

1 A bill to be entitled
2 An act relating to prostitution; creating s. 796.011,
3 F.S.; providing definitions; amending s. 796.03, F.S.;
4 increasing penalties for procuring a minor for
5 prostitution; amending s. 796.04, F.S.; providing enhanced
6 penalties for forcing, compelling, or coercing another to
7 become a prostitute; amending and redesignating s.
8 796.035, F.S., and amending s. 796.045, F.S.; increasing
9 penalties for selling or buying minors into sex
10 trafficking or prostitution; revising provisions relating
11 to sex trafficking; increasing penalties; amending s.
12 796.05, F.S.; revising provisions prohibiting deriving
13 support or maintenance from earnings of prostitution;
14 amending s. 796.06, F.S.; revising provisions prohibiting
15 rental of certain facilities for prohibited activities;
16 prohibiting the owner or operator of any adult
17 entertainment establishment or unlicensed massage
18 establishment from allowing it to be used for advertising,
19 facilitating, soliciting, promoting, or arranging certain
20 prohibited activities; providing penalties; prohibiting
21 persons having direct control over or the ability to edit
22 the content of a web page from allowing it to be used for
23 advertising, facilitating, soliciting, promoting, or
24 arranging certain prohibited activities; providing
25 penalties; amending s. 796.07, F.S.; revising provisions
26 prohibiting prostitution, lewdness, and assignation;
27 amending s. 796.09, F.S.; revising provisions providing a
28 civil action against persons who coerce or induce certain

29 | activities; providing for actions against the owner or
30 | operator of any adult entertainment establishment or
31 | unlicensed massage establishment used to facilitate
32 | certain prohibited activities or persons having direct
33 | control over or the ability to edit the content of a web
34 | page used to facilitate certain prohibited activities;
35 | creating s. 796.101, F.S.; providing that certain
36 | information provided by persons with knowledge relating to
37 | certain violations or information discovered as a result
38 | of such information may not be used against such persons
39 | in certain proceedings; providing exceptions; providing
40 | applicability; creating s. 796.11, F.S.; requiring the
41 | Department of Law Enforcement to create a website
42 | containing certain information about persons convicted of
43 | specified violations; creating s. 938.14, F.S.; providing
44 | for an assessment to be paid by violators of specified
45 | provisions; providing for disposition and use of funds;
46 | amending s. 938.10, F.S., relating to additional court
47 | costs imposed in cases of certain crimes against minors,
48 | to conform; amending s. 772.102, F.S.; expanding the
49 | definition of the term "criminal activity" to include the
50 | offense of facilitating certain offenses for purposes of
51 | seeking civil remedies for criminal offenses; amending s.
52 | 895.02, F.S.; redefining the term "racketeering activity"
53 | to revise the offenses included for purposes of the
54 | Florida RICO Act; amending s. 932.7055, F.S.; providing
55 | for disposition of portions of forfeited property to
56 | persons providing material information concerning

57 specified violations and to state attorneys prosecuting
 58 such violations; amending ss. 322.28, 775.21, 943.0435,
 59 944.606, and 944.607, F.S.; conforming cross-references;
 60 amending s. 921.0022, F.S.; conforming the Offense
 61 Severity Ranking chart of the criminal punishment code;
 62 providing an effective date.

63
 64
 65
 66
 67
 68
 69
 70
 71
 72
 73
 74
 75
 76
 77
 78
 79
 80
 81
 82

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

Section 1. Section 796.011, Florida Statutes, is created to read:

796.011 Definitions.--As used in this chapter, the term:

(1) "Assignment" means the making of any appointment or engagement for prostitution or lewdness, or any act in furtherance of such appointment or engagement.

(2) "Coercion" means any practice of domination or restraint for the purpose of or with the reasonably foreseeable effect of causing another person to engage in or remain in prostitution or to relinquish earnings derived from prostitution, and includes, but is not limited to:

- (a) Physical force or threat of physical force.
- (b) Physical or mental torture.
- (c) Kidnapping.
- (d) Blackmail.
- (e) Extortion or claims of indebtedness.
- (f) Threat of legal complaint or report of delinquency.

83 (g) Threatening to interfere with parental rights or
 84 responsibilities, whether by judicial or administrative action
 85 or otherwise.

86 (h) Restraint of speech or communication with others.

87 (i) Exploitation of a condition of developmental
 88 disability, cognitive limitation, affective disorder, or
 89 substance dependency.

90 (j) Exploitation of victimization by sexual abuse.

91 (k) Exploitation of pornographic performance.

92 (l) Exploitation of human needs for food, shelter, safety,
 93 or affection.

94 (3) "Inducement" means something offered for the purpose
 95 of or with the reasonably foreseeable effect of causing another
 96 person to engage in or remain in prostitution or to relinquish
 97 earnings derived from prostitution, and includes, but is not
 98 limited to:

99 (a) Promise of legal benefit.

100 (b) Promise of financial or material reward.

101 (c) Promise of marriage.

102 (4) "Lewdness" means any indecent or obscene act.

103 (5) "Prostitution" means the giving or receiving of the
 104 body for sexual activity for hire; however, the term does not
 105 include sexual activity between spouses.

106 (6) "Sexual activity" means oral, anal, or vaginal
 107 penetration by, or union with, the sexual organ of another; anal
 108 or vaginal penetration of another by any other object; or the
 109 handling or fondling of the sexual organ of another for the

HB 1231

2007

110 purpose of masturbation; however, the term does not include acts
 111 done for bona fide medical purposes.

112 Section 2. Section 796.03, Florida Statutes, is amended to
 113 read:

114 796.03 Procuring minor ~~person under age of 18~~ for
 115 prostitution.--A person who procures for prostitution, or causes
 116 to be prostituted, any minor ~~person who is under the age of 18~~
 117 ~~years~~ commits a felony of the first ~~second~~ degree, punishable as
 118 provided in s. 775.082, s. 775.083, or s. 775.084.

119 Section 3. Section 796.04, Florida Statutes, is amended to
 120 read:

121 796.04 Forcing, compelling, or coercing another to become
 122 a prostitute.--

123 ~~(1) After May 1, 1943, It is shall be~~ unlawful for anyone
 124 to force, compel, or coerce another to become a prostitute.

125 ~~(2) A person anyone~~ violating this section commits shall
 126 ~~be guilty of~~ a felony of the first ~~third~~ degree, punishable as
 127 provided in s. 775.082, s. 775.083, or s. 775.084.

128 Section 4. Section 796.035, Florida Statutes, is
 129 redesignated as paragraph (b) of subsection (2) of section
 130 796.045, Florida Statutes, and amended, and section 796.045,
 131 Florida Statutes, is amended, to read:

132 796.045 Sex trafficking; penalties.--

133 (1) Except as provided subsection (2), any person who
 134 knowingly recruits, entices, harbors, transports, provides, or
 135 obtains by any means a person, knowing that force, fraud, or
 136 coercion will be used to cause that person to engage in
 137 prostitution, commits the offense of sex trafficking, a felony

HB 1231

2007

138 of the first ~~second~~ degree, punishable as provided in s.
 139 775.082, s. 775.083, or s. 775.084.

