

1 A bill to be entitled
 2 An act relating to criminal conduct; amending s. 827.03,
 3 F.S.; defining the term "mental injury"; exempting
 4 constitutionally protected acts from prohibitions on child
 5 abuse, aggravated child abuse, and neglect; amending ss.
 6 775.084, 775.0877, 782.07, 921.0022, 943.325, and 948.062,
 7 F.S.; conforming cross-references; amending s. 960.03,
 8 F.S.; redefining the term "crime" for purposes of crime
 9 victims compensation to include additional forms of
 10 injury; providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Section 827.03, Florida Statutes, is amended to
 15 read:

16 827.03 Abuse, aggravated abuse, and neglect of a child;
 17 penalties.--

18 (1) DEFINITIONS.--For purposes of this section:

19 (a) "Aggravated child abuse" occurs when a person:

20 1. Commits aggravated battery on a child;

21 2. Willfully tortures, maliciously punishes, or willfully
 22 and unlawfully cages a child; or

23 3. Knowingly or willfully abuses a child and in so doing
 24 causes great bodily harm, permanent disability, or permanent
 25 disfigurement to the child.

26 (b) "Child abuse" means:

27 1.~~(a)~~ Intentional infliction of physical or mental injury
 28 upon a child;

29 ~~2.(b)~~ An intentional act that could reasonably be expected
 30 to result in physical or mental injury to a child; or

31 ~~3.(e)~~ Active encouragement of any person to commit an act
 32 that results or could reasonably be expected to result in
 33 physical or mental injury to a child.

34
 35 ~~A person who knowingly or willfully abuses a child without~~
 36 ~~causing great bodily harm, permanent disability, or permanent~~
 37 ~~disfigurement to the child commits a felony of the third degree,~~
 38 ~~punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

39 ~~(2) "Aggravated child abuse" occurs when a person:~~

40 ~~(a) Commits aggravated battery on a child;~~

41 ~~(b) Willfully tortures, maliciously punishes, or willfully~~
 42 ~~and unlawfully cages a child; or~~

43 ~~(c) Knowingly or willfully abuses a child and in so doing~~
 44 ~~causes great bodily harm, permanent disability, or permanent~~
 45 ~~disfigurement to the child.~~

46
 47 ~~A person who commits aggravated child abuse commits a felony of~~
 48 ~~the first degree, punishable as provided in s. 775.082, s.~~
 49 ~~775.083, or s. 775.084.~~

50 (c) "Maliciously" means wrongfully, intentionally, and
 51 without legal justification or excuse. Maliciousness may be
 52 established by circumstances from which one could conclude that
 53 a reasonable parent would not have engaged in the damaging acts
 54 toward the child for any valid reason and that the primary
 55 purpose of the acts was to cause the victim unjustifiable pain
 56 or injury.

57 (d) "Mental injury" shall have the same meaning as
 58 provided in s. 39.01.

59 (e)(3)(a) "Neglect of a child" means:

60 1. A caregiver's failure or omission to provide a child
 61 with the care, supervision, and services necessary to maintain
 62 the child's physical and mental health, including, but not
 63 limited to, food, nutrition, clothing, shelter, supervision,
 64 medicine, and medical services that a prudent person would
 65 consider essential for the well-being of the child; or

66 2. A caregiver's failure to make a reasonable effort to
 67 protect a child from abuse, neglect, or exploitation by another
 68 person.

69
 70 Neglect of a child may be based on repeated conduct or on a
 71 single incident or omission that results in, or could reasonably
 72 be expected to result in, serious physical or mental injury, or
 73 a substantial risk of death, to a child.

74 (2) OFFENSES.--

75 (a) A person who commits aggravated child abuse commits a
 76 felony of the first degree, punishable as provided in s.
 77 775.082, s. 775.083, or s. 775.084.

78 (b) A person who willfully or by culpable negligence
 79 neglects a child and in so doing causes great bodily harm,
 80 permanent disability, or permanent disfigurement to the child
 81 commits a felony of the second degree, punishable as provided in
 82 s. 775.082, s. 775.083, or s. 775.084.

