

By Senator Rich

34-152-06

1 A bill to be entitled
2 An act relating to theft of property; amending
3 s. 812.13, F.S.; redefining the term "robbery"
4 to include the unlawful endeavoring to take
5 property; providing that if an offender
6 threatens to use a weapon or firearm during the
7 course of a robbery, the offender commits a
8 felony of the first degree; providing for
9 penalties; amending ss. 812.131 and 812.133,
10 F.S.; redefining the terms "robbery by sudden
11 snatching" and "carjacking" to include the
12 unlawful endeavoring to take property;
13 reenacting s. 921.0022(3)(e), (f), (g), (h),
14 and (i), F.S., relating to the offense severity
15 ranking chart of the Criminal Punishment Code,
16 to incorporate the amendments to ss. 812.13,
17 812.131, and 812.133, F.S., in references
18 thereto; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:
21

22 Section 1. Section 812.13, Florida Statutes, is
23 amended to read:

24 812.13 Robbery.--

25 (1) "Robbery" means the taking of or endeavoring to
26 take money or other property ~~that~~ ~~which~~ may be the subject of
27 larceny from the person or custody of another, with intent to
28 either permanently or temporarily deprive the person or the
29 owner of the money or other property, when in the course of
30 the taking or endeavoring to take there is the use of force,
31 violence, assault, or putting in fear.

1 (2)(a) If in the course of committing the robbery the
2 offender carried a firearm or other deadly weapon, then the
3 robbery is a felony of the first degree, punishable by
4 imprisonment for a term of years not exceeding life
5 imprisonment or as provided in s. 775.082, s. 775.083, or s.
6 775.084.

7 (b) If in the course of committing the robbery the
8 offender carried a weapon, or threatened to use a weapon or
9 firearm, then the robbery is a felony of the first degree,
10 punishable as provided in s. 775.082, s. 775.083, or s.
11 775.084.

12 (c) If in the course of committing the robbery the
13 offender carried no firearm, deadly weapon, or other weapon,
14 or did not threaten to use any weapon or firearm, then the
15 robbery is a felony of the second degree, punishable as
16 provided in s. 775.082, s. 775.083, or s. 775.084.

17 (3)(a) An act shall be deemed "in the course of
18 committing the robbery" if it occurs in an attempt to commit
19 robbery or in flight after the attempt or commission.

20 (b) An act shall be deemed "in the course of the
21 taking or endeavoring to take" if it occurs before either
22 ~~prior to~~, contemporaneous with, or after ~~subsequent to~~ the
23 taking of or endeavoring to take the property and if it and
24 the act of taking or endeavoring to take constitute a
25 continuous series of acts or events.

26 Section 2. Section 812.131, Florida Statutes, is
27 amended to read:

28 812.131 Robbery by sudden snatching.--

29 (1) "Robbery by sudden snatching" means the taking of
30 or endeavoring to take money or other property from the
31 victim's person, with intent to permanently or temporarily

1 | deprive the victim or the owner of the money or other
2 | property, when, in the course of the taking of or endeavoring
3 | to take, the victim was or became aware of the taking or
4 | endeavoring to take. In order to satisfy this definition, it
5 | is not necessary to show that:

6 | (a) The offender used any amount of force beyond that
7 | effort necessary to obtain possession of the money or other
8 | property; or

9 | (b) There was any resistance offered by the victim to
10 | the offender or that there was injury to the victim's person.

11 | (2)(a) If, in the course of committing a robbery by
12 | sudden snatching, the offender carried a firearm or other
13 | deadly weapon, the robbery by sudden snatching is a felony of
14 | the second degree, punishable as provided in s. 775.082, s.
15 | 775.083, or s. 775.084.

16 | (b) If, in the course of committing a robbery by
17 | sudden snatching, the offender carried no firearm or other
18 | deadly weapon, the robbery by sudden snatching is a felony of
19 | the third degree, punishable as provided in s. 775.082, s.
20 | 775.083, or s. 775.084.

21 | (3)(a) An act shall be deemed "in the course of
22 | committing a robbery by sudden snatching" if the act occurs in
23 | an attempt to commit robbery by sudden snatching or in fleeing
24 | after the attempt or commission.

25 | (b) An act shall be deemed "in the course of the
26 | taking or endeavoring to take" if the act occurs before ~~prior~~
27 | ~~to~~, contemporaneous with, or after ~~subsequent to~~ the taking of
28 | or endeavoring to take the property and if the ~~such~~ act and
29 | the act of taking or endeavoring to take constitute a
30 | continuous series of acts or events.
31 |

1 Section 3. Section 812.133, Florida Statutes, is
2 amended to read:

3 812.133 Carjacking.--

4 (1) "Carjacking" means the taking of or endeavoring to
5 take a motor vehicle ~~that~~ ~~which~~ may be the subject of larceny
6 from the person or custody of another, with intent to either
7 permanently or temporarily deprive the person or the owner of
8 the motor vehicle, when in the course of the taking or
9 endeavoring to take there is the use of force, violence,
10 assault, or putting in fear.

11 (2)(a) If in the course of committing the carjacking
12 the offender carried a firearm or other deadly weapon, then
13 the carjacking is a felony of the first degree, punishable by
14 imprisonment for a term of years not exceeding life
15 imprisonment or as provided in s. 775.082, s. 775.083, or s.
16 775.084.

