HB 1441

2007

1	A bill to be entitled
2	An act relating to female genital mutilation; creating s.
3	794.08, F.S.; defining the term "female genital
4	mutilation"; providing that a person who commits female
5	genital mutilation upon a female younger than 18 years of
6	age commits a felony of the first degree; providing that a
7	person who removes, or causes or permits the removal of, a
8	female younger than 18 years of age from this state for
9	the purpose of committing female genital mutilation
10	commits a felony of the second degree; providing that a
11	parent or guardian who consents to the female genital
12	mutilation of his or her female child who is younger than
13	18 years of age commits a felony of the first degree;
14	providing that the act does not apply with respect to
15	certain medical procedures that are conducted by health
16	professionals to preserve the health of the female;
17	providing that consent is not a defense to the offense of
18	female genital mutilation; amending s. 921.0022, F.S.;
19	creating felony classifications in the offense severity
20	ranking chart of the Criminal Punishment Code for
21	specified violations; providing an effective date.
22	
23	Be It Enacted by the Legislature of the State of Florida:
24	
25	Section 1. Section 794.08, Florida Statutes, is created to
26	read:
27	794.08 Female genital mutilation
28	(1) As used in this section, the term "female genital
	Page 1 of 45

CODING: Words stricken are deletions; words <u>underlined</u> are additions.

hb1441-00

HB 1441

29 mutilation" means the circumcising, excising, or infibulating, in whole or in part, the labia majora, labia minora, or clitoris 30 31 of a female person. (2) A person who knowingly commits, or attempts to commit, 32 female genital mutilation upon a female person younger than 18 33 34 years of age commits a felony of the first degree, punishable as 35 provided in s. 775.082, s. 775.083, or s. 775.084. 36 (3) A person who knowingly removes, or causes or permits 37 the removal of, a female person younger than 18 years of age from this state for purposes of committing female genital 38 39 mutilation commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. 40 (4) A person who is a parent, a quardian, or in a position 41 42 of familial or custodial authority to a female person younger 43 than 18 years of age and who knowingly consents to or permits 44 the female genital mutilation of that female person commits a felony of the third degree, punishable as provided in s. 45 775.082, s. 775.083, or s. 775.084. 46 47 (5) This section does not apply to procedures performed by 48 or under the direction of a physician licensed under chapter 49 458, an osteopathic physician licensed under chapter 459, a 50 registered nurse licensed under part I of chapter 464, a practical nurse licensed under part I of chapter 464, an 51 52 advanced registered nurse practitioner licensed under part I of 53 chapter 464, a midwife licensed under chapter 467, or a 54 physician assistant licensed under chapter 458 or chapter 459 55 when necessary to preserve the physical health of a female person. This section also does not apply to any autopsy or 56

Page 2 of 45

CODING: Words stricken are deletions; words underlined are additions.

2007

	HB 1441		2007				
57	limited dissection conducted pursuant to chapter 406.						
58	(6) Consent o	of a female person you	unger than 18 years of				
59	age or the consent	of a parent, guardia	n, or person who is in a				
60	position of familia	al or custodial autho	rity to the female person				
61	younger than 18 yea	ars of age is not a de	efense to the offense of				
62	female genital muti	lation.					
63	Section 2. Pa	aragraphs (g), (h), an	nd (i) of subsection (3)				
64	of section 921.0022	2, Florida Statutes, a	are amended to read:				
65	921.0022 Crim	inal Punishment Code	; offense severity				
66	ranking chart						
67	(3) OFFENSE S	EVERITY RANKING CHAR	Г				
	Florida Statute	Felony Degree	Description				
68							
		(g) LEVEL 7					
69							
	316.027(1)(b)	lst	Accident involving				
			death, failure to				
			stop; leaving scene.				
70							
	316.193(3)(c)2.	3rd	DUI resulting in				
			serious bodily				
			injury.				
71							
	316.1935(3)(b)	lst	Causing serious				
			bodily injury or				
			death to another				
			person; driving at				
1							