140 (2) (a) Any A person who violates paragraph (a) and ~~commits~~
 141 ~~a felony of the first degree, punishable as provided in s.~~
 142 ~~775.082, s. 775.083, or s. 775.084, if the offense of sex~~
 143 ~~trafficking is committed against a minor person who is under the~~
 144 ~~age of 14 or if the such offense results in death; or-~~

145 (b) 796.035 ~~Selling or buying of minors into sex~~
 146 ~~trafficking or prostitution; penalties.~~ Any parent, legal
 147 guardian, or other person having custody or control of a minor
 148 who sells or otherwise transfers custody or control of such
 149 minor, or offers to sell or otherwise transfer custody of such
 150 minor, with knowledge that, as a consequence of the sale or
 151 transfer, force, fraud, or coercion will be used to cause the
 152 minor to engage in prostitution or otherwise participate in the
 153 trade of sex trafficking,

154
 155 commits a life felony ~~of the first degree~~, punishable as
 156 provided in s. 775.082, s. 775.083, or s. 775.084.

157 Section 5. Subsection (1) of section 796.05, Florida
 158 Statutes, is amended to read:

159 796.05 Deriving support from the proceeds of
 160 prostitution.--

161 (1) It shall be unlawful for any person with reasonable
 162 belief or knowing another person is engaged in prostitution to
 163 live or derive support or maintenance in whole or in part,
 164 directly or indirectly, from what is believed to be the earnings
 165 or proceeds of such person's prostitution.

166 Section 6. Section 796.06, Florida Statutes, is amended to
 167 read:

168 796.06 Furthering activity prohibited under this chapter
 169 ~~Renting space to be used for lewdness, assignation, or~~
 170 ~~prostitution.--~~

171 (1) Any person who owns, establishes, maintains, lets,
 172 rents, or operates ~~It is unlawful to let, or rent~~ any place,
 173 structure, or part thereof, or trailer or other conveyance and
 174 who knows or should know ~~, with the knowledge~~ that it will be
 175 used for the purpose of activity prohibited under this chapter
 176 commits a felony of the third degree, punishable as provided in
 177 s. 775.082, s. 775.083, or s. 775.084 ~~lewdness, assignation, or~~
 178 ~~prostitution.~~

179 (2) The owner or operator of any adult entertainment
 180 establishment or unlicensed massage establishment as defined in
 181 s. 847.001 who knows or should know that the establishment is
 182 being used, in whole or in part, for the purpose of advertising,
 183 facilitating, soliciting, promoting, or arranging any activity
 184 prohibited under this chapter, whether or not the owner or
 185 operator derives income from the prohibited activity, commits a
 186 felony of the third degree, punishable as provided in s.
 187 775.082, s. 775.083, or s. 775.084.

188 (3) Any person having direct control over or the ability
 189 to edit the content of a web page who places, causes to be
 190 placed, or allows to remain, after notification of activity
 191 prohibited under this chapter, any language or other content on
 192 such web page for the purpose of advertising, facilitating,
 193 soliciting, promoting, or arranging any activity prohibited by

194 this chapter, whether or not the person in control derives
 195 income from the prohibited language, content, or activity,
 196 commits a felony of the third degree, punishable as provided in
 197 s. 775.082, s. 775.083, or s. 775.084.

198 ~~(2) A person who violates this section commits:~~

199 ~~(a) A misdemeanor of the second degree for a first~~
 200 ~~violation, punishable as provided in s. 775.082 or s. 775.083.~~

201 ~~(b) A misdemeanor of the first degree for a second or~~
 202 ~~subsequent violation, punishable as provided in s. 775.082 or s.~~
 203 ~~775.083.~~

204 Section 7. Section 796.07, Florida Statutes, is amended to
 205 read:

206 796.07 Prohibiting prostitution, lewdness, and assignation
 207 ~~etc.; evidence; penalties; definitions.--~~

208 ~~(1) As used in this section:~~

209 ~~(a) "Prostitution" means the giving or receiving of the~~
 210 ~~body for sexual activity for hire but excludes sexual activity~~
 211 ~~between spouses.~~

212 ~~(b) "Lewdness" means any indecent or obscene act.~~

213 ~~(c) "Assignation" means the making of any appointment or~~
 214 ~~engagement for prostitution or lewdness, or any act in~~
 215 ~~furtherance of such appointment or engagement.~~

216 ~~(d) "Sexual activity" means oral, anal, or vaginal~~
 217 ~~penetration by, or union with, the sexual organ of another; anal~~
 218 ~~or vaginal penetration of another by any other object; or the~~
 219 ~~handling or fondling of the sexual organ of another for the~~
 220 ~~purpose of masturbation; however, the term does not include acts~~
 221 ~~done for bona fide medical purposes.~~

222 (1)~~(2)~~ It is unlawful for a person:

223 ~~(a) To own, establish, maintain, or operate any place,~~

224 ~~structure, building, or conveyance for the purpose of lewdness,~~

225 ~~assignation, or prostitution.~~

226 (a)~~(b)~~ To offer, or to offer or agree to secure, any other

227 person ~~another~~ for the purpose of prostitution, lewdness, or

228 assignation ~~or for any other lewd or indecent act.~~

229 (b)~~(e)~~ To receive, or to offer or agree to receive, any

230 person into any place, structure, building, or trailer or other

231 conveyance for the purpose of prostitution, lewdness, or

232 assignation, ~~or to permit any person to remain there for such~~

233 ~~purpose.~~

234 (c)~~(d)~~ To direct, take, or transport, or to offer or agree

235 to direct, take, or transport, any person to any place,

236 structure, ~~or~~ building, or trailer or other conveyance or to any

237 other person, with knowledge or reasonable cause to believe that

238 the purpose of such directing, taking, or transporting is

239 prostitution, lewdness, or assignation.

240 (d)~~(e)~~ To offer to commit, or to commit, or to engage in,

241 prostitution, lewdness, or assignation.

242 (e)~~(f)~~ To solicit, induce, entice, or procure any other

243 person ~~another~~ to commit prostitution, lewdness, or assignation,

244 other than as prohibited in ss. 796.04 and 796.045.

245 (f)~~(g)~~ To reside in, enter, or remain in, any place,

246 structure, or building, or to enter or remain in any trailer or

247 other conveyance, for the purpose of prostitution, lewdness, or

248 assignation.

249 (g)~~(h)~~ To aid, abet, or participate, other than as
 250 provided in s. 796.06, in prostitution, lewdness, or assignation
 251 any of the acts or things enumerated in this subsection.

252 (h)~~(i)~~ To purchase the services of any person, other than
 253 as prohibited in s. 796.03, engaged in prostitution.