17 (b) If in the course of committing the carjacking the
18 offender carried no firearm, deadly weapon, or other weapon,
19 then the carjacking is a felony of the first degree,
20 punishable as provided in s. 775.082, s. 775.083, or s.
21 775.084.

22 (3)(a) An act shall be deemed "in the course of
23 committing the carjacking" if it occurs in an attempt to
24 commit carjacking or in flight after the attempt or
25 commission.

26 (b) An act shall be deemed "in the course of the
27 taking or endeavoring to take" if it occurs before ~~either~~
28 ~~prior to~~, contemporaneous with, or after ~~subsequent to~~ the
29 taking of or endeavoring to take the property and if it and
30 the act of taking or endeavoring to take constitute a
31 continuous series of acts or events.

1 Section 4. For the purpose of incorporating the
2 amendments made by this act to sections 812.13, 812.131, and
3 812.133, Florida Statutes, in references thereto, paragraphs
4 (e), (f), (g), (h), and (i) of subsection (3) of section
5 921.0022, Florida Statutes, are reenacted to read:

6 921.0022 Criminal Punishment Code; offense severity
7 ranking chart.--

8 (3) OFFENSE SEVERITY RANKING CHART

9

10 Florida	Felony	
11 Statute	Degree	Description
		(e) LEVEL 5
15 316.027(1)(a)	3rd	Accidents involving personal 16 injuries, failure to stop; 17 leaving scene.
18 316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
19 322.34(6)	3rd	Careless operation of motor 20 vehicle with suspended license, 21 resulting in death or serious 22 bodily injury.
23 327.30(5)	3rd	Vessel accidents involving 24 personal injury; leaving scene.
25 381.0041		
26 (11)(b)	3rd	Donate blood, plasma, or organs 27 knowing HIV positive.
28 440.10(1)(g)	2nd	Failure to obtain workers' 29 compensation coverage.

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1	440.105(5)	2nd	Unlawful solicitation for the
2			purpose of making workers'
3			compensation claims.
4	440.381(2)	2nd	Submission of false, misleading,
5			or incomplete information with
6			the purpose of avoiding or
7			reducing workers' compensation
8			premiums.
9	624.401(4)(b)2.	2nd	Transacting insurance without a
10			certificate or authority; premium
11			collected \$20,000 or more but
12			less than \$100,000.
13	626.902(1)(c)	2nd	Representing an unauthorized
14			insurer; repeat offender.
15	790.01(2)	3rd	Carrying a concealed firearm.
16	790.162	2nd	Threat to throw or discharge
17			destructive device.
18	790.163(1)	2nd	False report of deadly explosive
19			or weapon of mass destruction.
20	790.221(1)	2nd	Possession of short-barreled
21			shotgun or machine gun.
22	790.23	2nd	Felons in possession of firearms,
23			ammunition, or electronic weapons
24			or devices.
25	800.04(6)(c)	3rd	Lewd or lascivious conduct;
26			offender less than 18 years.
27	800.04(7)(c)	2nd	Lewd or lascivious exhibition;
28			offender 18 years or older.
29	806.111(1)	3rd	Possess, manufacture, or dispense
30			fire bomb with intent to damage
31			any structure or property.

1	812.0145(2)(b)	2nd	Theft from person 65 years of age
2			or older; \$10,000 or more but
3			less than \$50,000.
4	812.015(8)	3rd	Retail theft; property stolen is
5			valued at \$300 or more and one or
6			more specified acts.
7	812.019(1)	2nd	Stolen property; dealing in or
8			trafficking in.
9	812.131(2)(b)	3rd	Robbery by sudden snatching.
10	812.16(2)	3rd	Owning, operating, or conducting
11			a chop shop.
12	817.034(4)(a)2.	2nd	Communications fraud, value
13			\$20,000 to \$50,000.
14	817.234(11)(b)	2nd	Insurance fraud; property value
15			\$20,000 or more but less than
16			\$100,000.
17	817.2341(1),		
18	(2)(a)&(3)(a)	3rd	Filing false financial
19			statements, making false entries
20			of material fact or false
21			statements regarding property
22			values relating to the solvency
23			of an insuring entity.
24	817.568(2)(b)	2nd	Fraudulent use of personal
25			identification information; value
26			of benefit, services received,
27			payment avoided, or amount of
28			injury or fraud, \$5,000 or more
29			or use of personal identification
30			information of 10 or more
31			individuals.

