.082, s. 775.083, or s. 775.084.

41 Section 3. Paragraph (g) of subsection (3) of section
 42 921.0022, Florida Statutes, is amended to read:

43 921.0022 Criminal Punishment Code; offense severity
 44 ranking chart.--

45 (3) OFFENSE SEVERITY RANKING CHART

Florida Statute	Felony Degree	Description
		(g) LEVEL 7
316.027(1)(b)	<u>1st</u> 2nd	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in

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49

316.1935(3)(b) 1st

serious bodily injury.

Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

50

327.35(3)(c)2. 3rd

Vessel BUI resulting in serious bodily injury.

51

402.319(2) 2nd

Misrepresentation and negligence or intentional act resulting in great bodily harm,

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permanent
 disfiguration,
 permanent
 disability, or
 death.

52

409.920(2) 3rd

Medicaid provider
 fraud.

53

456.065(2) 3rd

Practicing a health
 care profession
 without a license.

54

456.065(2) 2nd

Practicing a health
 care profession
 without a license
 which results in
 serious bodily
 injury.

55

458.327(1) 3rd

Practicing medicine
 without a license.

56

459.013(1) 3rd

Practicing
 osteopathic medicine
 without a license.

57

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58	460.411(1)	3rd	Practicing chiropractic medicine without a license.
59	461.012(1)	3rd	Practicing podiatric medicine without a license.
60	462.17	3rd	Practicing naturopathy without a license.
61	463.015(1)	3rd	Practicing optometry without a license.
62	464.016(1)	3rd	Practicing nursing without a license.
63	465.015(2)	3rd	Practicing pharmacy without a license.
64	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
	467.201	3rd	Practicing midwifery

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65			without a license.
	468.366	3rd	Delivering respiratory care services without a license.
66			
	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
67			
	483.901(9)	3rd	Practicing medical physics without a license.
68			
	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
69			
	484.053	3rd	Dispensing hearing aids without a license.
70			
	494.0018(2)	1st	Conviction of any violation of ss.

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494.001-494.0077 in
 which the total
 money and property
 unlawfully obtained
 exceeded \$50,000 and
 there were five or
 more victims.

71

560.123(8)(b)1. 3rd

Failure to report
 currency or payment
 instruments
 exceeding \$300 but
 less than \$20,000 by
 money transmitter.

72

560.125(5)(a) 3rd

Money transmitter
 business by
 unauthorized person,
 currency or payment
 instruments
 exceeding \$300 but
 less than \$20,000.

73

655.50(10)(b)1. 3rd

Failure to report
 financial
 transactions
 exceeding \$300 but

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74	775.21(10)(a)	3rd	less than \$20,000 by financial institution.
75	775.21(10)(b)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
76	775.21(10)(g)	3rd	Sexual predator working where children regularly congregate.
77	782.051(3)	2nd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator. Attempted felony murder of a person by a person other

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than the perpetrator
or the perpetrator
of an attempted
felony.

78

782.07(1)

2nd

Killing of a human
being by the act,
procurement, or
culpable negligence
of another
(manslaughter).

79

782.071

2nd

Killing of human
being or viable
fetus by the
operation of a motor
vehicle in a
reckless manner
(vehicular
homicide).

80

782.072

2nd

Killing of a human
being by the
operation of a
vessel in a reckless
manner (vessel
homicide).

81

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82	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
83	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
84	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
85	784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
86	784.048(7)	3rd	Aggravated stalking; violation of court order.
87	784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
	784.074(1)(a)	1st	Aggravated battery

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on sexually violent
predators facility
staff.

88

784.08(2)(a) 1st

Aggravated battery
on a person 65 years
of age or older.

89

784.081(1) 1st

Aggravated battery
on specified
official or
employee.

90

784.082(1) 1st

Aggravated battery
by detained person
on visitor or other
detainee.

91

784.083(1) 1st

Aggravated battery
on code inspector.

