

By Senator Fasano

11-1413-07

See HB

1 A bill to be entitled

2 An act relating to false personation; amending

3 s. 843.08, F.S.; prohibiting a person from

4 falsely personating certain law enforcement

5 officers if his or her action could deceive a

6 reasonable person into believing that he or she

7 was a bona fide law enforcement official;

8 amending s. 921.0022, F.S., relating to the

9 offense severity ranking chart of the Criminal

10 Punishment Code, to conform; providing an

11 effective date.

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

15 Section 1. Section 843.08, Florida Statutes, is

16 amended to read:

17 843.08 False personation ~~Falsely personating officer,~~

18 ~~etc.~~--A person who falsely assumes or pretends to be a

19 sheriff, officer of the Florida Highway Patrol, officer of the

20 Fish and Wildlife Conservation Commission, officer of the

21 Department of Environmental Protection, officer of the

22 Department of Transportation, officer of the Department of

23 Financial Services, officer of the Department of Corrections,

24 correctional probation officer, deputy sheriff, state attorney

25 or assistant state attorney, statewide prosecutor or assistant

26 statewide prosecutor, state attorney investigator, coroner,

27 police officer, lottery special agent or lottery investigator,

28 beverage enforcement agent, or watchman, or any member of the

29 Parole Commission and any administrative aide or supervisor

30 employed by the commission, or any personnel or representative

31 of the Department of Law Enforcement or any other criminal

1 justice agency as defined in s. 943.045, whether federal,
2 state, local, municipal, tribal, or territorial, if his or her
3 action could deceive a reasonable person into believing that
4 he or she was a bona fide law enforcement official, and takes
5 upon himself or herself to act as such, or to require any
6 other person to aid or assist him or her in a matter
7 pertaining to the duty of any such officer, commits a felony
8 of the third degree, punishable as provided in s. 775.082, s.
9 775.083, or s. 775.084; however, a person who falsely
10 personates any such officer during the course of the
11 commission of a felony commits a felony of the second degree,
12 punishable as provided in s. 775.082, s. 775.083, or s.
13 775.084; except that if the commission of the felony results
14 in the death or personal injury of another human being, the
15 person commits a felony of the first degree, punishable as
16 provided in s. 775.082, s. 775.083, or s. 775.084.

17 Section 2. Paragraph (b) of subsection (3) of section
18 921.0022, Florida Statutes, is amended to read:

19 921.0022 Criminal Punishment Code; offense severity
20 ranking chart.--

21 (3) OFFENSE SEVERITY RANKING CHART

22 Florida	Felony	Description
23 Statute	Degree	
		(b) LEVEL 2
25 370.12(1)(e)3.	3rd	Possession of 11 or fewer marine 26 turtle eggs in violation of the 27 Marine Turtle Protection Act.
28 370.12(1)(e)4.	3rd	Possession of more than 11 marine 29 turtle eggs in violation of the 30 Marine Turtle Protection Act.

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1	403.413(5)(c)	3rd	Dumps waste litter exceeding 500
2			lbs. in weight or 100 cubic feet
3			in volume or any quantity for
4			commercial purposes, or hazardous
5			waste.
6	517.07	3rd	Registration of securities and
7			furnishing of prospectus
8			required.
9	590.28(1)	3rd	Willful, malicious, or
10			intentional burning.
11	784.05(3)	3rd	Storing or leaving a loaded
12			firearm within reach of minor who
13			uses it to inflict injury or
14			death.
15	787.04(1)	3rd	In violation of court order,
16			take, entice, etc., minor beyond
17			state limits.
18	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000
19			or more to public communication
20			or any other public service.
21	810.061(2)	3rd	Impairing or impeding telephone
22			or power to a dwelling;
23			facilitating or furthering
24			burglary.
25	810.09(2)(e)	3rd	Trespassing on posted commercial
26			horticulture property.
27	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or
28			more but less than \$5,000.
29			
30			
31			

1	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or
2			more but less than \$300, taken
3			from unenclosed curtilage of
4			dwelling.
5	812.015(7)	3rd	Possession, use, or attempted use
6			of an antishoplifting or
7			inventory control device
8			countermeasure.
9	817.234(1)(a)2.	3rd	False statement in support of
10			insurance claim.
11	817.481(3)(a)	3rd	Obtain credit or purchase with
12			false, expired, counterfeit,
13			etc., credit card, value over
14			\$300.
15	817.52(3)	3rd	Failure to redeliver hired
16			vehicle.
17	817.54	3rd	With intent to defraud, obtain
18			mortgage note, etc., by false
19			representation.
20	817.60(5)	3rd	Dealing in credit cards of
21			another.
22	817.60(6)(a)	3rd	Forgery; purchase goods, services
23			with false card.
24	817.61	3rd	Fraudulent use of credit cards
25			over \$100 or more within 6
26			months.
27	826.04	3rd	Knowingly marries or has sexual
28			intercourse with person to whom
29			related.
30	831.01	3rd	Forgery.
31			

1	831.02	3rd	Uttering forged instrument;
2			utters or publishes alteration
3			with intent to defraud.
4	831.07	3rd	Forging bank bills, checks,
5			drafts, or promissory notes.
6	831.08	3rd	Possessing 10 or more forged
7			notes, bills, checks, or drafts.
8	831.09	3rd	Uttering forged notes, bills,
9			checks, drafts, or promissory
10			notes.
11	831.11	3rd	Bringing into the state forged
12			bank bills, checks, drafts, or
13			notes.
14	832.05(3)(a)	3rd	Cashing or depositing item with
15			intent to defraud.
16	843.08	3rd	<u>False impersonation</u> Falsely
17			impersonating an officer.
18	893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c),
19			(2)(c)1., (2)(c)2., (2)(c)3.,
20			(2)(c)5., (2)(c)6., (2)(c)7.,
21			(2)(c)8., (2)(c)9., (3), or (4)
22			drugs other than cannabis.
23	893.147(2)	3rd	Manufacture or delivery of drug
24			paraphernalia.
25	Section 3.		This act shall take effect October 1, 2007.