2007

			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.
72			
	327.35(3)(c)2.	3rd	Vessel BUI resulting
			in serious bodily
			injury.
73			
	402.319(2)	2nd	Misrepresentation
			and negligence or
			intentional act
			resulting in great
			bodily harm,
			permanent
			disfiguration,
			permanent
			disability, or
			death.
74			
	409.920(2)	3rd	Medicaid provider

FLORIDA HOUSE OF REPRESENTA	ΤΙΥΕS
-----------------------------	-------

	HB 1441		2007
75			fraud.
76	456.065(2)	3rd	Practicing a health care profession without a license.
76	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
78	458.327(1)	3rd	Practicing medicine without a license.
	459.013(1)	3rd	Practicing osteopathic medicine without a license.
79	460.411(1)	3rd	Practicing chiropractic medicine without a license.
80	461.012(1)	3rd Page 5 of	Practicing podiatric medicine without a

Page 5 of 45

FL	ORI	DΑ	ΗΟU	SE	ΟF	REP	RES	ΕΝΤΑ	TIVES
----	-----	----	-----	----	----	-----	-----	------	-------

	HB 1441		2007
81			license.
	462.17	3rd	Practicing naturopathy without a license.
82	463.015(1)	3rd	Practicing optometry without a license.
83	464.016(1)	3rd	Practicing nursing without a license.
84	465.015(2)	3rd	Practicing pharmacy without a license.
85	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
86			
	467.201	3rd	Practicing midwifery without a license.
87	468.366	3rd	Delivering respiratory care services without a license.
88		Page 6 of 45	

Page 6 of 45

FL	ORI	DΑ	ΗΟU	SΕ	ΟF	REP	, K E S	SEN	ΤΑΤΙΥ	VES
----	-----	----	-----	----	----	-----	---------	-----	-------	-----

	HB 1441		2007
	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
89 90	483.901(9)	3rd	Practicing medical physics without a license.
91	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
92	484.053	3rd	Dispensing hearing aids without a license.
22	494.0018(2)	lst	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.
93		Dago 7 of	46

Page 7 of 45

	HB 1441		2007
	560.123(8)(b)1.	3rd	Failure to report
			currency or payment
			instruments
			exceeding \$300 but
			less than \$20,000 by
			money transmitter.
94	560.125(5)(a)	3rd	Money transmitter
			business by
			unauthorized person,
			currency or payment
			instruments
			exceeding \$300 but
			less than \$20,000.
95	655.50(10)(b)1.	3rd	Failure to report
			financial
			transactions
			exceeding \$300 but
			less than \$20,000 by
			financial
			institution.
96	775.21(10)(a)	3rd	Sexual predator;
			failure to register;
			failure to renew
			driver's license or
		Page 8 of 45	

Page 8 of 45

	HB 1441		2007
97			identification card; other registration violations.
98	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
99	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
100	782.07(1)	2nd Page 9 of 45	Killing of a human being by the act, procurement, or

Page 9 of 45

	HB 1441		2007
101			culpable negligence of another (manslaughter).
101	782.071	2nd	Killing of human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular
102	782.072	2nd	(venicular homicide). Killing of a human being by the operation of a vessel in a reckless
103	784.045(1)(a)1.	2nd	<pre>manner (vessel homicide). Aggravated battery; intentionally causing great bodily</pre>
104	784.045(1)(a)2.	2nd	harm or disfigurement. Aggravated battery;

Page 10 of 45

FL	0	RΙ	DA	ΗО	U	SΕ	ΟF	RΕ	ΡR	ΕS	Е	NTA	ΥΓΙ	VE	S
----	---	----	----	----	---	----	----	----	----	----	---	-----	-----	----	---

