

A bill to be entitled

An act relating to assault or battery of a law enforcement officer; amending s. 784.07, F.S.; redefining the term "law enforcement officer" to include a federal law enforcement officer for purposes of certain enhanced penalties imposed for the offense of assault or battery of a law enforcement officer; reenacting ss. 435.04(3)(a), 901.15(15), 921.0022(3)(d), (f), and (g), 943.051(3)(b), and 985.11(1)(b), F.S., relating to screening standards, arrest without warrant, the offense severity ranking chart, and the fingerprinting of minors, to incorporate the amendment to s. 784.07, F.S., in references thereto; providing an effective date.

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

Section 1. Paragraph (a) of subsection (1) of section 784.07, Florida Statutes, is amended, and subsections (2) and (3) of that section are reenacted, to read:

784.07 Assault or battery of law enforcement officers, firefighters, emergency medical care providers, public transit employees or agents, or other specified officers; reclassification of offenses; minimum sentences.--

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

(a) "Law enforcement officer" includes a law enforcement officer, a correctional officer, a correctional probation officer, a part-time law enforcement officer, a part-time correctional officer, an auxiliary law enforcement officer, and

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29 an auxiliary correctional officer, as those terms are
30 respectively defined in s. 943.10, and any county probation
31 officer; an employee or agent of the Department of Corrections
32 who supervises or provides services to inmates; an officer of
33 the Parole Commission; a federal law enforcement officer as
34 defined in s. 901.1505; and law enforcement personnel of the
35 Fish and Wildlife Conservation Commission, the Department of
36 Environmental Protection, or the Department of Law Enforcement.

37 (2) Whenever any person is charged with knowingly
38 committing an assault or battery upon a law enforcement officer,
39 a firefighter, an emergency medical care provider, a traffic
40 accident investigation officer as described in s. 316.640, a
41 nonsworn law enforcement agency employee who is certified as an
42 agency inspector, blood alcohol analyst, or a breath test
43 operator while such employee is in uniform and engaged in
44 processing, testing, evaluating, analyzing, or transporting a
45 person who is detained or under arrest for DUI, a traffic
46 infraction enforcement officer as described in s. 316.640, a
47 parking enforcement specialist as defined in s. 316.640, a
48 person licensed as a security officer as defined in s. 493.6101
49 and wearing a uniform that bears at least one patch or emblem
50 that is visible at all times that clearly identifies the
51 employing agency and that clearly identifies the person as a
52 licensed security officer, or a security officer employed by the
53 board of trustees of a community college, while the officer,
54 firefighter, emergency medical care provider, intake officer,
55 traffic accident investigation officer, traffic infraction
56 enforcement officer, inspector, analyst, operator, parking

57 enforcement specialist, public transit employee or agent, or
58 security officer is engaged in the lawful performance of his or
59 her duties, the offense for which the person is charged shall be
60 reclassified as follows:

61 (a) In the case of assault, from a misdemeanor of the
62 second degree to a misdemeanor of the first degree.

63 (b) In the case of battery, from a misdemeanor of the
64 first degree to a felony of the third degree.

65 (c) In the case of aggravated assault, from a felony of
66 the third degree to a felony of the second degree.

67 Notwithstanding any other provision of law, any person convicted
68 of aggravated assault upon a law enforcement officer shall be
69 sentenced to a minimum term of imprisonment of 3 years.

70 (d) In the case of aggravated battery, from a felony of
71 the second degree to a felony of the first degree.

72 Notwithstanding any other provision of law, any person convicted
73 of aggravated battery of a law enforcement officer shall be
74 sentenced to a minimum term of imprisonment of 5 years.

75 (3) Any person who is convicted of a battery under
76 paragraph (2)(b) and, during the commission of the offense, such
77 person possessed:

78 (a) A "firearm" or "destructive device" as those terms are
79 defined in s. 790.001, shall be sentenced to a minimum term of
80 imprisonment of 3 years.

81 (b) A semiautomatic firearm and its high-capacity
82 detachable box magazine, as defined in s. 775.087(3), or a
83 machine gun as defined in s. 790.001, shall be sentenced to a
84 minimum term of imprisonment of 8 years.

85
86 Notwithstanding s. 948.01, adjudication of guilt or imposition
87 of sentence shall not be suspended, deferred, or withheld, and
88 the defendant is not eligible for statutory gain-time under s.
89 944.275 or any form of discretionary early release, other than
90 pardon or executive clemency, or conditional medical release
91 under s. 947.149, prior to serving the minimum sentence.