1	817.625(2)(b)	2nd	Second or subsequent fraudulent
2			use of scanning device or
3			reencoder.
4	825.1025(4)	3rd	Lewd or lascivious exhibition in
5			the presence of an elderly person
6			or disabled adult.
7	827.071(4)	2nd	Possess with intent to promote
8			any photographic material, motion
9			picture, etc., which includes
10			sexual conduct by a child.
11	827.071(5)	3rd	Possess any photographic
12			material, motion picture, etc.,
13			which includes sexual conduct by
14			a child.
15	839.13(2)(b)	2nd	Falsifying records of an
16			individual in the care and
17			custody of a state agency
18			involving great bodily harm or
19			death.
20	843.01	3rd	Resist officer with violence to
21			person; resist arrest with
22			violence.
23	847.0137(2)&(3)	3rd	Transmission of pornography by
24			electronic device or equipment.
25	847.0138(2)&(3)	3rd	Transmission of material harmful
26			to minors to a minor by
27			electronic device or equipment.
28	874.05(2)	2nd	Encouraging or recruiting another
29			to join a criminal street gang;
30			second or subsequent offense.
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1	893.13(1)(a)1.	2nd	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).
6	893.13(1)(c)2.	2nd	Sell, manufacture, or deliver
7			cannabis (or other s.
8			893.03(1)(c), (2)(c)1., (2)(c)2.,
9			(2)(c)3., (2)(c)5., (2)(c)6.,
10			(2)(c)7., (2)(c)8., (2)(c)9.,
11			(3), or (4) drugs) within 1,000
12			feet of a child care facility,
13			school, or state, county, or
14			municipal park or publicly owned
15			recreational facility or
16			community center.
17	893.13(1)(d)1.	1st	Sell, manufacture, or deliver
18			cocaine (or other s.
19			893.03(1)(a), (1)(b), (1)(d),
20			(2)(a), (2)(b), or (2)(c)4.
21			drugs) within 1,000 feet of
22			university.
23	893.13(1)(e)2.	2nd	Sell, manufacture, or deliver
24			cannabis or other drug prohibited
25			under s. 893.03(1)(c), (2)(c)1.,
26			(2)(c)2., (2)(c)3., (2)(c)5.,
27			(2)(c)6., (2)(c)7., (2)(c)8.,
28			(2)(c)9., (3), or (4) within
29			1,000 feet of property used for
30			religious services or a specified
31			business site.

1	893.13(1)(f)1.	1st	Sell, manufacture, or deliver
2			cocaine (or other s.
3			893.03(1)(a), (1)(b), (1)(d), or
4			(2)(a), (2)(b), or (2)(c)4.
5			drugs) within 1,000 feet of
6			public housing facility.
7	893.13(4)(b)	2nd	Deliver to minor cannabis (or
8			other s. 893.03(1)(c), (2)(c)1.,
9			(2)(c)2., (2)(c)3., (2)(c)5.,
10			(2)(c)6., (2)(c)7., (2)(c)8.,
11			(2)(c)9., (3), or (4) drugs).
12			(f) LEVEL 6
13	316.193(2)(b)	3rd	Felony DUI, 4th or subsequent
14			conviction.
15	499.0051(3)	2nd	Forgery of pedigree papers.
16	499.0051(4)	2nd	Purchase or receipt of legend
17			drug from unauthorized person.
18	499.0051(5)	2nd	Sale of legend drug to
19			unauthorized person.
20	775.0875(1)	3rd	Taking firearm from law
21			enforcement officer.
22	784.021(1)(a)	3rd	Aggravated assault; deadly weapon
23			without intent to kill.
24	784.021(1)(b)	3rd	Aggravated assault; intent to
25			commit felony.
26	784.041	3rd	Felony battery.
27	784.048(3)	3rd	Aggravated stalking; credible
28			threat.
29	784.048(5)	3rd	Aggravated stalking of person
30			under 16.
31			

1	784.07(2)(c)	2nd	Aggravated assault on law
2			enforcement officer.
3	784.074(1)(b)	2nd	Aggravated assault on sexually
4			violent predators facility staff.
5	784.08(2)(b)	2nd	Aggravated assault on a person 65
6			years of age or older.
7	784.081(2)	2nd	Aggravated assault on specified
8			official or employee.
9	784.082(2)	2nd	Aggravated assault by detained
10			person on visitor or other
11			detainee.
12	784.083(2)	2nd	Aggravated assault on code
13			inspector.
14	787.02(2)	3rd	False imprisonment; restraining
15			with purpose other than those in
16			s. 787.01.
17	790.115(2)(d)	2nd	Discharging firearm or weapon on
18			school property.
19	790.161(2)	2nd	Make, possess, or throw
20			destructive device with intent to
21			do bodily harm or damage
22			property.
23	790.164(1)	2nd	False report of deadly explosive,
24			weapon of mass destruction, or
25			act of arson or violence to state
26			property.
27	790.19	2nd	Shooting or throwing deadly
28			missiles into dwellings, vessels,
29			or vehicles.
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1	794.011(8)(a)	3rd	Solicitation of minor to
2			participate in sexual activity by
3			custodial adult.
4	794.05(1)	2nd	Unlawful sexual activity with
5			specified minor.
6	800.04(5)(d)	3rd	Lewd or lascivious molestation;
7			victim 12 years of age or older
8			but less than 16 years; offender
9			less than 18 years.
10	800.04(6)(b)	2nd	Lewd or lascivious conduct;
11			offender 18 years of age or
12			older.
13	806.031(2)	2nd	Arson resulting in great bodily
14			harm to firefighter or any other
15			person.
16	810.02(3)(c)	2nd	Burglary of occupied structure;
17			unarmed; no assault or battery.
18	812.014(2)(b)1.	2nd	Property stolen \$20,000 or more,
19			but less than \$100,000, grand
20			theft in 2nd degree.
21	812.015(9)	2nd	Retail theft; property stolen
22			\$300 or more; second or
23			subsequent conviction.
24	812.13(2)(c)	2nd	Robbery, no firearm or other
25			weapon (strong-arm robbery).
26	817.034(4)(a)1.	1st	Communications fraud, value
27			greater than \$50,000.
28	817.4821(5)	2nd	Possess cloning paraphernalia
29			with intent to create cloned
30			cellular telephones.
31			