	HB 1441		2007
105			using deadly weapon.
106	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
107	784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
108	784.048(7)	3rd	Aggravated stalking; violation of court order.
100	784.07(2)(d)	lst	Aggravated battery on law enforcement officer.
	784.074(1)(a)	lst	Aggravated battery on sexually violent predators facility staff.
110	784.08(2)(a)	lst	Aggravated battery on a person 65 years of age or older.
111		Page 11	of 45

Page 11 of 45

FL	ORI	DA	ΗΟ	USE	ΟF	REP	RES	ENT/	АТІУЕЅ
----	-----	----	----	-----	----	-----	-----	------	--------

	HB 1441		2007
	784.081(1)	lst	Aggravated battery on specified official or employee.
112	784.082(1)	lst	Aggravated battery by detained person on visitor or other detainee.
	784.083(1)	lst	Aggravated battery on code inspector.
114	790.07(4)	lst	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
115	790.16(1)	lst	Discharge of a machine gun under specified circumstances.
116	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
117		Page 12 of 45	

Page 12 of 45

	HB 1441		2007
	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit
118	790.166(3)	2nd	a felony. Possessing, selling, using, or attempting
119	790.166(4)	2nd	to use a hoax weapon of mass destruction.
	/90.166(4)	2110	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit
120	<u>794.08(4)</u>	<u>3rd</u>	a felony. <u>Female genital</u> <u>mutilation; consent</u> <u>by a parent,</u> <u>guardian, or a</u> <u>person in custodial</u>
		Dage 13 of 15	

Page 13 of 45

	HB 1441		2007
101			<u>authority to a</u> victim younger than 18 years of age.
121	796.03	2nd	Procuring any person under 16 years for prostitution.
122	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
1722	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.
124	806.01(2)	2nd	Maliciously damage structure by fire or explosive.
C 7 T	810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed;

Page 14 of 45

FL	ORI	DA	ΗΟ	USE	ΟF	REP	RES	ENT/	АТІУЕЅ
----	-----	----	----	-----	----	-----	-----	------	--------

	HB 1441		2007
			no assault or
			battery.
126	810.02(3)(b)	2nd	Burglary of
	810.02(3)(b)	2110	unoccupied dwelling;
			unarmed; no assault
			or battery.
127			or bactery.
	810.02(3)(d)	2nd	Burglary of occupied
			<pre>conveyance; unarmed;</pre>
			no assault or
			battery.
128			
	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.
129	010 014 (0) (b) 0	and	Droporty stolop
	812.014(2)(b)2.	2nd	Property stolen,
			cargo valued at less
			than \$50,000, grand
		Page 15 of 45	

Page 15 of 45

FL	ORI	DΑ	ΗΟU	SΕ	ΟF	REP	, K E S	SEN	ΤΑΤΙΥ	VES
----	-----	----	-----	----	----	-----	---------	-----	-------	-----

	HB 1441		2007
130			theft in 2nd degree.
	812.014(2)(b)3.	2nd	Property stolen,
			emergency medical
			equipment; 2nd
131			degree grand theft.
	812.0145(2)(a)	lst	Theft from person 65
			years of age or
			older; \$50,000 or
			more.
132	812.019(2)	lst	Stolen property;
			initiates,
			organizes, plans,
			etc., the theft of
			property and
			traffics in stolen
			property.
133			
	812.131(2)(a)	2nd	Robbery by sudden
			snatching.
134			
	812.133(2)(b)	lst	Carjacking; no
			firearm, deadly
			weapon, or other
			weapon.
135		Page 16 of 45	

Page 16 of 45

FL	ORI	IDA	ΗΟΙ	JSE	ΟF	REP	PRE S	SENT	ΑΤΙΥΕ	S
----	-----	-----	-----	-----	----	-----	-------	------	-------	---

	HB 1441		2007
	817.234(8)(a)	2nd	Solicitation of
			motor vehicle
			accident victims
			with intent to
			defraud.
136			
	817.234(9)	2nd	Organizing,
			planning, or
			participating in an
			intentional motor
			vehicle collision.
137			
	817.234(11)(c)	lst	Insurance fraud;
			property value
			\$100,000 or more.
138			
	817.2341(2)(b)&	lst	Making false entries
	(3) (b)		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
120			that entity.
139		Dage 17 of 15	

