

- 1 7. Burns or scalding.
2 8. Cuts, lacerations, punctures, or bites.
3 9. Disfigurement.
4 10. Loss or impairment of a body part or function.
5 11. Significant bruises or welts.
6 12. Mental injury, as defined in s. 39.01.
7 (2) A parent, legal custodian, or caregiver who
8 knowingly or willfully inflicts inappropriate or excessively
9 harsh corporal discipline upon a child commits a felony of the
10 third degree, punishable as provided in s. 775.082, s.
11 775.083, or s. 775.084.

12 (3) This section does not preclude prosecution under
13 s. 827.03 when a violation of s. 827.03 is charged in lieu of
14 a violation of this section.

15 Section 2. Paragraph (f) of subsection (3) of section
16 921.0022, Florida Statutes, is amended to read: (attached)
17 921.0022 Criminal Punishment Code; offense severity
18 ranking chart.--

19 (3) OFFENSE SEVERITY RANKING CHART

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21 Florida	Felony	
22 Statute	Degree	Description
23		
24		
25		(f) LEVEL 6
26 316.193(2)(b)	3rd	Felony DUI, 4th or subsequent
27		conviction.
28 499.0051(3)	2nd	Forgery of pedigree papers.
29 499.0051(4)	2nd	Purchase or receipt of legend
30		drug from unauthorized person.
31		

1	499.0051(5)	2nd	Sale of legend drug to
2			unauthorized person.
3	775.0875(1)	3rd	Taking firearm from law
4			enforcement officer.
5	784.021(1)(a)	3rd	Aggravated assault; deadly weapon
6			without intent to kill.
7	784.021(1)(b)	3rd	Aggravated assault; intent to
8			commit felony.
9	784.041	3rd	Felony battery.
10	784.048(3)	3rd	Aggravated stalking; credible
11			threat.
12	784.048(5)	3rd	Aggravated stalking of person
13			under 16.
14	784.07(2)(c)	2nd	Aggravated assault on law
15			enforcement officer.
16	784.074(1)(b)	2nd	Aggravated assault on sexually
17			violent predators facility staff.
18	784.08(2)(b)	2nd	Aggravated assault on a person 65
19			years of age or older.
20	784.081(2)	2nd	Aggravated assault on specified
21			official or employee.
22	784.082(2)	2nd	Aggravated assault by detained
23			person on visitor or other
24			detainee.
25	784.083(2)	2nd	Aggravated assault on code
26			inspector.
27	787.02(2)	3rd	False imprisonment; restraining
28			with purpose other than those in
29			s. 787.01.
30	790.115(2)(d)	2nd	Discharging firearm or weapon on
31			school property.

1	790.161(2)	2nd	Make, possess, or throw
2			destructive device with intent to
3			do bodily harm or damage
4			property.
5	790.164(1)	2nd	False report of deadly explosive,
6			weapon of mass destruction, or
7			act of arson or violence to state
8			property.
9	790.19	2nd	Shooting or throwing deadly
10			missiles into dwellings, vessels,
11			or vehicles.
12	794.011(8)(a)	3rd	Solicitation of minor to
13			participate in sexual activity by
14			custodial adult.
15	794.05(1)	2nd	Unlawful sexual activity with
16			specified minor.
17	800.04(5)(d)	3rd	Lewd or lascivious molestation;
18			victim 12 years of age or older
19			but less than 16 years; offender
20			less than 18 years.
21	800.04(6)(b)	2nd	Lewd or lascivious conduct;
22			offender 18 years of age or
23			older.
24	806.031(2)	2nd	Arson resulting in great bodily
25			harm to firefighter or any other
26			person.
27	810.02(3)(c)	2nd	Burglary of occupied structure;
28			unarmed; no assault or battery.
29	812.014(2)(b)1.	2nd	Property stolen \$20,000 or more,
30			but less than \$100,000, grand
31			theft in 2nd degree.

1	812.015(9)	2nd	Retail theft; property stolen
2			\$300 or more; second or
3			subsequent conviction.
4	812.13(2)(c)	2nd	Robbery, no firearm or other
5			weapon (strong-arm robbery).
6	817.034(4)(a)1.	1st	Communications fraud, value
7			greater than \$50,000.
8	817.4821(5)	2nd	Possess cloning paraphernalia
9			with intent to create cloned
10			cellular telephones.
11	825.102(1)	3rd	Abuse of an elderly person or
12			disabled adult.
13	825.102(3)(c)	3rd	Neglect of an elderly person or
14			disabled adult.
15	825.1025(3)	3rd	Lewd or lascivious molestation of
16			an elderly person or disabled
17			adult.
18	825.103(2)(c)	3rd	Exploiting an elderly person or
19			disabled adult and property is
20			valued at less than \$20,000.
21	827.03(1)	3rd	Abuse of a child.
22	<u>827.032</u>	<u>3rd</u>	<u>Inappropriate or excessively</u>
23			<u>harsh corporal discipline by a</u>
24			<u>parent, legal custodian or</u>
25			<u>caregiver upon a child.</u>
26	827.03(3)(c)	3rd	Neglect of a child.
27	827.071(2)&(3)	2nd	Use or induce a child in a sexual
28			performance, or promote or direct
29			such performance.
30	836.05	2nd	Threats; extortion.
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1	836.10	2nd	Written threats to kill or do
2			bodily injury.
3	843.12	3rd	Aids or assists person to escape.
4	847.0135(2)	3rd	Facilitates sexual conduct of or
5			with a minor or the visual
6			depiction of such conduct.
7	914.23	2nd	Retaliation against a witness,
8			victim, or informant, with bodily
9			injury.
10	944.35(3)(a)2.	3rd	Committing malicious battery upon
11			or inflicting cruel or inhuman
12			treatment on an inmate or
13			offender on community
14			supervision, resulting in great
15			bodily harm.
16	944.40	2nd	Escapes.
17	944.46	3rd	Harboring, concealing, aiding
18			escaped prisoners.
19	944.47(1)(a)5.	2nd	Introduction of contraband
20			(firearm, weapon, or explosive)
21			into correctional facility.
22	951.22(1)	3rd	Intoxicating drug, firearm, or
23			weapon introduced into county
24			facility.
25	Section 3.		This act shall take effect October 1, 2006.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 2266

Instead of adding the provision to s. 827.03, F.S., the bill creates a new section of criminal law, s. 827.032, F.S., incorporating the definition of "harm" found in s. 39.01(30).

It amends s. 921.0022, F.S., to add the new section to the offense severity ranking chart contained in that section.