92 Section 2. For the purpose of incorporating the amendment
93 made by this act to section 784.07, Florida Statutes, in a
94 reference thereto, paragraph (a) of subsection (3) of section
95 435.04, Florida Statutes, is reenacted to read:

96 435.04 Level 2 screening standards.--

97 (3) The security background investigations conducted under
98 this section for employees of the Department of Juvenile Justice
99 must ensure that no persons subject to the provisions of this
100 section have been found guilty of, regardless of adjudication,
101 or entered a plea of nolo contendere or guilty to, any offense
102 prohibited under any of the following provisions of the Florida
103 Statutes or under any similar statute of another jurisdiction:

104 (a) Section 784.07, relating to assault or battery of law
105 enforcement officers, firefighters, emergency medical care
106 providers, public transit employees or agents, or other
107 specified officers.

108
109 The Department of Juvenile Justice may not remove a
110 disqualification from employment or grant an exemption to any
111 person who is disqualified under this section for any offense
112 disposed of during the most recent 7-year period.

113 Section 3. For the purpose of incorporating the amendment
 114 made by this act to section 784.07, Florida Statutes, in a
 115 reference thereto, subsection (15) of section 901.15, Florida
 116 Statutes, is reenacted to read:

117 901.15 When arrest by officer without warrant is
 118 lawful.--A law enforcement officer may arrest a person without a
 119 warrant when:

120 (15) There is probable cause to believe that the person
 121 has committed assault upon a law enforcement officer, a
 122 firefighter, an emergency medical care provider, public transit
 123 employees or agents, or other specified officers as set forth in
 124 s. 784.07 or has committed assault or battery upon any employee
 125 of a receiving facility as defined in s. 394.455 who is engaged
 126 in the lawful performance of his or her duties.

127 Section 4. For the purpose of incorporating the amendment
 128 made by this act to section 784.07, Florida Statutes, in a
 129 reference thereto, paragraphs (d), (f), and (g) of subsection
 130 (3) of section 921.0022, Florida Statutes, are reenacted to
 131 read:

132 921.0022 Criminal Punishment Code; offense severity
 133 ranking chart.--

134 (3) OFFENSE SEVERITY RANKING CHART

135	Florida	Felony	
	Statute	Degree	Description
136		(d) LEVEL 4	

137

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138	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.
139	499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
140	499.0051(2)	3rd	Failure to authenticate pedigree papers.
141	499.0051(6)	2nd	Sale or delivery, or possession with intent to sell, contraband legend drugs.
141	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, intake

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142	784.074 (1) (c)	3rd	officer, etc. Battery of sexually violent predators facility staff.
143	784.075	3rd	Battery on detention or commitment facility staff.
144	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
145	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
146	784.081 (3)	3rd	Battery on specified official or employee.
147	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
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149	784.083 (3)	3rd	Battery on code inspector.
150	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
151	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
152	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to

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153			designated person.
	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
154			
	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
155			
	790.115 (2) (c)	3rd	Possessing firearm on school property.
156			
	800.04 (7) (d)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
157			
	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
158			
	810.02 (4) (b)	3rd	Burglary, or

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159	810.06	3rd	attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
160	810.08 (2) (c)	3rd	Burglary; possession of tools.
161	812.014 (2) (c) 3.	3rd	Trespass on property, armed with firearm or dangerous weapon.
162	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
163	812.0195 (2)	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
			Dealing in stolen property by use of the Internet;

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164	817.563 (1)	3rd	property stolen \$300 or more.
165	817.568 (2) (a)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s.893.03(5) drugs.
166	817.625 (2) (a)	3rd	Fraudulent use of personal identification information.
167	828.125 (1)	2nd	Fraudulent use of scanning device or reencoder.
168	837.02 (1)	3rd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
			Perjury in official proceedings.

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169	837.021 (1)	3rd	Make contradictory statements in official proceedings.
170	838.022	3rd	Official misconduct.
171	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
172	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Family Services.
173	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
174	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of

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175	843.15 (1) (a)	3rd	means of protection or communication. Failure to appear while on bail for felony (bond estreature or bond jumping).
176	874.05 (1)	3rd	Encouraging or recruiting another to join a criminal street gang.
177	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).
178	914.14 (2)	3rd	Witnesses accepting bribes.
179	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.