	HB 1441		2007
140	825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
141	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.
141	827.03(3)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
143	827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
ΤŦĴ	837.05(2)	3rd Dago 19 of 45	Giving false

Page 18 of 45

FL	0	RΙ	D	А	н	0	U	S	Е	0	F	R	Е	Ρ	R	Е	S	Е	Ν	Т	А	Т		V	Е	S
----	---	----	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	--	---	---	---

	HB 1441		2007
			information about
			alleged capital
			felony to a law
			enforcement officer.
144			
	838.015	2nd	Bribery.
145			
	838.016	2nd	Unlawful
			compensation or
			reward for official
			behavior.
146			
	838.021(3)(a)	2nd	Unlawful harm to a
1 4 17			public servant.
147	838.22	2nd	Bid tampering.
148	030.22	2110	BIG campering.
110	847.0135(3)	3rd	Solicitation of a
	0 _ / 0 _ 0 _ 0 (0)	0 _ 0	child, via a
			computer service, to
			commit an unlawful
			sex act.
149			
	872.06	2nd	Abuse of a dead
			human body.
150			
	893.13(1)(c)1.	lst	Sell, manufacture,
I		Dage 10	of 45

Page 19 of 45

HB 1441

151

2007

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. 893.13(1)(e)1. Sell, manufacture, 1st 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

FL	ORI	DА	ΗΟ	USE	OF	REP	, R E S	ENTA	ΑΤΙΥΕS
----	-----	----	----	-----	----	-----	---------	------	--------

	HB 1441		2007
			or a specified
			business site.
152			
	893.13(4)(a)	lst	Deliver to minor
			cocaine (or other s.
			893.03(1)(a),
			(1)(b), (1)(d),
			(2)(a), (2)(b), or
			(2)(c)4. drugs).
153			
	893.135(1)(a)1.	1st	Trafficking in
			cannabis, more than
			25 lbs., less than
1 - 4			2,000 lbs.
154	002 125	1 ~	
	893.135	lst	Trafficking in
	(1)(b)1.a.		cocaine, more than
			28 grams, less than 200 grams.
155			200 grams.
TJJ	893.135	lst	Trafficking in
	(1)(c)1.a.	150	illegal drugs, more
	(1)(0)1.a.		than 4 grams, less
			than 14 grams.
156			
	893.135	lst	Trafficking in
	(1) (d)1.		phencyclidine, more
	. ,		_ _ _ _ _ _ _ _ _ _
		Page 21 of 45	

Page 21 of 45

FL	ΟR	ΙD	A	н о	U	S	E	0	F	R	Е	Ρ	R	Е	S	Е	Ν	Т	А	Т	I	V	Е	S
----	----	----	---	-----	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

	HB 1441		2007
			than 28 grams, less
			than 200 grams.
157			
	893.135(1)(e)1.	lst	Trafficking in
			methaqualone, more
			than 200 grams, less
			than 5 kilograms.
158			
	893.135(1)(f)1.	lst	Trafficking in
			amphetamine, more
			than 14 grams, less
			than 28 grams.
159			
	893.135	lst	Trafficking in
	(1)(g)1.a.		flunitrazepam, 4
			grams or more, less
			than 14 grams.
160			
	893.135	lst	Trafficking in
	(1)(h)1.a.		gamma-hydroxybutyric
			acid (GHB), 1
			kilogram or more,
			less than 5
			kilograms.
161			
	893.135	lst	Trafficking in 1,4-
	(1)(j)1.a.		Butanediol, 1