1	825.102(1)	3rd	Abuse of an elderly person or
2			disabled adult.
3	825.102(3)(c)	3rd	Neglect of an elderly person or
4			disabled adult.
5	825.1025(3)	3rd	Lewd or lascivious molestation of
6			an elderly person or disabled
7			adult.
8	825.103(2)(c)	3rd	Exploiting an elderly person or
9			disabled adult and property is
10			valued at less than \$20,000.
11	827.03(1)	3rd	Abuse of a child.
12	827.03(3)(c)	3rd	Neglect of a child.
13	827.071(2)&(3)	2nd	Use or induce a child in a sexual
14			performance, or promote or direct
15			such performance.
16	836.05	2nd	Threats; extortion.
17	836.10	2nd	Written threats to kill or do
18			bodily injury.
19	843.12	3rd	Aids or assists person to escape.
20	847.0135(2)	3rd	Facilitates sexual conduct of or
21			with a minor or the visual
22			depiction of such conduct.
23	914.23	2nd	Retaliation against a witness,
24			victim, or informant, with bodily
25			injury.
26	944.35(3)(a)2.	3rd	Committing malicious battery upon
27			or inflicting cruel or inhuman
28			treatment on an inmate or
29			offender on community
30			supervision, resulting in great
31			bodily harm.

1	944.40	2nd	Escapes.
2	944.46	3rd	Harboring, concealing, aiding
3			escaped prisoners.
4	944.47(1)(a)5.	2nd	Introduction of contraband
5			(firearm, weapon, or explosive)
6			into correctional facility.
7	951.22(1)	3rd	Intoxicating drug, firearm, or
8			weapon introduced into county
9			facility.
10			(g) LEVEL 7
11	316.027(1)(b)	2nd	Accident involving death, failure
12			to stop; leaving scene.
13	316.193(3)(c)2.	3rd	DUI resulting in serious bodily
14			injury.
15	316.1935(3)(b)	1st	Causing serious bodily injury or
16			death to another person; driving
17			at high speed or with wanton
18			disregard for safety while
19			fleeing or attempting to elude
20			law enforcement officer who is in
21			a patrol vehicle with siren and
22			lights activated.
23	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
24			bodily injury.
25	402.319(2)	2nd	Misrepresentation and negligence
26			or intentional act resulting in
27			great bodily harm, permanent
28			disfiguration, permanent
29			disability, or death.
30	409.920(2)	3rd	Medicaid provider fraud.
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1	456.065(2)	3rd	Practicing a health care
2			profession without a license.
3	456.065(2)	2nd	Practicing a health care
4			profession without a license
5			which results in serious bodily
6			injury.
7	458.327(1)	3rd	Practicing medicine without a
8			license.
9	459.013(1)	3rd	Practicing osteopathic medicine
10			without a license.
11	460.411(1)	3rd	Practicing chiropractic medicine
12			without a license.
13	461.012(1)	3rd	Practicing podiatric medicine
14			without a license.
15	462.17	3rd	Practicing naturopathy without a
16			license.
17	463.015(1)	3rd	Practicing optometry without a
18			license.
19	464.016(1)	3rd	Practicing nursing without a
20			license.
21	465.015(2)	3rd	Practicing pharmacy without a
22			license.
23	466.026(1)	3rd	Practicing dentistry or dental
24			hygiene without a license.
25	467.201	3rd	Practicing midwifery without a
26			license.
27	468.366	3rd	Delivering respiratory care
28			services without a license.
29	483.828(1)	3rd	Practicing as clinical laboratory
30			personnel without a license.
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1	483.901(9)	3rd	Practicing medical physics
2			without a license.
3	484.013(1)(c)	3rd	Preparing or dispensing optical
4			devices without a prescription.
5	484.053	3rd	Dispensing hearing aids without a
6			license.
7	494.0018(2)	1st	Conviction of any violation of
8			ss. 494.001-494.0077 in which the
9			total money and property
10			unlawfully obtained exceeded
11			\$50,000 and there were five or
12			more victims.
13	560.123(8)(b)1.	3rd	Failure to report currency or
14			payment instruments exceeding
15			\$300 but less than \$20,000 by
16			money transmitter.
17	560.125(5)(a)	3rd	Money transmitter business by
18			unauthorized person, currency or
19			payment instruments exceeding
20			\$300 but less than \$20,000.
21	655.50(10)(b)1.	3rd	Failure to report financial
22			transactions exceeding \$300 but
23			less than \$20,000 by financial
24			institution.
25	775.21(10)(a)	3rd	Sexual predator; failure to
26			register; failure to renew
27			driver's license or
28			identification card; other
29			registration violations.
30	775.21(10)(b)	3rd	Sexual predator working where
31			children regularly congregate.