83 (c) A person who knowingly or willfully abuses a child
 84 without causing great bodily harm, permanent disability, or

85 permanent disfigurement to the child commits a felony of the
 86 third degree, punishable as provided in s. 775.082, s. 775.083,
 87 or s. 775.084.

88 (d)~~(e)~~ A person who willfully or by culpable negligence
 89 neglects a child without causing great bodily harm, permanent
 90 disability, or permanent disfigurement to the child commits a
 91 felony of the third degree, punishable as provided in s.
 92 775.082, s. 775.083, or s. 775.084.

93 (3) EXCEPTION.--An act does not violate this section if it
 94 is protected by the First Amendment to the United States
 95 Constitution or s. 4, Art. I of the State Constitution.

96 ~~(4) For purposes of this section, "maliciously" means~~
 97 ~~wrongfully, intentionally, and without legal justification or~~
 98 ~~excuse. Maliciousness may be established by circumstances from~~
 99 ~~which one could conclude that a reasonable parent would not have~~
 100 ~~engaged in the damaging acts toward the child for any valid~~
 101 ~~reason and that the primary purpose of the acts was to cause the~~
 102 ~~victim unjustifiable pain or injury.~~

103 Section 2. Paragraph (d) of subsection (1) of section
 104 775.084, Florida Statutes, is amended to read:

105 775.084 Violent career criminals; habitual felony
 106 offenders and habitual violent felony offenders; three-time
 107 violent felony offenders; definitions; procedure; enhanced
 108 penalties or mandatory minimum prison terms.--

109 (1) As used in this act:

110 (d) "Violent career criminal" means a defendant for whom
 111 the court must impose imprisonment pursuant to paragraph (4) (d),
 112 if it finds that:

113 1. The defendant has previously been convicted as an adult
 114 three or more times for an offense in this state or other
 115 qualified offense that is:

- 116 a. Any forcible felony, as described in s. 776.08;
- 117 b. Aggravated stalking, as described in s. 784.048(3) and
 118 (4);
- 119 c. Aggravated child abuse, as described in s.
 120 827.03(2) (a);
- 121 d. Aggravated abuse of an elderly person or disabled
 122 adult, as described in s. 825.102(2);
- 123 e. Lewd or lascivious battery, lewd or lascivious
 124 molestation, lewd or lascivious conduct, or lewd or lascivious
 125 exhibition, as described in s. 800.04;
- 126 f. Escape, as described in s. 944.40; or
- 127 g. A felony violation of chapter 790 involving the use or
 128 possession of a firearm.

129 2. The defendant has been incarcerated in a state prison
 130 or a federal prison.

131 3. The primary felony offense for which the defendant is
 132 to be sentenced is a felony enumerated in subparagraph 1. and
 133 was committed on or after October 1, 1995, and:

- 134 a. While the defendant was serving a prison sentence or
 135 other sentence, or court-ordered or lawfully imposed supervision
 136 that is imposed as a result of a prior conviction for an
 137 enumerated felony; or
- 138 b. Within 5 years after the conviction of the last prior
 139 enumerated felony, or within 5 years after the defendant's
 140 release from a prison sentence, probation, community control,

141 control release, conditional release, parole, or court-ordered
 142 or lawfully imposed supervision or other sentence that is
 143 imposed as a result of a prior conviction for an enumerated
 144 felony, whichever is later.

145 4. The defendant has not received a pardon for any felony
 146 or other qualified offense that is necessary for the operation
 147 of this paragraph.

148 5. A conviction of a felony or other qualified offense
 149 necessary to the operation of this paragraph has not been set
 150 aside in any postconviction proceeding.