254 (2)~~(3)~~(a) In the trial of a person charged with a
 255 violation of this section, testimony concerning the reputation
 256 of any place, structure, building, or trailer or other
 257 conveyance involved in the charge, testimony concerning the
 258 reputation of any person residing in, operating, or frequenting
 259 such place, structure, building, or trailer or other conveyance,
 260 and testimony concerning the reputation of the defendant is
 261 admissible in evidence in support of the charge.

262 (b) Notwithstanding any other provision of law, a police
 263 officer may testify as an offended party in an action regarding
 264 charges filed pursuant to this section.

265 (3)~~(4)~~ A person who violates any provision of this section
 266 commits:

267 (a) A misdemeanor of the second degree for a first
 268 violation, punishable as provided in s. 775.082 or s. 775.083.

269 (b) A misdemeanor of the first degree for a second
 270 violation, punishable as provided in s. 775.082 or s. 775.083.

271 (c) A felony of the third degree for a third or subsequent
 272 violation, punishable as provided in s. 775.082, s. 775.083, or
 273 s. 775.084.

274 (4)~~(5)~~ A person who is charged with a third or subsequent
 275 violation of this section shall be offered admission to a

276 pretrial intervention program or a substance-abuse treatment
 277 program as provided in s. 948.08.

278 ~~(5)(6)~~ A person who violates paragraph (1)(e) ~~(2)(f)~~ shall
 279 be assessed a civil penalty of \$500 if the violation results in
 280 any judicial disposition other than acquittal or dismissal. The
 281 proceeds from penalties assessed under this subsection shall be
 282 paid to the circuit court administrator for the sole purpose of
 283 paying the administrative costs of treatment-based drug court
 284 programs provided under s. 397.334.

285 Section 8. Section 796.09, Florida Statutes, is amended to
 286 read:

287 796.09 Coercion or inducement; civil cause of action;
 288 evidence; defenses; attorney's fees.--

289 (1) A person has a cause of action for compensatory and
 290 punitive damages against any or all of the following:

291 (a) A person who coerced or induced that person into
 292 prostitution. ~~†~~

293 (b) A person who coerces or induces that person to remain
 294 in prostitution. ~~† or~~

295 (c) A person who uses coercion or inducement to collect or
 296 receive any part of that person's earnings derived from
 297 prostitution.

298 (d) The owner or operator of any adult entertainment
 299 establishment or unlicensed massage establishment as defined in
 300 s. 847.001 who knows or should know that the establishment is
 301 being used, in whole or in part, for the purpose of advertising,
 302 facilitating, soliciting, promoting, or arranging any activity

303 prohibited under this chapter involving that person, whether or
304 not the owner or operator derives income from the activity.

305 (e) Any person having direct control over or the ability
306 to edit the content of a web page who places, causes to be
307 placed, maintains, or allows to remain, after notification of
308 activity prohibited under this chapter, any language or other
309 content on such web page for the purpose of advertising,
310 facilitating, soliciting, promoting, or arranging any activity
311 prohibited by this chapter involving that person, whether or not
312 the person in control derives income from the prohibited
313 language, content, or activity.

314 ~~(2) As used in this section, the term "prostitution" has~~
315 ~~the same meaning as in s. 796.07.~~

316 ~~(3) As used in this section, the term "coercion" means any~~
317 ~~practice of domination, restraint, or inducement for the purpose~~
318 ~~of or with the reasonably foreseeable effect of causing another~~
319 ~~person to engage in or remain in prostitution or to relinquish~~
320 ~~earnings derived from prostitution, and includes, but is not~~
321 ~~limited to:~~

322 ~~(a) Physical force or threats of physical force.~~

323 ~~(b) Physical or mental torture.~~

324 ~~(c) Kidnapping.~~

325 ~~(d) Blackmail.~~

326 ~~(e) Extortion or claims of indebtedness.~~

327 ~~(f) Threat of legal complaint or report of delinquency.~~

328 ~~(g) Threat to interfere with parental rights or~~
329 ~~responsibilities, whether by judicial or administrative action~~
330 ~~or otherwise.~~

- 331 ~~(h) Promise of legal benefit.~~
- 332 ~~(i) Promise of greater financial rewards.~~
- 333 ~~(j) Promise of marriage.~~
- 334 ~~(k) Restraint of speech or communication with others.~~
- 335 ~~(l) Exploitation of a condition of developmental~~
- 336 ~~disability, cognitive limitation, affective disorder, or~~
- 337 ~~substance dependency.~~
- 338 ~~(m) Exploitation of victimization by sexual abuse.~~
- 339 ~~(n) Exploitation of pornographic performance.~~
- 340 ~~(o) Exploitation of human needs for food, shelter, safety,~~
- 341 ~~or affection.~~

342 (2)~~(4)~~ In the course of litigation under this section, any
 343 transaction about which a plaintiff testifies or produces
 344 evidence does not subject such plaintiff to criminal prosecution
 345 or any penalty or forfeiture. Further, any testimony or
 346 evidence, documentary or otherwise, or information directly or
 347 indirectly derived from such testimony or evidence which is
 348 given or produced by a plaintiff or a witness for a plaintiff
 349 shall not be used against these persons in any other
 350 investigation or proceeding. Such testimony or evidence,
 351 however, may be used against a plaintiff or a witness for a
 352 plaintiff upon any criminal investigation or proceeding for
 353 perjury committed while giving such testimony or producing such
 354 evidence.

355 (3)~~(5)~~ It does not constitute a defense to a complaint
 356 under this section that:

357 (a) The plaintiff was paid or otherwise compensated for
 358 acts of prostitution or other acts prohibited under this
 359 chapter;

360 (b) The plaintiff engaged in acts of prostitution or other
 361 acts prohibited under this chapter prior to any involvement with
 362 the defendant; ~~or~~

363 (c) The plaintiff made no attempt to escape, flee, or
 364 otherwise terminate contact with the defendant; or-

365 (d) The plaintiff stipulated or otherwise agreed that the
 366 prohibited acts did not occur as a result of coercion or
 367 inducement.

368 (4)~~(6)~~ Evidence of convictions for prostitution or other
 369 acts prohibited under this chapter ~~or prostitution-related~~
 370 ~~offenses~~ are inadmissible in a proceeding brought under this
 371 section for purposes of attacking the plaintiff's credibility.

372 (5)~~(7)~~ In any action brought under this section, the court
 373 ~~shall, in its discretion, may~~ award prevailing plaintiffs
 374 reasonable attorney's fees and costs.

375 Section 9. Section 796.101, Florida Statutes, is created
 376 to read:

377 796.101 Witness protection.--

378 (1)(a) Information provided to a law enforcement agency
 379 from any person with knowledge of a violation of this chapter
 380 shall not be admissible into evidence against the declarant in
 381 any civil or criminal proceeding in which the declarant is a
 382 party, except in any proceeding against the declarant for
 383 perjury or making a false statement or report. However, the

384 declarant may admit the information if the rules of evidence
 385 otherwise permit it.