1	775.21(10)(g)	3rd	Failure to report or providing
2			false information about a sexual
3			predator; harbor or conceal a
4			sexual predator.
5	782.051(3)	2nd	Attempted felony murder of a
6			person by a person other than the
7			perpetrator or the perpetrator of
8			an attempted felony.
9	782.07(1)	2nd	Killing of a human being by the
10			act, procurement, or culpable
11			negligence of another
12			(manslaughter).
13	782.071	2nd	Killing of human being or viable
14			fetus by the operation of a motor
15			vehicle in a reckless manner
16			(vehicular homicide).
17	782.072	2nd	Killing of a human being by the
18			operation of a vessel in a
19			reckless manner (vessel
20			homicide).
21	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
22			causing great bodily harm or
23			disfigurement.
24	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
25			weapon.
26	784.045(1)(b)	2nd	Aggravated battery; perpetrator
27			aware victim pregnant.
28	784.048(4)	3rd	Aggravated stalking; violation of
29			injunction or court order.
30	784.048(7)	3rd	Aggravated stalking; violation of
31			court order.

1	784.07(2)(d)	1st	Aggravated battery on law
2			enforcement officer.
3	784.074(1)(a)	1st	Aggravated battery on sexually
4			violent predators facility staff.
5	784.08(2)(a)	1st	Aggravated battery on a person 65
6			years of age or older.
7	784.081(1)	1st	Aggravated battery on specified
8			official or employee.
9	784.082(1)	1st	Aggravated battery by detained
10			person on visitor or other
11			detainee.
12	784.083(1)	1st	Aggravated battery on code
13			inspector.
14	790.07(4)	1st	Specified weapons violation
15			subsequent to previous conviction
16			of s. 790.07(1) or (2).
17	790.16(1)	1st	Discharge of a machine gun under
18			specified circumstances.
19	790.165(2)	2nd	Manufacture, sell, possess, or
20			deliver hoax bomb.
21	790.165(3)	2nd	Possessing, displaying, or
22			threatening to use any hoax bomb
23			while committing or attempting to
24			commit a felony.
25	790.166(3)	2nd	Possessing, selling, using, or
26			attempting to use a hoax weapon
27			of mass destruction.
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1	790.166(4)	2nd	Possessing, displaying, or
2			threatening to use a hoax weapon
3			of mass destruction while
4			committing or attempting to
5			commit a felony.
6	796.03	2nd	Procuring any person under 16
7			years for prostitution.
8	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
9			victim less than 12 years of age;
10			offender less than 18 years.
11	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
12			victim 12 years of age or older
13			but less than 16 years; offender
14			18 years or older.
15	806.01(2)	2nd	Maliciously damage structure by
16			fire or explosive.
17	810.02(3)(a)	2nd	Burglary of occupied dwelling;
18			unarmed; no assault or battery.
19	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
20			unarmed; no assault or battery.
21	810.02(3)(d)	2nd	Burglary of occupied conveyance;
22			unarmed; no assault or battery.
23	812.014(2)(a)1.	1st	Property stolen, valued at
24			\$100,000 or more; property stolen
25			while causing other property
26			damage; 1st degree grand theft.
27	812.014(2)(b)2.	2nd	Property stolen, cargo valued at
28			less than \$50,000, grand theft in
29			2nd degree.
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1	812.014(2)(b)3.	2nd	Property stolen, emergency
2			medical equipment; 2nd degree
3			grand theft.
4	812.0145(2)(a)	1st	Theft from person 65 years of age
5			or older; \$50,000 or more.
6	812.019(2)	1st	Stolen property; initiates,
7			organizes, plans, etc., the theft
8			of property and traffics in
9			stolen property.
10	812.131(2)(a)	2nd	Robbery by sudden snatching.
11	812.133(2)(b)	1st	Carjacking; no firearm, deadly
12			weapon, or other weapon.
13	817.234(8)(a)	2nd	Solicitation of motor vehicle
14			accident victims with intent to
15			defraud.
16	817.234(9)	2nd	Organizing, planning, or
17			participating in an intentional
18			motor vehicle collision.
19	817.234(11)(c)	1st	Insurance fraud; property value
20			\$100,000 or more.
21	817.2341(2)(b)&		
22	(3)(b)	1st	Making false entries of material
23			fact or false statements
24			regarding property values
25			relating to the solvency of an
26			insuring entity which are a
27			significant cause of the
28			insolvency of that entity.
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1	825.102(3)(b)	2nd	Neglecting an elderly person or
2			disabled adult causing great
3			bodily harm, disability, or
4			disfigurement.
5	825.103(2)(b)	2nd	Exploiting an elderly person or
6			disabled adult and property is
7			valued at \$20,000 or more, but
8			less than \$100,000.
9	827.03(3)(b)	2nd	Neglect of a child causing great
10			bodily harm, disability, or
11			disfigurement.
12	827.04(3)	3rd	Impregnation of a child under 16
13			years of age by person 21 years
14			of age or older.
15	837.05(2)	3rd	Giving false information about
16			alleged capital felony to a law
17			enforcement officer.
18	838.015	2nd	Bribery.
19	838.016	2nd	Unlawful compensation or reward
20			for official behavior.
21	838.021(3)(a)	2nd	Unlawful harm to a public
22			servant.
23	838.22	2nd	Bid tampering.
24	847.0135(3)	3rd	Solicitation of a child, via a
25			computer service, to commit an
26			unlawful sex act.
27	872.06	2nd	Abuse of a dead human body.
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1	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
2			cocaine (or other drug prohibited
3			under s. 893.03(1)(a), (1)(b),
4			(1)(d), (2)(a), (2)(b), or
5			(2)(c)4.) within 1,000 feet of a
6			child care facility, school, or
7			state, county, or municipal park
8			or publicly owned recreational
9			facility or community center.
10	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
11			cocaine or other drug prohibited
12			under s. 893.03(1)(a), (1)(b),
13			(1)(d), (2)(a), (2)(b), or
14			(2)(c)4., within 1,000 feet of
15			property used for religious
16			services or a specified business
17			site.
18	893.13(4)(a)	1st	Deliver to minor cocaine (or
19			other s. 893.03(1)(a), (1)(b),
20			(1)(d), (2)(a), (2)(b), or
21			(2)(c)4. drugs).
22	893.135(1)(a)1.	1st	Trafficking in cannabis, more
23			than 25 lbs., less than 2,000
24			lbs.
25	893.135		
26	(1)(b)1.a.	1st	Trafficking in cocaine, more than
27			28 grams, less than 200 grams.
28	893.135		
29	(1)(c)1.a.	1st	Trafficking in illegal drugs,
30			more than 4 grams, less than 14
31			grams.