Page 22 of 45

	HB 1441		2007
			kilogram or more,
			less than 5
			kilograms.
162			
	893.135	lst	Trafficking in
	(1)(k)2.a.		Phenethylamines, 10
			grams or more, less
			than 200 grams.
163			
	896.101(5)(a)	3rd	Money laundering,
			financial
			transactions
			exceeding \$300 but
			less than \$20,000.
164			
	896.104(4)(a)1.	3rd	Structuring
			transactions to
			evade reporting or
			registration
			requirements,
			financial
			transactions
			exceeding \$300 but
			less than \$20,000.
165			
	943.0435(4)(c)	2nd	Sexual offender
			vacating permanent
		Dage 22 of 4E	

Page 23 of 45

	HB 1441		2007
			residence; failure
			to comply with
			reporting
			requirements.
166			
	943.0435(8)	2nd	Sexual offender;
			remains in state
			after indicating
			intent to leave;
			failure to comply
			with reporting
			requirements.
167			
	943.0435(9)(a)	3rd	Sexual offender;
			failure to comply
			with reporting
			requirements.
168			
	943.0435(13)	3rd	Failure to report or
			providing false
			information about a
			<pre>sexual offender;</pre>
			harbor or conceal a
			sexual offender.
169	943.0435(14)	3rd	Sexual offender;
	JIJ.04JJ(14)	JIU	
			failure to report
		Dage 24 of 45	

Page 24 of 45

	HB 1441		2007
			and reregister;
			failure to respond
			to address
			verification.
170			
	944.607(9)	3rd	Sexual offender;
			failure to comply
			with reporting
			requirements.
171			
	944.607(10)(a)	3rd	Sexual offender;
			failure to submit to
			the taking of a
			digitized
			photograph.
172			
	944.607(12)	3rd	Failure to report or
			providing false
			information about a
			<pre>sexual offender;</pre>
			harbor or conceal a
173			sexual offender.
1/3	944.607(13)	3rd	Sexual offender;
			failure to report
			and reregister;
			failure to respond
ļ		Page 25 of 45	

Page 25 of 45

	HB 1441			2007	
				to address	
				verification.	
174					
		(h)	LEVEL 8		
175					
	316.193	2nd		DUI manslaughter.	
	(3)(c)3.a.				
176					
	316.1935(4)(b)	1st		Aggravated fleeing	
				or attempted eluding	
				with serious bodily	
1				injury or death.	
177	327.35(3)(c)3.	2nd		Vessel BUI	
	527.55(5)(C)5.	2110		manslaughter.	
178				manstaugneer.	
_ / 0	499.0051(7)	1st		Forgery of	
				prescription or	
				legend drug labels.	
179					
	499.0052	1st		Trafficking in	
				contraband legend	
				drugs.	
180					
	560.123(8)(b)2.	2nd		Failure to report	
				currency or payment	
				instruments totaling	
			Dage 26 of 15		

Page 26 of 45

	HB 1441		2007
			or exceeding
			\$20,000, but less
			than \$100,000 by
			money transmitter.
181	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.
182	655.50(10)(b)2.	2nd	Failure to report
	000.00(10)(0)2.	2110	financial
			transactions
			totaling or
			exceeding \$20,000,
			but less than
			\$100,000 by
			financial
			institutions.
183			
	777.03(2)(a)	lst	Accessory after the
			fact, capital
			felony.
184			
		Dage 27 of 45	



	HB 1441		2007
	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.
185			
	782.051(2)	lst	Attempted felony
			murder while
			perpetrating or
			attempting to
			perpetrate a felony
			not enumerated in s.
			782.04(3).
186			
	782.071(1)(b)	lst	Committing vehicular
			homicide and failing
			to render aid or
			give information.
187			
	782.072(2)	1st	Committing vessel
			and 20 of 4E