386 (b) Information discovered as a result of information
 387 provided under paragraph (a) shall not be admissible in evidence
 388 against the declarant in any civil or criminal trial in which
 389 the declarant is a party, except in any proceeding against the
 390 declarant for perjury or making false statement or report.
 391 However, the declarant may admit the information if the rules of
 392 evidence otherwise permit.

393 (2) (a) The provisions of this section apply to an
 394 individual participating in an investigation or proceeding and
 395 disclosing information on his or her own initiative in a sworn
 396 statement.

397 (b) The provisions of this section do not apply once a law
 398 enforcement agency has initiated a criminal investigation
 399 against a person and advised the person of his or her right to
 400 avoid self-incrimination.

401 Section 10. Section 796.11, Florida Statutes, is created
 402 to read:

403 796.11 Website posting.--

404 (1) To safeguard the public, any person who has been
 405 adjudicated guilty of or has had adjudication withheld for any
 406 violation of this chapter shall have the following information
 407 posted on an offender website created and maintained by the
 408 Department of Law Enforcement:

- 409 (a) The offender's name.
- 410 (b) The offender's date of birth.
- 411 (c) The date of the conviction.

412 (d) The county where the offense occurred.

413 (e) The offense committed.

414 (f) The booking photograph taken when the offender was
 415 arrested. If a photograph was not taken at the time of the
 416 arrest, then a digital photograph shall be taken when the
 417 offender enters a plea.

418 (2) The information required in subsection (1) shall be
 419 provided to the Department of Law Enforcement by the clerk of
 420 the court for the county in which the sentence is imposed. A
 421 certified copy of the judgment and sentence, along with the
 422 required information, shall be sent within 10 days after the
 423 date the offender is sentenced.

424 (3) The Department of Law Enforcement must place the
 425 information on the website within 5 business days after the date
 426 it receives the information.

427 Section 11. Section 938.14, Florida Statutes, is created
 428 to read:

429 938.14 Prostitution and related offenses.--Notwithstanding
 430 any law to the contrary, the court shall assess any defendant
 431 who pleads guilty or nolo contendere to, or is convicted of, a
 432 violation of any provision of chapter 796, regardless of whether
 433 adjudication was withheld, in addition to any fine and other
 434 penalty provided or authorized by law, an amount of \$101, to be
 435 paid to the clerk of the court, who shall forward it to the
 436 Department of Revenue for deposit in the Operating Trust Fund of
 437 the Department of Law Enforcement to be used for the maintenance
 438 of the website required by s. 796.101. The clerk of the court

439 shall retain \$1 of each surcharge that the clerk of the court
 440 collects as a service charge of the clerk's office.

441 Section 12. Subsection (1) of section 938.10, Florida
 442 Statutes, is amended to read:

443 938.10 Additional court cost imposed in cases of certain
 444 crimes against minors.--

445 (1) If a person pleads guilty or nolo contendere to, or is
 446 found guilty of, regardless of adjudication, any offense against
 447 a minor in violation of s. 784.085, chapter 787, chapter 794, ~~s.~~
 448 ~~796.03~~, s. 800.04, chapter 827, s. 847.0145, or s. 985.701, the
 449 court shall impose a court cost of \$101 against the offender in
 450 addition to any other cost or penalty required by law.

451 Section 13. Paragraph (a) of subsection (1) of section
 452 772.102, Florida Statutes, is amended to read:

453 772.102 Definitions.--As used in this chapter, the term:

454 (1) "Criminal activity" means to commit, to attempt to
 455 commit, to conspire to commit, or to solicit, coerce, or
 456 intimidate another person to commit:

457 (a) Any crime that is chargeable by indictment or
 458 information under the following provisions:

- 459 1. Section 210.18, relating to evasion of payment of
 460 cigarette taxes.
- 461 2. Section 414.39, relating to public assistance fraud.
- 462 3. Section 440.105 or s. 440.106, relating to workers'
 463 compensation.
- 464 4. Part IV of chapter 501, relating to telemarketing.
- 465 5. Chapter 517, relating to securities transactions.

- 466 6. Section 550.235, s. 550.3551, or s. 550.3605, relating
- 467 to dogracing and horseracing.
- 468 7. Chapter 550, relating to jai alai frontons.
- 469 8. Chapter 552, relating to the manufacture, distribution,
- 470 and use of explosives.
- 471 9. Chapter 562, relating to beverage law enforcement.
- 472 10. Section 624.401, relating to transacting insurance
- 473 without a certificate of authority, s. 624.437(4)(c)1., relating
- 474 to operating an unauthorized multiple-employer welfare
- 475 arrangement, or s. 626.902(1)(b), relating to representing or
- 476 aiding an unauthorized insurer.
- 477 11. Chapter 687, relating to interest and usurious
- 478 practices.
- 479 12. Section 721.08, s. 721.09, or s. 721.13, relating to
- 480 real estate timeshare plans.
- 481 13. Chapter 782, relating to homicide.
- 482 14. Chapter 784, relating to assault and battery.
- 483 15. Chapter 787, relating to kidnapping or human
- 484 trafficking.
- 485 16. Chapter 790, relating to weapons and firearms.
- 486 17. Section 796.03, s. 796.04, s. 796.045, s. 796.05, s.
- 487 796.06, or s. 796.07, relating to prostitution.
- 488 18. Chapter 806, relating to arson.
- 489 19. Section 810.02(2)(c), relating to specified burglary
- 490 of a dwelling or structure.
- 491 20. Chapter 812, relating to theft, robbery, and related
- 492 crimes.
- 493 21. Chapter 815, relating to computer-related crimes.

HB 1231

2007

494 22. Chapter 817, relating to fraudulent practices, false
495 pretenses, fraud generally, and credit card crimes.

496 23. Section 827.071, relating to commercial sexual
497 exploitation of children.

498 24. Chapter 831, relating to forgery and counterfeiting.

499 25. Chapter 832, relating to issuance of worthless checks
500 and drafts.

501 26. Section 836.05, relating to extortion.

502 27. Chapter 837, relating to perjury.

503 28. Chapter 838, relating to bribery and misuse of public
504 office.

505 29. Chapter 843, relating to obstruction of justice.

506 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
507 s. 847.07, relating to obscene literature and profanity.

508 31. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
509 849.25, relating to gambling.

510 32. Chapter 893, relating to drug abuse prevention and
511 control.

512 33. Section 914.22 or s. 914.23, relating to witnesses,
513 victims, or informants.

514 34. Section 918.12 or s. 918.13, relating to tampering
515 with jurors and evidence.

516 Section 14. Paragraph (a) of subsection (1) of section
517 895.02, Florida Statutes, is amended to read:

518 895.02 Definitions.--As used in ss. 895.01-895.08, the
519 term:

HB 1231

2007

520 (1) "Racketeering activity" means to commit, to attempt to
 521 commit, to conspire to commit, or to solicit, coerce, or
 522 intimidate another person to commit:

523 (a) Any crime that is chargeable by indictment or
 524 information under the following provisions of the Florida
 525 Statutes:

526 1. Section 210.18, relating to evasion of payment of
 527 cigarette taxes.