1	893.135		
2	(1)(d)1.	1st	Trafficking in phencyclidine,
3			more than 28 grams, less than 200
4			grams.
5	893.135(1)(e)1.	1st	Trafficking in methaqualone, more
6			than 200 grams, less than 5
7			kilograms.
8	893.135(1)(f)1.	1st	Trafficking in amphetamine, more
9			than 14 grams, less than 28
10			grams.
11	893.135		
12	(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4
13			grams or more, less than 14
14			grams.
15	893.135		
16	(1)(h)1.a.	1st	Trafficking in
17			gamma-hydroxybutyric acid (GHB),
18			1 kilogram or more, less than 5
19			kilograms.
20	893.135		
21	(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1
22			kilogram or more, less than 5
23			kilograms.
24	893.135		
25	(1)(k)2.a.	1st	Trafficking in Phenethylamines,
26			10 grams or more, less than 200
27			grams.
28	896.101(5)(a)	3rd	Money laundering, financial
29			transactions exceeding \$300 but
30			less than \$20,000.
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1	896.104(4)(a)1.	3rd	Structuring transactions to evade
2			reporting or registration
3			requirements, financial
4			transactions exceeding \$300 but
5			less than \$20,000.
6	943.0435(4)(c)	2nd	Sexual offender vacating
7			permanent residence; failure to
8			comply with reporting
9			requirements.
10	943.0435(8)	2nd	Sexual offender; remains in state
11			after indicating intent to leave;
12			failure to comply with reporting
13			requirements.
14	943.0435(9)(a)	3rd	Sexual offender; failure to
15			comply with reporting
16			requirements.
17	943.0435(13)	3rd	Failure to report or providing
18			false information about a sexual
19			offender; harbor or conceal a
20			sexual offender.
21	943.0435(14)	3rd	Sexual offender; failure to
22			report and reregister; failure to
23			respond to address verification.
24	944.607(9)	3rd	Sexual offender; failure to
25			comply with reporting
26			requirements.
27	944.607(10)(a)	3rd	Sexual offender; failure to
28			submit to the taking of a
29			digitized photograph.
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1	944.607(12)	3rd	Failure to report or providing
2			false information about a sexual
3			offender; harbor or conceal a
4			sexual offender.
5	944.607(13)	3rd	Sexual offender; failure to
6			report and reregister; failure to
7			respond to address verification.
8			(h) LEVEL 8
9	316.193		
10	(3)(c)3.a.	2nd	DUI manslaughter.
11	316.1935(4)(b)	1st	Aggravated fleeing or attempted
12			eluding with serious bodily
13			injury or death.
14	327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
15	499.0051(7)	1st	Forgery of prescription or legend
16			drug labels.
17	499.0052	1st	Trafficking in contraband legend
18			drugs.
19	560.123(8)(b)2.	2nd	Failure to report currency or
20			payment instruments totaling or
21			exceeding \$20,000, but less than
22			\$100,000 by money transmitter.
23	560.125(5)(b)	2nd	Money transmitter business by
24			unauthorized person, currency or
25			payment instruments totaling or
26			exceeding \$20,000, but less than
27			\$100,000.
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1	655.50(10)(b)2.	2nd	Failure to report financial
2			transactions totaling or
3			exceeding \$20,000, but less than
4			\$100,000 by financial
5			institutions.
6	777.03(2)(a)	1st	Accessory after the fact, capital
7			felony.
8	782.04(4)	2nd	Killing of human without design
9			when engaged in act or attempt of
10			any felony other than arson,
11			sexual battery, robbery,
12			burglary, kidnapping, aircraft
13			piracy, or unlawfully discharging
14			bomb.
15	782.051(2)	1st	Attempted felony murder while
16			perpetrating or attempting to
17			perpetrate a felony not
18			enumerated in s. 782.04(3).
19	782.071(1)(b)	1st	Committing vehicular homicide and
20			failing to render aid or give
21			information.
22	782.072(2)	1st	Committing vessel homicide and
23			failing to render aid or give
24			information.
25	790.161(3)	1st	Discharging a destructive device
26			which results in bodily harm or
27			property damage.
28	794.011(5)	2nd	Sexual battery, victim 12 years
29			or over, offender does not use
30			physical force likely to cause
31			serious injury.