	HB 1441		2007
188			homicide and failing to render aid or give information.
	790.161(3)	lst	Discharging a destructive device which results in bodily harm or property damage.
189	794.08(3)	2nd	Female genital
100			mutilation; removal of a victim younger than 18 years of age from this state.
190	794.011(5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
191	800.04(4)	2nd	Lewd or lascivious
192			battery.
I		Page 29 of 45	

	HB 1441		2007
	806.01(1)	lst	Maliciously damage dwelling or
			structure by fire or
			explosive, believing
			person in structure.
193			-
	810.02(2)(a)	1st,PBL	Burglary with
			assault or battery.
194			
	810.02(2)(b)	lst,PBL	Burglary; armed with
			explosives or
			dangerous weapon.
195			
	810.02(2)(c)	lst	Burglary of a
			dwelling or
			structure causing
			structural damage or
			\$1,000 or more
			property damage.
196			
	812.014(2)(a)2.	1st	Property stolen;
			cargo valued at
			\$50,000 or more,
			grand theft in 1st
197			degree.
191	812.13(2)(b)	lst	Robbery with a
		TDC	NODDELY WICH a
		Dage 30 of 15	

Page 30 of 45

FL	ORI	DA F	H O U	SΕ	ΟF	REP	RES	ЕМТ	ΑΤΙΥΕ	S
----	-----	------	-------	----	----	-----	-----	-----	-------	---

	HB 1441		2007
198			weapon.
190	812.135(2)(c)	lst	Home-invasion robbery, no firearm,
199			deadly weapon, or other weapon.
	817.568(6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
200	825.102(2)	2nd	Aggravated abuse of an elderly person or disabled adult.
201	825.1025(2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
202	825.103(2)(a)	lst	Exploiting an elderly person or disabled adult and property is valued
		Page 31 of 45	

Page 31 of 45

FLORIDA HOUSE OF REPRESENTATIV	V E 🤅	S
--------------------------------	-------	---

	HB 1441		2007
203			at \$100,000 or more.
	837.02(2)	2nd	Perjury in official
			proceedings relating to prosecution of a
204			capital felony.
	837.021(2)	2nd	Making contradictory
			statements in
			official proceedings
			relating to
			prosecution of a
205			capital felony.
205	860.121(2)(c)	lst	Shooting at or
			throwing any object
			in path of railroad
			vehicle resulting in
			great bodily harm.
206			
	860.16	lst	Aircraft piracy.
207			
	893.13(1)(b)	lst	Sell or deliver in
			excess of 10 grams
			of any substance
			specified in s.
200			893.03(1)(a) or (b).
208		Dage 22 of 45	

Page 32 of 45

	HB 1441		2007
209	893.13(2)(b)	lst	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
209	893.13(6)(c)	lst	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
210	893.135(1)(a)2.	lst	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
211	893.135 (1)(b)1.b.	lst	Trafficking in cocaine, more than 200 grams, less than 400 grams.
212	893.135 (1)(c)1.b.	lst	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
		Da	ae 33 of 45

Page 33 of 45

FLORIDA HOUSE OF REPRESENTA	TATIVES
-----------------------------	---------

	HB 1441		2007
	ND 1441		2007
	893.135	lst	Trafficking in
	(1)(d)1.b.		phencyclidine, more
			than 200 grams, less
			than 400 grams.
214			
	893.135	lst	Trafficking in
	(1)(e)1.b.		methaqualone, more
			than 5 kilograms,
			less than 25
			kilograms.
215			
	893.135	lst	Trafficking in
	(1)(f)1.b.		amphetamine, more
			than 28 grams, less
			than 200 grams.
216			
	893.135	lst	Trafficking in
	(1)(g)1.b.		flunitrazepam, 14
			grams or more, less
			than 28 grams.
217			
	893.135	lst	Trafficking in
	(1)(h)1.b.		gamma-hydroxybutyric
			acid (GHB), 5
			kilograms or more,
			less than 10
			kilograms.
218			
I		Page 34 of 45	