528 2. Section 403.727(3)(b), relating to environmental
 529 control.

530 3. Section 409.920 or s. 409.9201, relating to Medicaid
 531 fraud.

532 4. Section 414.39, relating to public assistance fraud.

533 5. Section 440.105 or s. 440.106, relating to workers'
 534 compensation.

535 6. Section 443.071(4), relating to creation of a
 536 fictitious employer scheme to commit unemployment compensation
 537 fraud.

538 7. Section 465.0161, relating to distribution of medicinal
 539 drugs without a permit as an Internet pharmacy.

540 8. Sections 499.0051, 499.0052, 499.00535, 499.00545, and
 541 499.0691, relating to crimes involving contraband and
 542 adulterated drugs.

543 9. Part IV of chapter 501, relating to telemarketing.

544 10. Chapter 517, relating to sale of securities and
 545 investor protection.

546 11. Section 550.235, s. 550.3551, or s. 550.3605, relating
 547 to dogracing and horseracing.

- 548 | 12. Chapter 550, relating to jai alai frontons.
- 549 | 13. Section 551.109, relating to slot machine gaming.
- 550 | 14. Chapter 552, relating to the manufacture,
- 551 | distribution, and use of explosives.
- 552 | 15. Chapter 560, relating to money transmitters, if the
- 553 | violation is punishable as a felony.
- 554 | 16. Chapter 562, relating to beverage law enforcement.
- 555 | 17. Section 624.401, relating to transacting insurance
- 556 | without a certificate of authority, s. 624.437(4)(c)1., relating
- 557 | to operating an unauthorized multiple-employer welfare
- 558 | arrangement, or s. 626.902(1)(b), relating to representing or
- 559 | aiding an unauthorized insurer.
- 560 | 18. Section 655.50, relating to reports of currency
- 561 | transactions, when such violation is punishable as a felony.
- 562 | 19. Chapter 687, relating to interest and usurious
- 563 | practices.
- 564 | 20. Section 721.08, s. 721.09, or s. 721.13, relating to
- 565 | real estate timeshare plans.
- 566 | 21. Chapter 782, relating to homicide.
- 567 | 22. Chapter 784, relating to assault and battery.
- 568 | 23. Chapter 787, relating to kidnapping or human
- 569 | trafficking.
- 570 | 24. Chapter 790, relating to weapons and firearms.
- 571 | 25. Section 796.03, ~~s. 796.035~~, s. 796.04, s. 796.045, s.
- 572 | 796.05, s. 796.06, or s. 796.07, relating to prostitution and
- 573 | sex trafficking.
- 574 | 26. Chapter 806, relating to arson.

575 27. Section 810.02(2)(c), relating to specified burglary
576 of a dwelling or structure.

577 28. Chapter 812, relating to theft, robbery, and related
578 crimes.

579 29. Chapter 815, relating to computer-related crimes.

580 30. Chapter 817, relating to fraudulent practices, false
581 pretenses, fraud generally, and credit card crimes.

582 31. Chapter 825, relating to abuse, neglect, or
583 exploitation of an elderly person or disabled adult.

584 32. Section 827.071, relating to commercial sexual
585 exploitation of children.

586 33. Chapter 831, relating to forgery and counterfeiting.

587 34. Chapter 832, relating to issuance of worthless checks
588 and drafts.

589 35. Section 836.05, relating to extortion.

590 36. Chapter 837, relating to perjury.

591 37. Chapter 838, relating to bribery and misuse of public
592 office.

593 38. Chapter 843, relating to obstruction of justice.

594 39. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
595 s. 847.07, relating to obscene literature and profanity.

596 40. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
597 849.25, relating to gambling.

598 41. Chapter 874, relating to criminal street gangs.

599 42. Chapter 893, relating to drug abuse prevention and
600 control.

601 43. Chapter 896, relating to offenses related to financial
602 transactions.

HB 1231

2007

603 44. Sections 914.22 and 914.23, relating to tampering with
 604 a witness, victim, or informant, and retaliation against a
 605 witness, victim, or informant.

606 45. Sections 918.12 and 918.13, relating to tampering with
 607 jurors and evidence.

608 Section 15. Subsection (10) is added to section 932.7055,
 609 Florida Statutes, to read:

610 932.7055 Disposition of liens and forfeited property.--

611 (10) The office of the state attorney prosecuting the
 612 case, and a person providing information to law enforcement
 613 pursuant to s. 796.101 that materially assists law enforcement
 614 in the investigation of a felony violation under chapter 796 and
 615 results in the forfeiture of property pursuant to s.

616 932.701(2)(a)5. or 6. shall each be entitled to a one-third
 617 share of any proceeds remaining after any liens have been
 618 satisfied and all court costs associated with the forfeiture
 619 proceeding have been paid. Persons who were the subject of any
 620 pending warrants, indictments, or information in any
 621 jurisdiction or were on any community supervision at the time
 622 they provided the information are not entitled to receive a
 623 share of the proceeds of the forfeiture action. Law enforcement
 624 officers shall not be eligible to receive a share of the
 625 proceeds of the forfeiture action.

626 Section 16. Subsection (7) of section 322.28, Florida
 627 Statutes, is amended to read:

628 322.28 Period of suspension or revocation.--

629 (7) Following a second or subsequent violation of s.
 630 796.07 (1)(e) ~~(2)(f)~~ which involves a motor vehicle and which

631 results in any judicial disposition other than acquittal or
 632 dismissal, in addition to any other sentence imposed, the court
 633 shall revoke the person's driver's license or driving privilege,
 634 effective upon the date of the disposition, for a period of not
 635 less than 1 year. A person sentenced under this subsection may
 636 request a hearing under s. 322.271.

637 Section 17. Paragraph (a) of subsection (4) and paragraph
 638 (b) of subsection (10) of section 775.21, Florida Statutes, are
 639 amended to read:

640 775.21 The Florida Sexual Predators Act.--

641 (4) SEXUAL PREDATOR CRITERIA.--

642 (a) For a current offense committed on or after October 1,
 643 1993, upon conviction, an offender shall be designated as a
 644 "sexual predator" under subsection (5), and subject to
 645 registration under subsection (6) and community and public
 646 notification under subsection (7) if:

647 1. The felony is:

648 a. A capital, life, or first-degree felony violation, or
 649 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
 650 is a minor and the defendant is not the victim's parent, or of
 651 chapter 794, s. 800.04, or s. 847.0145, or a violation of a
 652 similar law of another jurisdiction; or

653 b. Any felony violation, or any attempt thereof, of s.
 654 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a
 655 minor and the defendant is not the victim's parent; chapter 794,
 656 excluding ss. 794.011(10) and 794.0235; s. 796.03; former s.
 657 796.035; s. 796.045(2)(b); s. 800.04; s. 825.1025(2)(b); s.
 658 827.071; s. 847.0145; or s. 985.701(1); or a violation of a