1	800.04(4)	2nd	Lewd or lascivious battery.
2	806.01(1)	1st	Maliciously damage dwelling or
3			structure by fire or explosive,
4			believing person in structure.
5	810.02(2)(a)	1st,PBL	Burglary with assault or battery.
6	810.02(2)(b)	1st,PBL	Burglary; armed with explosives
7			or dangerous weapon.
8	810.02(2)(c)	1st	Burglary of a dwelling or
9			structure causing structural
10			damage or \$1,000 or more property
11			damage.
12	812.014(2)(a)2.	1st	Property stolen; cargo valued at
13			\$50,000 or more, grand theft in
14			1st degree.
15	812.13(2)(b)	1st	Robbery with a weapon.
16	812.135(2)(c)	1st	Home-invasion robbery, no
17			firearm, deadly weapon, or other
18			weapon.
19	817.568(6)	2nd	Fraudulent use of personal
20			identification information of an
21			individual under the age of 18.
22	825.102(2)	2nd	Aggravated abuse of an elderly
23			person or disabled adult.
24	825.1025(2)	2nd	Lewd or lascivious battery upon
25			an elderly person or disabled
26			adult.
27	825.103(2)(a)	1st	Exploiting an elderly person or
28			disabled adult and property is
29			valued at \$100,000 or more.
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1	837.02(2)	2nd	Perjury in official proceedings
2			relating to prosecution of a
3			capital felony.
4	837.021(2)	2nd	Making contradictory statements
5			in official proceedings relating
6			to prosecution of a capital
7			felony.
8	860.121(2)(c)	1st	Shooting at or throwing any
9			object in path of railroad
10			vehicle resulting in great bodily
11			harm.
12	860.16	1st	Aircraft piracy.
13	893.13(1)(b)	1st	Sell or deliver in excess of 10
14			grams of any substance specified
15			in s. 893.03(1)(a) or (b).
16	893.13(2)(b)	1st	Purchase in excess of 10 grams of
17			any substance specified in s.
18			893.03(1)(a) or (b).
19	893.13(6)(c)	1st	Possess in excess of 10 grams of
20			any substance specified in s.
21			893.03(1)(a) or (b).
22	893.135(1)(a)2.	1st	Trafficking in cannabis, more
23			than 2,000 lbs., less than 10,000
24			lbs.
25	893.135		
26	(1)(b)1.b.	1st	Trafficking in cocaine, more than
27			200 grams, less than 400 grams.
28	893.135		
29	(1)(c)1.b.	1st	Trafficking in illegal drugs,
30			more than 14 grams, less than 28
31			grams.

1	893.135		
2	(1)(d)1.b.	1st	Trafficking in phencyclidine,
3			more than 200 grams, less than
4			400 grams.
5	893.135		
6	(1)(e)1.b.	1st	Trafficking in methaqualone, more
7			than 5 kilograms, less than 25
8			kilograms.
9	893.135		
10	(1)(f)1.b.	1st	Trafficking in amphetamine, more
11			than 28 grams, less than 200
12			grams.
13	893.135		
14	(1)(g)1.b.	1st	Trafficking in flunitrazepam, 14
15			grams or more, less than 28
16			grams.
17	893.135		
18	(1)(h)1.b.	1st	Trafficking in
19			gamma-hydroxybutyric acid (GHB),
20			5 kilograms or more, less than 10
21			kilograms.
22	893.135		
23	(1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5
24			kilograms or more, less than 10
25			kilograms.
26	893.135		
27	(1)(k)2.b.	1st	Trafficking in Phenethylamines,
28			200 grams or more, less than 400
29			grams.
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1	895.03(1)	1st	Use or invest proceeds derived
2			from pattern of racketeering
3			activity.
4	895.03(2)	1st	Acquire or maintain through
5			racketeering activity any
6			interest in or control of any
7			enterprise or real property.
8	895.03(3)	1st	Conduct or participate in any
9			enterprise through pattern of
10			racketeering activity.
11	896.101(5)(b)	2nd	Money laundering, financial
12			transactions totaling or
13			exceeding \$20,000, but less than
14			\$100,000.
15	896.104(4)(a)2.	2nd	Structuring transactions to evade
16			reporting or registration
17			requirements, financial
18			transactions totaling or
19			exceeding \$20,000 but less than
20			\$100,000.
21			(i) LEVEL 9
22	316.193		
23	(3)(c)3.b.	1st	DUI manslaughter; failing to
24			render aid or give information.
25	327.35(3)(c)3.b.	1st	BUI manslaughter; failing to
26			render aid or give information.
27	499.00535	1st	Sale or purchase of contraband
28			legend drugs resulting in great
29			bodily harm.
30			
31			