Page 34 of 45

FL	ORI	DA	ΗΟ	USE	ΟF	REP	RES	ENT/	АТІУЕЅ
----	-----	----	----	-----	----	-----	-----	------	--------

	HB 1441		2007
	893.135 (1)(j)1.b.	lst	Trafficking in 1,4- Butanediol, 5 kilograms or more, less than 10 kilograms.
219	893.135 (1)(k)2.b.	lst	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
221	895.03(1)	lst	Use or invest proceeds derived from pattern of racketeering activity.
	895.03(2)	lst	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
222	895.03(3)	1st Page 35 of 45	Conduct or participate in any

Page 35 of 45

F	L	0	R	Ι	D	Α	F	ł	0	U	S	Е		0	F		R	Е	Ρ	R	Е	S	Е	Ν	Т	Α	Т	Ι	V	Е	S
---	---	---	---	---	---	---	---	---	---	---	---	---	--	---	---	--	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

	HB 1441		2007
			enterprise through
			pattern of
			racketeering
			activity.
223			
	896.101(5)(b)	2nd	Money laundering,
			financial
			transactions
			totaling or
			exceeding \$20,000,
			but less than
			\$100,000.
224			
	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.
225			
		(i) LEVEL 9	
226			
		Page 36 of 45	

FL	ORI	DΑ	ΗΟ	USE	ΟF	REP	PRE \$	SEN	ТАТ	IVES
----	-----	----	----	-----	----	-----	--------	-----	-----	------

	HB 1441		2007
	316.193	lst	DUI manslaughter;
	(3)(c)3.b.		failing to render
			aid or give
			information.
227			
	327.35(3)(c)3.b.	lst	BUI manslaughter;
			failing to render
			aid or give
			information.
228			
	499.00535	lst	Sale or purchase of
			contraband legend
			drugs resulting in
			great bodily harm.
229			
	560.123(8)(b)3.	lst	Failure to report
			currency or payment
			instruments totaling
			or exceeding
			\$100,000 by money
			transmitter.
230		- ·	
	560.125(5)(c)	lst	Money transmitter
			business by
			unauthorized person,
			currency, or payment
			instruments totaling

Page 37 of 45

F	L	0	R		D	Α		Н	0	U	S	Е		0	F		R	Е	Ρ	R	Е	S	Е	Ν	Т	Α	Т	I	V	Е	S
---	---	---	---	--	---	---	--	---	---	---	---	---	--	---	---	--	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

	HB 1441		2007
			or exceeding
			\$100,000.
231			
	655.50(10)(b)3.	lst	Failure to report
			financial
			transactions
			totaling or
			exceeding \$100,000
			by financial
			institution.
232			
	775.0844	lst	Aggravated white
			collar crime.
233			
	782.04(1)	lst	Attempt, conspire,
			or solicit to commit
224			premeditated murder.
234	782.04(3)	lst,PBL	Accomplice to murder
			in connection with
			arson, sexual
			battery, robbery,
			burglary, and other
			specified felonies.
235			-
	782.051(1)	lst	Attempted felony
			murder while
l		Page 38 of 45	

Page 38 of 45

FL	0	R	I D	А	Н	0	U	S	Е	0	F	R	2	Е	Р	R	Е	S	Е	Ν	Т	Α	Т	I	V	Е	S
----	---	---	-----	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

	HB 1441		2007
			perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
236	782.07(2)	lst	Aggravated manslaughter of an elderly person or disabled adult.
238	787.01(1)(a)1.	lst,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
239	787.01(1)(a)2.	lst,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
	787.01(1)(a)4.	lst,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
240		Page 39 of 45	

Page 39 of 45

	HB 1441		2007
	787.02(3)(a)	lst	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or
241			exhibition.
	790.161	lst	Attempted capital destructive device offense.
242	790.166(2)	lst,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
243	794.08(2)	<u>1st</u>	Female genital mutilation; victim younger than 18
244	794.011(2)	lst	<u>years of age.</u> Attempted sexual battery; victim less