HB 1231

2007

659 similar law of another jurisdiction, and the offender has
660 previously been convicted of or found to have committed, or has
661 pled nolo contendere or guilty to, regardless of adjudication,
662 any violation of s. 787.01, s. 787.02, or s. 787.025(2)(c),
663 where the victim is a minor and the defendant is not the
664 victim's parent; s. 794.011(2), (3), (4), (5), or (8); s.
665 794.05; s. 796.03; former s. 796.035; s. 796.045(2)(b); s.
666 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135; s.
667 847.0145; or s. 985.701(1); or a violation of a similar law of
668 another jurisdiction;

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

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

675 (10) PENALTIES.--

676 (b) A sexual predator who has been convicted of or found
677 to have committed, or has pled nolo contendere or guilty to,
678 regardless of adjudication, any violation, or attempted
679 violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where
680 the victim is a minor and the defendant is not the victim's
681 parent; s. 794.011(2), (3), (4), (5), or (8); s. 794.05; s.
682 796.03; former s. 796.035; s. 796.045(2)(b); s. 800.04; s.
683 827.071; s. 847.0133; s. 847.0145; or s. 985.701(1); or a
684 violation of a similar law of another jurisdiction when the
685 victim of the offense was a minor, and who works, whether for
686 compensation or as a volunteer, at any business, school, day

HB 1231

2007

687 care center, park, playground, or other place where children
 688 regularly congregate, commits a felony of the third degree,
 689 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

690 Section 18. Paragraph (a) of subsection (1) of section
 691 943.0435, Florida Statutes, is amended to read:

692 943.0435 Sexual offenders required to register with the
 693 department; penalty.--

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

695 (a) "Sexual offender" means a person who meets the
 696 criteria in subparagraph 1., subparagraph 2., or subparagraph
 697 3., as follows:

698 1.a. Has been convicted of committing, or attempting,
 699 soliciting, or conspiring to commit, any of the criminal
 700 offenses proscribed in the following statutes in this state or
 701 similar offenses in another jurisdiction: s. 787.01, s. 787.02,
 702 or s. 787.025(2)(c), where the victim is a minor and the
 703 defendant is not the victim's parent; chapter 794, excluding ss.
 704 794.011(10) and 794.0235; s. 796.03; former s. 796.035; s.
 705 796.045(2)(b); s. 800.04; s. 825.1025; s. 827.071; s. 847.0133;
 706 s. 847.0135; s. 847.0137; s. 847.0138; s. 847.0145; or s.
 707 985.701(1); or any similar offense committed in this state which
 708 has been redesignated from a former statute number to one of
 709 those listed in this sub-subparagraph; and

710 b. Has been released on or after October 1, 1997, from the
 711 sanction imposed for any conviction of an offense described in
 712 sub-subparagraph a. For purposes of sub-subparagraph a., a
 713 sanction imposed in this state or in any other jurisdiction
 714 includes, but is not limited to, a fine, probation, community

715 control, parole, conditional release, control release, or
 716 incarceration in a state prison, federal prison, private
 717 correctional facility, or local detention facility;

718 2. Establishes or maintains a residence in this state and
 719 who has not been designated as a sexual predator by a court of
 720 this state but who has been designated as a sexual predator, as
 721 a sexually violent predator, or by another sexual offender
 722 designation in another state or jurisdiction and was, as a
 723 result of such designation, subjected to registration or
 724 community or public notification, or both, or would be if the
 725 person were a resident of that state or jurisdiction, without
 726 regard to whether the person otherwise meets the criteria for
 727 registration as a sexual offender; or

728 3. Establishes or maintains a residence in this state who
 729 is in the custody or control of, or under the supervision of,
 730 any other state or jurisdiction as a result of a conviction for
 731 committing, or attempting, soliciting, or conspiring to commit,
 732 any of the criminal offenses proscribed in the following
 733 statutes or similar offense in another jurisdiction: s. 787.01,
 734 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
 735 the defendant is not the victim's parent; chapter 794, excluding
 736 ss. 794.011(10) and 794.0235; s. 796.03; former s. 796.035; s.
 737 796.045(2)(b); s. 800.04; s. 825.1025; s. 827.071; s. 847.0133;
 738 s. 847.0135; s. 847.0137; s. 847.0138; s. 847.0145; or s.
 739 985.701(1); or any similar offense committed in this state which
 740 has been redesignated from a former statute number to one of
 741 those listed in this subparagraph.

742 Section 19. Paragraph (b) of subsection (1) of section
 743 944.606, Florida Statutes, is amended to read:

744 944.606 Sexual offenders; notification upon release.--

745 (1) As used in this section:

746 (b) "Sexual offender" means a person who has been
 747 convicted of committing, or attempting, soliciting, or
 748 conspiring to commit, any of the criminal offenses proscribed in
 749 the following statutes in this state or similar offenses in
 750 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c),
 751 where the victim is a minor and the defendant is not the
 752 victim's parent; chapter 794, excluding ss. 794.011(10) and
 753 794.0235; s. 796.03; former s. 796.035; s. 796.045(2)(b); s.
 754 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135; s.
 755 847.0137; s. 847.0138; s. 847.0145; or s. 985.701(1); or any
 756 similar offense committed in this state which has been
 757 redesignated from a former statute number to one of those listed
 758 in this subsection, when the department has received verified
 759 information regarding such conviction; an offender's
 760 computerized criminal history record is not, in and of itself,
 761 verified information.

762 Section 20. Paragraph (a) of subsection (1) of section
 763 944.607, Florida Statutes, is amended to read:

764 944.607 Notification to Department of Law Enforcement of
 765 information on sexual offenders.--

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

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

770 1. On or after October 1, 1997, as a result of a
 771 conviction for committing, or attempting, soliciting, or
 772 conspiring to commit, any of the criminal offenses proscribed in
 773 the following statutes in this state or similar offenses in
 774 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c),
 775 where the victim is a minor and the defendant is not the
 776 victim's parent; chapter 794, excluding ss. 794.011(10) and
 777 794.0235; s. 796.03; former s. 796.035; s. 796.045(2)(b); s.
 778 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135; s.
 779 847.0137; s. 847.0138; s. 847.0145; or s. 985.701(1); or any
 780 similar offense committed in this state which has been
 781 redesignated from a former statute number to one of those listed
 782 in this paragraph; or

783 2. Who establishes or maintains a residence in this state
 784 and who has not been designated as a sexual predator by a court
 785 of this state but who has been designated as a sexual predator,
 786 as a sexually violent predator, or by another sexual offender
 787 designation in another state or jurisdiction and was, as a
 788 result of such designation, subjected to registration or
 789 community or public notification, or both, or would be if the
 790 person were a resident of that state or jurisdiction, without
 791 regard as to whether the person otherwise meets the criteria for
 792 registration as a sexual offender.