92

790.07(4) 1st

Specified weapons
violation subsequent
to previous
conviction of s.
790.07(1) or (2).

93

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94

790.16(1) 1st

Discharge of a machine gun under specified circumstances.

95

790.165(2) 2nd

Manufacture, sell, possess, or deliver hoax bomb.

96

790.165(3) 2nd

Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.

97

790.166(3) 2nd

Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

98

790.166(4) 2nd

Possessing, displaying, or threatening to use a hoax weapon of mass destruction while

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98	796.03	2nd	committing or attempting to commit a felony.
99	800.04(5)(c)1.	2nd	Procuring any person under 16 years for prostitution.
100	800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
101	806.01(2)	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
102	810.02(3)(a)	2nd	Maliciously damage structure by fire or explosive.
			Burglary of occupied dwelling; unarmed;

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103	810.02(3)(b)	2nd	no assault or battery.
104	810.02(3)(d)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
105	812.014(2)(a)1.	1st	Property stolen, valued at \$100,000 or more; property stolen while causing other property damage; 1st degree grand theft.
106	812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
107	812.014(2)(b)3.	2nd	Property stolen,

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108	812.0145(2)(a)	1st	emergency medical equipment; 2nd degree grand theft.
109	812.019(2)	1st	Theft from person 65 years of age or older; \$50,000 or more.
110	812.131(2)(a)	2nd	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
111	812.133(2)(b)	1st	Robbery by sudden snatching.
112	817.234(8)(a)	2nd	Carjacking; no firearm, deadly weapon, or other weapon.
			Solicitation of motor vehicle

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113

817.234(9)

2nd

accident victims
with intent to
defraud.

Organizing,
planning, or
participating in an
intentional motor
vehicle collision.

114

817.234(11)(c)

1st

Insurance fraud;
property value
\$100,000 or more.

115

817.2341(2)(b) &
(3)(b)

1st

Making false entries
of material fact or
false statements
regarding property
values relating to
the solvency of an
insuring entity
which are a
significant cause of
the insolvency of
that entity.

116

825.102(3)(b)

2nd

Neglecting an

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117	825.103(2)(b)	2nd	elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
118	827.03(3)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
119	827.04(3)	3rd	Neglect of a child causing great bodily harm, disability, or disfigurement.
120	837.05(2)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
			Giving false information about

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			alleged capital felony to a law enforcement officer.
121	838.015	2nd	Bribery.
122	838.016	2nd	Unlawful compensation or reward for official behavior.
123	838.021(3)(a)	2nd	Unlawful harm to a public servant.
124	838.22	2nd	Bid tampering.
125	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
126	872.06	2nd	Abuse of a dead human body.
127	893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine

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(or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

128

893.13(1)(e)1. 1st

Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified

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129	893.13(4)(a)	1st	business site. Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
130	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
131	893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
132	893.135(1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
133	893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less

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134	893.135(1)(e)1.	1st	than 200 grams.
135	893.135(1)(f)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
136	893.135(1)(g)1.a.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
137	893.135(1)(h)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
138	893.135(1)(j)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
			Trafficking in 1,4-Butanediol, 1 kilogram or more,

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139	893.135(1)(k)2.a.	1st	less than 5 kilograms.
140	896.101(5)(a)	3rd	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
141	896.104(4)(a)1.	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
142	943.0435(4)(c)	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
			Sexual offender vacating permanent residence; failure

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143

943.0435(8)

2nd

to comply with reporting requirements.

Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

144

943.0435(9)(a)

3rd

Sexual offender; failure to comply with reporting requirements.

145

943.0435(13)

3rd

Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

146

943.0435(14)

3rd

Sexual offender; failure to report and reregister;

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147	944.607(9)	3rd	failure to respond to address verification.
148	944.607(10)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
149	944.607(12)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
150	944.607(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
			Sexual offender; failure to report and reregister; failure to respond to address

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verification.

151

152

Section 4. This act shall take effect October 1, 2006.