Page 40 of 45

F	L	0	R		D	Α		Н	0	U	S	Е		0	F		R	Е	Ρ	R	Е	S	Е	Ν	Т	Α	Т	I	V	Е	S
---	---	---	---	--	---	---	--	---	---	---	---	---	--	---	---	--	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

	HB 1441		2007
245			than 12 years of age.
245	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person
246	794.011(4)	lst	less than 12 years. Sexual battery; victim 12 years or older, certain
247			circumstances.
	794.011(8)(b)	lst	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
248	800.04(5)(b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or
		Page 41 of 45	

Page 41 of 45

FLORIDA HOUSE OF REPRESENTATIV	ΕS
--------------------------------	----

	HB 1441		2007
249			older.
249	812.13(2)(a)	lst,PBL	Robbery with firearm or other deadly weapon.
	812.133(2)(a)	lst,PBL	Carjacking; firearm or other deadly weapon.
251 252	812.135(2)(b)	lst	Home-invasion robbery with weapon.
252	817.568(7)	2nd, PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
253	827.03(2)	lst	Aggravated child abuse.
		Page 42 of 45	

	HB 1441		2007
	847.0145(1)	lst	Selling, or
			otherwise
			transferring custody
			or control, of a
			minor.
255			
	847.0145(2)	lst	Purchasing, or
			otherwise obtaining
			custody or control,
			of a minor.
256			
	859.01	lst	Poisoning or
			introducing
			bacteria,
			radioactive
			materials, viruses,
			or chemical
			compounds into food,
			drink, medicine, or
			water with intent to
			kill or injure
			another person.
257			
	893.135	lst	Attempted capital
			trafficking offense.
258			
	893.135(1)(a)3.	lst	Trafficking in
		Dage 13 of 15	

Page 43 of 45

FLORI	DA H	OUSE	OF R	EPRES	ΕΝΤΑ	TIVES
-------	------	------	------	-------	------	-------

	HB 1441		2007
			cannabis, more than
			10,000 lbs.
259			
	893.135	lst	Trafficking in
	(1)(b)1.c.		cocaine, more than
			400 grams, less than
			150 kilograms.
260			
	893.135	lst	Trafficking in
	(1)(c)1.c.		illegal drugs, more
			than 28 grams, less
			than 30 kilograms.
261			
	893.135	lst	Trafficking in
	(1)(d)1.c.		phencyclidine, more
			than 400 grams.
262			
	893.135	lst	Trafficking in
	(1)(e)1.c.		methaqualone, more
			than 25 kilograms.
263			
	893.135	lst	Trafficking in
	(1)(f)1.c.		amphetamine, more
			than 200 grams.
264			
	893.135	1st	Trafficking in
	(1)(h)1.c.		gamma-hydroxybutyric
		Dana /	1 of 15

Page 44 of 45

FL	0	RΙ	D	А	н	0	U	S	Е	0	F	R	Е	Ρ	R	Е	S	Е	Ν	Т	А	Т	I	V	Е	S
----	---	----	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

	HB 1441		2007
			acid (GHB), 10
			kilograms or more.
265			
	893.135	1st	Trafficking in 1,4-
	(1)(j)1.c.		Butanediol, 10
			kilograms or more.
266			
	893.135	1st	Trafficking in
	(1)(k)2.c.		Phenethylamines, 400
			grams or more.
267			
	896.101(5)(c)	lst	Money laundering,
			financial
			instruments totaling
			or exceeding
			\$100,000.
268			
	896.104(4)(a)3.	lst	Structuring
			transactions to
			evade reporting or
			registration
			requirements,
			financial
			transactions
			totaling or
			exceeding \$100,000.
269			
270	Section 3.		ke effect October 1, 2007.
		Page 45	JI 40