151 Section 3. Paragraphs (h) and (i) of subsection (1) of
 152 section 775.0877, Florida Statutes, are amended to read:

153 775.0877 Criminal transmission of HIV; procedures;
 154 penalties.--

155 (1) In any case in which a person has been convicted of or
 156 has pled nolo contendere or guilty to, regardless of whether
 157 adjudication is withheld, any of the following offenses, or the
 158 attempt thereof, which offense or attempted offense involves the
 159 transmission of body fluids from one person to another:

160 (h) Section 827.03(2)(c)~~(1)~~, relating to child abuse,

161 (i) Section 827.03(2)(a), relating to aggravated child
 162 abuse,

163

164 the court shall order the offender to undergo HIV testing, to be
 165 performed under the direction of the Department of Health in
 166 accordance with s. 381.004, unless the offender has undergone
 167 HIV testing voluntarily or pursuant to procedures established in
 168 s. 381.004(3)(h)6. or s. 951.27, or any other applicable law or

CS/HB 1169

2007

169 rule providing for HIV testing of criminal offenders or inmates,
 170 subsequent to her or his arrest for an offense enumerated in
 171 paragraphs (a)-(n) for which she or he was convicted or to which
 172 she or he pled nolo contendere or guilty. The results of an HIV
 173 test performed on an offender pursuant to this subsection are
 174 not admissible in any criminal proceeding arising out of the
 175 alleged offense.

176 Section 4. Subsection (3) of section 782.07, Florida
 177 Statutes, is amended to read:

178 782.07 Manslaughter; aggravated manslaughter of an elderly
 179 person or disabled adult; aggravated manslaughter of a child;
 180 aggravated manslaughter of an officer, a firefighter, an
 181 emergency medical technician, or a paramedic.--

182 (3) A person who causes the death of any person under the
 183 age of 18 by culpable negligence under s. 827.03(2)(b)~~(3)~~
 184 commits aggravated manslaughter of a child, a felony of the
 185 first degree, punishable as provided in s. 775.082, s. 775.083,
 186 or s. 775.084.

187 Section 5. Paragraphs (f), (g), and (i) of subsection (3)
 188 of section 921.0022, Florida Statutes, are amended to read:

189 921.0022 Criminal Punishment Code; offense severity
 190 ranking chart.--

191 (3) OFFENSE SEVERITY RANKING CHART

Florida	Felony	
Statute	Degree	Description
		(f) LEVEL 6

192

193

CS/HB 1169

2007

194	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
195	499.0051 (3)	2nd	Forgery of pedigree papers.
196	499.0051 (4)	2nd	Purchase or receipt of legend drug from unauthorized person.
197	499.0051 (5)	2nd	Sale of legend drug to unauthorized person.
198	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
199	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
200	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
201	784.041	3rd	Felony battery.
202	784.048 (3)	3rd	Aggravated stalking; credible threat.
203	784.048 (5)	3rd	Aggravated stalking of person under 16.

CS/HB 1169

2007

204	784.07(2)(c)	2nd	Aggravated assault on law enforcement officer.
205	784.074(1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.
206	784.08(2)(b)	2nd	Aggravated assault on a person 65 years of age or older.
207	784.081(2)	2nd	Aggravated assault on specified official or employee.
208	784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
209	784.083(2)	2nd	Aggravated assault on code inspector.
210	787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
211	790.115(2)(d)	2nd	Discharging firearm or weapon on school property.

CS/HB 1169

2007

212	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
213	790.164 (1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
214	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
215	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
216	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
217	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
	800.04 (6) (b)	2nd	Lewd or lascivious conduct;

CS/HB 1169

2007

			offender 18 years of age or older.
218	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
219	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
220	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
221	812.015 (9)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
222	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
223	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
224	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
225			

CS/HB 1169

2007

226	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
227	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
228	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
229	825.103 (2) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
230	827.03 <u>(2) (c)</u> (1)	3rd	Abuse of a child.
231	827.03 <u>(2) (d)</u> (3) (e)	3rd	Neglect of a child.
232	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
233	836.05	2nd	Threats; extortion.
234	836.10	2nd	Written threats to kill or do bodily injury.

CS/HB 1169

2007

235	843.12	3rd	Aids or assists person to escape.
236	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
237	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
238	944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
239	944.40	2nd	Escapes.
240	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
241	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.