793 Section 21. Paragraphs (a), (b), (d), (g), (h), and (i) of
 794 subsection (3) of section 921.0022, Florida Statutes, are
 795 amended to read:

796 921.0022 Criminal Punishment Code; offense severity
 797 ranking chart.--

HB 1231

2007

798	(3) OFFENSE SEVERITY RANKING CHART		
	Florida	Felony	Description
799	Statute	Degree	(a) LEVEL 1
800	24.118 (3) (a)	3rd	Counterfeit or altered state lottery ticket.
801	212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
802	212.15 (2) (b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
803	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
804	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
805	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
806	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.

HB 1231

2007

807	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
808	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
809	322.212 (5) (a)	3rd	False application for driver's license or identification card.
810	414.39 (2)	3rd	Unauthorized use, possession, forgery, or alteration of food stamps, Medicaid ID, value greater than \$200.
811	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
812	443.071 (1)	3rd	False statement or representation to obtain or increase unemployment compensation benefits.
813	509.151 (1)	3rd	Defraud an innkeeper, food or

HB 1231

2007

			lodging value greater than \$300.
814	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
815	562.27 (1)	3rd	Possess still or still apparatus.
816	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
817	<u>796.07 (3) (c)</u>	<u>3rd</u>	<u>Prostitution, 3rd or subsequent violation.</u>
818	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
819	812.081 (2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
820	815.04 (4) (a)	3rd	Offense against intellectual property (i.e., computer programs, data).
821	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.

HB 1231

2007

822	817.569 (2)	3rd	Use of public record or public records information to facilitate commission of a felony.
823	826.01	3rd	Bigamy.
824	828.122 (3)	3rd	Fighting or baiting animals.
825	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
826	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03 (5) drugs.
827	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
828	832.05 (2) (b) & (4) (c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
829	838.15 (2)	3rd	Commercial bribe receiving.
830			

HB 1231

2007

831	838.16	3rd	Commercial bribery.
832	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
833	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
834	849.01	3rd	Keeping gambling house.
835	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
836	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
837	849.25(2)	3rd	Engaging in bookmaking.
838	860.08	3rd	Interfere with a railroad signal.
839	860.13(1)(a)	3rd	Operate aircraft while under the influence.
840	893.13(2)(a)2.	3rd	Purchase of cannabis.

HB 1231

2007

841	893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
842	934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
843			(b) LEVEL 2
844	370.12 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
845	370.12 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
846	403.413 (5) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
847	517.07	3rd	Registration of securities and furnishing of prospectus required.
	590.28 (1)	3rd	Willful, malicious, or intentional burning.

HB 1231

2007

848	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
849	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
850	<u>796.06</u>	<u>3rd</u>	<u>Furthering activity prohibited in chapter 796.</u>
851	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
852	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
853	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.
854	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
855	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken

HB 1231

2007

			from unenclosed curtilage of dwelling.
856	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
857	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
858	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
859	817.52 (3)	3rd	Failure to redeliver hired vehicle.
860	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
861	817.60 (5)	3rd	Dealing in credit cards of another.
862	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
863	817.61	3rd	Fraudulent use of credit cards

HB 1231

2007

over \$100 or more within 6 months.

864

826.04 3rd Knowingly marries or has sexual intercourse with person to whom related.

865

831.01 3rd Forgery.

866

831.02 3rd Uttering forged instrument; utters or publishes alteration with intent to defraud.

867

831.07 3rd Forging bank bills, checks, drafts, or promissory notes.

868

831.08 3rd Possessing 10 or more forged notes, bills, checks, or drafts.

869

831.09 3rd Uttering forged notes, bills, checks, drafts, or promissory notes.

870

831.11 3rd Bringing into the state forged bank bills, checks, drafts, or notes.

871

832.05 (3) (a) 3rd Cashing or depositing item with intent to defraud.

872

HB 1231

2007

873	843.08	3rd	Falsely impersonating an officer.
874	893.13 (2) (a) 2.	3rd	Purchase of any s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) drugs other than cannabis.
875	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia. (d) LEVEL 4
876	316.1935 (3) (a)	2nd	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.
877	499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
878	499.0051 (2)	3rd	Failure to authenticate pedigree papers.
879	499.0051 (6)	2nd	Sale or delivery, or possession with intent to sell, contraband legend drugs.

HB 1231

2007

880	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
881	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
882	784.075	3rd	Battery on detention or commitment facility staff.
883	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
884	784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
885	784.081(3)	3rd	Battery on specified official or employee.
886	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
887	784.083(3)	3rd	Battery on code inspector.
888	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
889			

HB 1231

2007

890	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
891	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
892	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
893	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
894	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
895	790.115 (2) (c)	3rd	Possessing firearm on school property.
896	<u>796.05</u>	<u>3rd</u>	<u>Deriving support from prostitution proceeds.</u>
	800.04 (7) (d)	3rd	Lewd or lascivious exhibition; offender less than 18 years.

HB 1231

2007

897	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
898	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
899	810.06	3rd	Burglary; possession of tools.
900	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
901	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
902	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
903	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
904	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03 (5) drugs.
905			

HB 1231

2007

906	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
907	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
908	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
909	837.02 (1)	3rd	Perjury in official proceedings.
910	837.021 (1)	3rd	Make contradictory statements in official proceedings.
911	838.022	3rd	Official misconduct.
912	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
913	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Family Services.
914	843.021	3rd	Possession of a concealed handcuff key by a person in custody.

HB 1231

2007

915	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
916	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
917	874.05(1)	3rd	Encouraging or recruiting another to join a criminal street gang.
918	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
919	914.14(2)	3rd	Witnesses accepting bribes.
920	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
921	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
922	918.12	3rd	Tampering with jurors.
	934.215	3rd	Use of two-way communications

HB 1231

2007

device to facilitate commission
of a crime.

923

(g) LEVEL 7

924

316.027(1)(b) 1st

Accident involving death,
failure to stop; leaving scene.

925

316.193(3)(c)2. 3rd

DUI resulting in serious bodily
injury.

926

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.

927

327.35(3)(c)2. 3rd

Vessel BUI resulting in serious
bodily injury.

928

402.319(2) 2nd

Misrepresentation and negligence
or intentional act resulting in
great bodily harm, permanent
disfiguration, permanent
disability, or death.

929

409.920(2) 3rd

Medicaid provider fraud.

HB 1231

2007

930	456.065 (2)	3rd	Practicing a health care profession without a license.
931	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
932	458.327 (1)	3rd	Practicing medicine without a license.
933	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
934	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
935	461.012 (1)	3rd	Practicing podiatric medicine without a license.
936	462.17	3rd	Practicing naturopathy without a license.
937	463.015 (1)	3rd	Practicing optometry without a license.
938	464.016 (1)	3rd	Practicing nursing without a license.
939	465.015 (2)	3rd	Practicing pharmacy without a

HB 1231

2007

			license.
940	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
941	467.201	3rd	Practicing midwifery without a license.
942	468.366	3rd	Delivering respiratory care services without a license.
943	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
944	483.901 (9)	3rd	Practicing medical physics without a license.
945	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
946	484.053	3rd	Dispensing hearing aids without a license.
947	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.