1	560.123(8)(b)3.	1st	Failure to report currency or
2			payment instruments totaling or
3			exceeding \$100,000 by money
4			transmitter.
5	560.125(5)(c)	1st	Money transmitter business by
6			unauthorized person, currency, or
7			payment instruments totaling or
8			exceeding \$100,000.
9	655.50(10)(b)3.	1st	Failure to report financial
10			transactions totaling or
11			exceeding \$100,000 by financial
12			institution.
13	775.0844	1st	Aggravated white collar crime.
14	782.04(1)	1st	Attempt, conspire, or solicit to
15			commit premeditated murder.
16	782.04(3)	1st,PBL	Accomplice to murder in
17			connection with arson, sexual
18			battery, robbery, burglary, and
19			other specified felonies.
20	782.051(1)	1st	Attempted felony murder while
21			perpetrating or attempting to
22			perpetrate a felony enumerated in
23			s. 782.04(3).
24	782.07(2)	1st	Aggravated manslaughter of an
25			elderly person or disabled adult.
26	787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or
27			reward or as a shield or hostage.
28	787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit
29			or facilitate commission of any
30			felony.
31			

1	787.01(1)(a)4.	1st,PBL	Kidnapping with intent to
2			interfere with performance of any
3			governmental or political
4			function.
5	787.02(3)(a)	1st	False imprisonment; child under
6			age 13; perpetrator also commits
7			aggravated child abuse, sexual
8			battery, or lewd or lascivious
9			battery, molestation, conduct, or
10			exhibition.
11	790.161	1st	Attempted capital destructive
12			device offense.
13	790.166(2)	1st,PBL	Possessing, selling, using, or
14			attempting to use a weapon of
15			mass destruction.
16	794.011(2)	1st	Attempted sexual battery; victim
17			less than 12 years of age.
18	794.011(2)	Life	Sexual battery; offender younger
19			than 18 years and commits sexual
20			battery on a person less than 12
21			years.
22	794.011(4)	1st	Sexual battery; victim 12 years
23			or older, certain circumstances.
24	794.011(8)(b)	1st	Sexual battery; engage in sexual
25			conduct with minor 12 to 18 years
26			by person in familial or
27			custodial authority.
28	800.04(5)(b)	Life	Lewd or lascivious molestation;
29			victim less than 12 years;
30			offender 18 years or older.
31			

1	812.13(2)(a)	1st,PBL	Robbery with firearm or other
2			deadly weapon.
3	812.133(2)(a)	1st,PBL	Carjacking; firearm or other
4			deadly weapon.
5	812.135(2)(b)	1st	Home-invasion robbery with
6			weapon.
7	817.568(7)	2nd,PBL	Fraudulent use of personal
8			identification information of an
9			individual under the age of 18 by
10			his or her parent, legal
11			guardian, or person exercising
12			custodial authority.
13	827.03(2)	1st	Aggravated child abuse.
14	847.0145(1)	1st	Selling, or otherwise
15			transferring custody or control,
16			of a minor.
17	847.0145(2)	1st	Purchasing, or otherwise
18			obtaining custody or control, of
19			a minor.
20	859.01	1st	Poisoning or introducing
21			bacteria, radioactive materials,
22			viruses, or chemical compounds
23			into food, drink, medicine, or
24			water with intent to kill or
25			injure another person.
26	893.135	1st	Attempted capital trafficking
27			offense.
28	893.135(1)(a)3.	1st	Trafficking in cannabis, more
29			than 10,000 lbs.
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1	893.135		
2	(1)(b)1.c.	1st	Trafficking in cocaine, more than
3			400 grams, less than 150
4			kilograms.
5	893.135		
6	(1)(c)1.c.	1st	Trafficking in illegal drugs,
7			more than 28 grams, less than 30
8			kilograms.
9	893.135		
10	(1)(d)1.c.	1st	Trafficking in phencyclidine,
11			more than 400 grams.
12	893.135		
13	(1)(e)1.c.	1st	Trafficking in methaqualone, more
14			than 25 kilograms.
15	893.135		
16	(1)(f)1.c.	1st	Trafficking in amphetamine, more
17			than 200 grams.
18	893.135		
19	(1)(h)1.c.	1st	Trafficking in
20			gamma-hydroxybutyric acid (GHB),
21			10 kilograms or more.
22	893.135		
23	(1)(j)1.c.	1st	Trafficking in 1,4-Butanediol, 10
24			kilograms or more.
25	893.135		
26	(1)(k)2.c.	1st	Trafficking in Phenethylamines,
27			400 grams or more.
28	896.101(5)(c)	1st	Money laundering, financial
29			instruments totaling or exceeding
30			\$100,000.
31			

1 896.104(4)(a)3. 1st Structuring transactions to evade
2 reporting or registration
3 requirements, financial
4 transactions totaling or
5 exceeding \$100,000.

6 Section 5. This act shall take effect October 1, 2006.

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8 *****

9 SENATE SUMMARY

10 Revises the definition of the terms "robbery," "robbery
11 by sudden snatching," and "carjacking" to include the
12 unlawful endeavoring to take property. Provides that if
13 an offender threatens to use a weapon or firearm during
14 the course of a robbery, the offender commits a felony of
15 the first degree. Provides criminal penalties.
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