CS/HB 1169

2007

242	951.22 (1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
243			(g) LEVEL 7
244	316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
245	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
246	316.1935 (3) (b)	1st	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.
247	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm,

CS/HB 1169

2007

			permanent disfiguration, permanent disability, or death.
248	409.920 (2)	3rd	Medicaid provider fraud.
249	456.065 (2)	3rd	Practicing a health care profession without a license.
250	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
251	458.327 (1)	3rd	Practicing medicine without a license.
252	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
253	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
254	461.012 (1)	3rd	Practicing podiatric medicine without a license.
255	462.17	3rd	Practicing naturopathy without a license.
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CS/HB 1169

2007

257	463.015 (1)	3rd	Practicing optometry without a license.
258	464.016 (1)	3rd	Practicing nursing without a license.
259	465.015 (2)	3rd	Practicing pharmacy without a license.
260	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
261	467.201	3rd	Practicing midwifery without a license.
262	468.366	3rd	Delivering respiratory care services without a license.
263	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
264	483.901 (9)	3rd	Practicing medical physics without a license.
265	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.

CS/HB 1169

2007

266	484.053	3rd	Dispensing hearing aids without a license.
267	494.0018(2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
268	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
269	560.125(5)(a)	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
270	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
	775.21(10)(a)	3rd	Sexual predator; failure to

CS/HB 1169

2007

register; failure to renew driver's license or identification card; other registration violations.

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775.21(10)(b) 3rd

Sexual predator working where children regularly congregate.

272

775.21(10)(g) 3rd

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

273

782.051(3) 2nd

Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

274

782.07(1) 2nd

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

275

782.071 2nd

Killing of human being or viable fetus by the operation of a motor vehicle in a

CS/HB 1169

2007

276			reckless manner (vehicular homicide).
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
277			
	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
278			
	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
279			
	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
280			
	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
281			
	784.048 (7)	3rd	Aggravated stalking; violation of court order.
282			
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
283			

CS/HB 1169

2007

284	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
285	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
286	784.081 (1)	1st	Aggravated battery on specified official or employee.
287	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
288	784.083 (1)	1st	Aggravated battery on code inspector.
289	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
290	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
291	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.

CS/HB 1169

2007

292	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
293	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
294	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
295	796.03	2nd	Procuring any person under 16 years for prostitution.
296	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
297	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.

CS/HB 1169

2007

298	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
299	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
300	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
301	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
302	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
303	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
	812.014 (2) (b) 3.	2nd	Property stolen, emergency

CS/HB 1169

2007

			medical equipment; 2nd degree grand theft.
304	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
305	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
306	812.131 (2) (a)	2nd	Robbery by sudden snatching.
307	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
308	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
309	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
310	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
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CS/HB 1169

2007

312	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.
313	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
314	825.103 (2) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
315	827.03 <u>(2)</u> (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
316	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
	837.05 (2)	3rd	Giving false information about

CS/HB 1169

2007

			alleged capital felony to a law enforcement officer.
317			
	838.015	2nd	Bribery.
318			
	838.016	2nd	Unlawful compensation or reward for official behavior.
319			
	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
320			
	838.22	2nd	Bid tampering.
321			
	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
322			
	872.06	2nd	Abuse of a dead human body.
323			
	893.13 (1) (c) 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 a child care facility, school, or state, county, or municipal

CS/HB 1169

2007

park or publicly owned recreational facility or community center.

324

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 business site.

325

893.13 (4) (a) 1st

Deliver to minor cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4. drugs).

326

893.135 (1) (a) 1. 1st

Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

327

893.135 (1) (b) 1.a. 1st

Trafficking in cocaine, more than 28 grams, less than 200 grams.

328

893.135 (1) (c) 1.a. 1st

Trafficking in illegal drugs,

CS/HB 1169

2007

			more than 4 grams, less than 14 grams.
329	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
330	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
331	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
332	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
333	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
334	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
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CS/HB 1169

2007

336	893.135 (1) (k) 2. a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
337	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
338	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
339	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
340	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
341	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.

CS/HB 1169

2007

342	943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
343	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
344	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
345	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
346	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
347	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.

CS/HB 1169

2007

(i) LEVEL 9

348

316.193 (3) (c) 3.b. 1st DUI manslaughter; failing to render aid or give information.

349

327.35 (3) (c) 3.b. 1st BUI manslaughter; failing to render aid or give information.

350

499.00535 1st Sale or purchase of contraband legend drugs resulting in great bodily harm.

351

560.123 (8) (b) 3. 1st Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.

352

560.125 (5) (c) 1st Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.