HB 1231

2007

948	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
949	560.125 (5) (a)	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
950	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
951	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
952	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
953	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
954			

HB 1231

2007

955	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
956	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
957	782.071	2nd	Killing of human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
958	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
959	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
960	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
	784.045 (1) (b)	2nd	Aggravated battery; perpetrator

HB 1231

2007

aware victim pregnant.

961

784.048 (4) 3rd Aggravated stalking; violation of injunction or court order.

962

784.048 (7) 3rd Aggravated stalking; violation of court order.

963

784.07 (2) (d) 1st Aggravated battery on law enforcement officer.

964

784.074 (1) (a) 1st Aggravated battery on sexually violent predators facility staff.

965

784.08 (2) (a) 1st Aggravated battery on a person 65 years of age or older.

966

784.081 (1) 1st Aggravated battery on specified official or employee.

967

784.082 (1) 1st Aggravated battery by detained person on visitor or other detainee.

968

784.083 (1) 1st Aggravated battery on code inspector.

969

790.07 (4) 1st Specified weapons violation subsequent to previous

HB 1231

2007

			conviction of s. 790.07(1) or (2).
970	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
971	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
972	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
973	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
974	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
975	796.03	<u>1st</u> 2nd	Procuring any <u>minor</u> person under 16 years for prostitution.
976	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18

HB 1231

2007

years.

977	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.
978	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
979	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
980	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
981	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
982	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.
983	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

HB 1231

2007

984	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
985	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
986	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
987	812.131 (2) (a)	2nd	Robbery by sudden snatching.
988	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
989	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
990	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
991	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
992	817.2341 (2) (b) &	1st	Making false entries of material

HB 1231

2007

	(3) (b)		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.
993	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
994	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.
995	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
996	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
997	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
998			

HB 1231

2007

999	838.015	2nd	Bribery.
	838.016	2nd	Unlawful compensation or reward for official behavior.
1000	838.021(3)(a)	2nd	Unlawful harm to a public servant.
1001	838.22	2nd	Bid tampering.
1002	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1003	872.06	2nd	Abuse of a dead human body.
1004	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 park or publicly owned recreational facility or community center.
1005	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b),

HB 1231

2007

			(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.
1006	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).
1007	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1008	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1009	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1010	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1011	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5

HB 1231

2007

			kilograms.
1012	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1013	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1014	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1015	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1016	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1017	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1018	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial

HB 1231

2007

			transactions exceeding \$300 but less than \$20,000.
1019	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1020	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1021	943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
1022	943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1023	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1024	944.607(9)	3rd	Sexual offender; failure to comply with reporting

HB 1231

2007

			requirements.
1025	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1026	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1027	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1028			(h) LEVEL 8
1029	316.193(3)(c)3.a.	2nd	DUI manslaughter.
1030	316.1935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
1031	327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
1032	499.0051(7)	1st	Forgery of prescription or legend drug labels.
1033	499.0052	1st	Trafficking in contraband legend

HB 1231

2007

1034	560.123 (8) (b) 2.	2nd	drugs. Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
1035	560.125 (5) (b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
1036	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
1037	777.03 (2) (a)	1st	Accessory after the fact, capital felony.
1038	782.04 (4)	2nd	Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aircraft piracy, or unlawfully discharging bomb.

HB 1231

2007

1039	782.051 (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).
1040	782.071 (1) (b)	1st	Committing vehicular homicide and failing to render aid or give information.
1041	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
1042	790.161 (3)	1st	Discharging a destructive device which results in bodily harm or property damage.
1043	794.011 (5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
1044	<u>796.045 (1)</u>	<u>1st</u>	<u>Sex trafficking.</u>
1045	800.04 (4)	2nd	Lewd or lascivious battery.
1046	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.

HB 1231

2007

1047	810.02 (2) (a)	1st,PBL	Burglary with assault or battery.
1048	810.02 (2) (b)	1st,PBL	Burglary; armed with explosives or dangerous weapon.
1049	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
1050	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
1051	812.13 (2) (b)	1st	Robbery with a weapon.
1052	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
1053	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
1054	825.102 (2)	2nd	Aggravated abuse of an elderly person or disabled adult.
1055	825.1025 (2)	2nd	Lewd or lascivious battery upon

HB 1231

2007

			an elderly person or disabled adult.
1056	825.103 (2) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.
1057	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
1058	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
1059	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
1060	860.16	1st	Aircraft piracy.
1061	893.13 (1) (b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03 (1) (a) or (b).
1062	893.13 (2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03 (1) (a) or (b).

HB 1231

2007

1063	893.13 (6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
1064	893.135 (1) (a) 2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
1065	893.135 (1) (b) 1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
1066	893.135 (1) (c) 1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
1067	893.135 (1) (d) 1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
1068	893.135 (1) (e) 1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
1069	893.135 (1) (f) 1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
1070	893.135 (1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14

HB 1231

2007

			grams or more, less than 28 grams.
1071	893.135 (1) (h) 1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
1072	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
1073	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
1074	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
1075	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
1076	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
1077	896.101 (5) (b)	2nd	Money laundering, financial

HB 1231

2007

			transactions totaling or exceeding \$20,000, but less than \$100,000.
1078	896.104 (4) (a) 2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.
1079			(i) LEVEL 9
1080	316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
1081	327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
1082	499.00535	1st	Sale or purchase of contraband legend drugs resulting in great bodily harm.
1083	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
1084	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency,

HB 1231

2007

			or payment instruments totaling or exceeding \$100,000.
1085	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
1086	775.0844	1st	Aggravated white collar crime.
1087	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
1088	782.04 (3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
1089	782.051 (1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04 (3).
1090	782.07 (2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
1091	787.01 (1) (a) 1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.

HB 1231

2007

1092	787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
1093	787.01(1)(a)4.	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
1094	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.
1095	790.161	1st	Attempted capital destructive device offense.
1096	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
1097	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
1098	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12

HB 1231

2007

			years.
1099	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
1100	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
1101	<u>796.045 (2) (a)</u>	<u>Life</u>	<u>Sex trafficking involving a minor or resulting in death.</u>
1102	<u>796.045 (2) (b)</u>	<u>Life</u>	<u>Selling or buying of minors into sex trafficking or prostitution.</u>
1103	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
1104	812.13 (2) (a)	1st,PBL	Robbery with firearm or other deadly weapon.
1105	812.133 (2) (a)	1st,PBL	Carjacking; firearm or other deadly weapon.
1106	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
1107	817.568 (7)	2nd,PBL	Fraudulent use of personal

HB 1231

2007

			identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
1108	827.03 (2)	1st	Aggravated child abuse.
1109	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
1110	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
1111	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.
1112	893.135	1st	Attempted capital trafficking offense.
1113	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
1114	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more

HB 1231

2007

			than 400 grams, less than 150 kilograms.
1115	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
1116	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
1117	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
1118	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
1119	893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
1120	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
1121	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
1122	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
1123			

HB 1231

2007

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

1124

1125

Section 22. This act shall take effect July 1, 2007.