353

655.50 (10) (b) 3. 1st Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.

354

CS/HB 1169

2007

355	775.0844	1st	Aggravated white collar crime.
356	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
357	782.04 (3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
358	782.051 (1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04 (3).
359	782.07 (2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
360	787.01 (1) (a) 1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
361	787.01 (1) (a) 2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.

CS/HB 1169

2007

362	787.01(1)(a)4.	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
363	787.02(3)(a)	1st	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
364	790.161	1st	Attempted capital destructive device offense.
365	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
366	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a

CS/HB 1169

2007

person less than 12 years.

367

794.011 (4) 1st Sexual battery; victim 12 years or older, certain circumstances.

368

794.011 (8) (b) 1st Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.

369

800.04 (5) (b) Life Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.

370

812.13 (2) (a) 1st, PBL Robbery with firearm or other deadly weapon.

371

812.133 (2) (a) 1st, PBL Carjacking; firearm or other deadly weapon.

372

812.135 (2) (b) 1st Home-invasion robbery with weapon.

373

817.568 (7) 2nd, PBL Fraudulent use of personal identification information of an individual under the age of

CS/HB 1169

2007

18 by his or her parent, legal guardian, or person exercising custodial authority.

374

827.03 (2) (a) 1st

Aggravated child abuse.

375

847.0145 (1) 1st

Selling, or otherwise transferring custody or control, of a minor.

376

847.0145 (2) 1st

Purchasing, or otherwise obtaining custody or control, of a minor.

377

859.01 1st

Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.

378

893.135 1st

Attempted capital trafficking offense.

379

893.135 (1) (a) 3. 1st

Trafficking in cannabis, more than 10,000 lbs.

380

CS/HB 1169

2007

381	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
382	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
383	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
384	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
385	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
386	893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
387	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
388	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.

CS/HB 1169

2007

896.101(5)(c) 1st Money laundering, financial instruments totaling or exceeding \$100,000.

389

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

390

391 Section 6. Paragraph (b) of subsection (1) of section
392 943.325, Florida Statutes, is amended to read:

393 943.325 Blood or other biological specimen testing for DNA
394 analysis.--

395 (1)

396 (b)1. Chapter 794, chapter 800, s. 782.04, s. 784.045, s.
397 810.02, s. 812.133, or s. 812.135.

398 2. Effective July 1, 2002, and contingent upon specific
399 appropriation, s. 812.13 or s. 812.131.

400 3. Effective July 1, 2003, and contingent upon specific
401 appropriation, chapter 787 or s. 782.07.

402 4. Effective July 1, 2004, and contingent upon specific
403 appropriation, any forcible felony, as described in s. 776.08,
404 aggravated child abuse, as described in s. 827.03(2) (a),
405 aggravated abuse of an elderly person or a disabled adult, as
406 described in s. 825.102(2), or any felony violation of chapter
407 790 involving the use or possession of a firearm.

408 5. Effective July 1, 2005, and contingent upon specific
409 appropriation, any felony offense.

410 Section 7. Paragraph (f) of subsection (1) of section
411 948.062, Florida Statutes, is amended to read:

412 948.062 Reviewing and reporting serious offenses committed
413 by offenders placed on probation or community control.--

414 (1) The department shall review the circumstances related
415 to an offender placed on probation or community control who has
416 been arrested while on supervision for the following offenses:

417 (f) Any aggravated child abuse as provided in s.
418 827.03(2) (a);

419 Section 8. Paragraph (a) of subsection (3) of section
420 960.03, Florida Statutes, is amended to read:

421 960.03 Definitions; ss. 960.01-960.28.--As used in ss.
422 960.01-960.28, unless the context otherwise requires, the term:

423 (3) "Crime" means:

424 (a) A felony or misdemeanor offense committed by either an
425 adult or a juvenile which results in physical injury or death,
426 including a felony or misdemeanor offense committed by either an
427 adult or a juvenile which results in psychiatric or
428 psychological injury to a person less than 18 years of age who
429 was not physically injured by the criminal act. The term also
430 includes any such criminal act which is committed within this
431 state but which falls exclusively within federal jurisdiction.

432 Section 9. This act shall take effect July 1, 2007.