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180	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
181	918.12	3rd	Tampering with jurors.
182	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
183		(f) LEVEL 6	
184	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
185	499.0051 (3)	2nd	Forgery of pedigree papers.
186	499.0051 (4)	2nd	Purchase or receipt of legend drug from unauthorized person.
187			

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188	499.0051 (5)	2nd	Sale of legend drug to unauthorized person.
189	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
190	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
191	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
192	784.041	3rd	Felony battery.
193	784.048 (3)	3rd	Aggravated stalking; credible threat.
194	784.048 (5)	3rd	Aggravated stalking of person under 16.
	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.

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195	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
196	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
197	784.081 (2)	2nd	Aggravated assault on specified official or employee.
198	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
199	784.083 (2)	2nd	Aggravated assault on code inspector.
200	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
201			

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202	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
203	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
204	790.164 (1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
205	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
206	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
	794.05 (1)	2nd	Unlawful sexual

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207	800.04 (5) (d)	3rd	activity with specified minor.
208	800.04 (6) (b)	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
209	806.031 (2)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
210	810.02 (3) (c)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
211	812.014 (2) (b) 1.	2nd	Burglary of occupied structure; unarmed; no assault or battery.
			Property stolen \$20,000 or more, but less than \$100,000,

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212	812.015 (9)	2nd	grand theft in 2nd degree.
213	812.13 (2) (c)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
214	817.034 (4) (a) 1.	1st	Robbery, no firearm or other weapon (strong-arm robbery).
215	817.4821 (5)	2nd	Communications fraud, value greater than \$50,000.
216	825.102 (1)	3rd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
217			Abuse of an elderly person or disabled adult.

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218	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
219	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
220	825.103 (2) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
221	827.03 (1)	3rd	Abuse of a child.
222	827.03 (3) (c)	3rd	Neglect of a child.
223	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
224	836.05	2nd	Threats; extortion.

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225	836.10	2nd	Written threats to kill or do bodily injury.
226	843.12	3rd	Aids or assists person to escape.
227	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
228	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
	944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.

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229	944.40	2nd	Escapes.
230	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
231	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
232	951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
233		(g) LEVEL 7	
234	316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
235	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.

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236

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.

237

327.35 (3) (c) 2.

3rd

Vessel BUI resulting
in serious bodily
injury.

238

402.319 (2)

2nd

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

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239			disability, or death.
	409.920 (2)	3rd	Medicaid provider fraud.
240			
	456.065 (2)	3rd	Practicing a health care profession without a license.
241			
	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
242			
	458.327 (1)	3rd	Practicing medicine without a license.
243			
	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
244			
	460.411 (1)	3rd	Practicing chiropractic medicine without a license.

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245	461.012 (1)	3rd	Practicing podiatric medicine without a license.
246	462.17	3rd	Practicing naturopathy without a license.
247	463.015 (1)	3rd	Practicing optometry without a license.
248	464.016 (1)	3rd	Practicing nursing without a license.
249	465.015 (2)	3rd	Practicing pharmacy without a license.
250	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
251	467.201	3rd	Practicing midwifery without a license.
252	468.366	3rd	Delivering respiratory care services without a

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253	483.828 (1)	3rd	license.
254	483.901 (9)	3rd	Practicing as clinical laboratory personnel without a license.
255	484.013 (1) (c)	3rd	Practicing medical physics without a license.
256	484.053	3rd	Preparing or dispensing optical devices without a prescription.
257	494.0018 (2)	1st	Dispensing hearing aids without a license. 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

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258	560.123 (8) (b) 1.	3rd	more victims.
259	560.125 (5) (a)	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
260	655.50 (10) (b) 1.	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
261	775.21 (10) (a)	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
			Sexual predator; failure to register; failure to renew

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262	775.21 (10) (b)	3rd	driver's license or identification card; other registration violations.
263	775.21 (10) (g)	3rd	Sexual predator working where children regularly congregate.
264	782.051 (3)	2nd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
265	782.07 (1)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
			Killing of a human being by the act, procurement, or

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266

782.071

2nd

culpable negligence
of another
(manslaughter).

Killing of human
being or viable
fetus by the
operation of a motor
vehicle in a
reckless manner
(vehicular
homicide).

267

782.072

2nd

Killing of a human
being by the
operation of a
vessel in a reckless
manner (vessel
homicide).

268

784.045 (1) (a) 1.

2nd

Aggravated battery;
intentionally
causing great bodily
harm or
disfigurement.

269

784.045 (1) (a) 2.

2nd

Aggravated battery;
using deadly weapon.

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270	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
271	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
272	784.048 (7)	3rd	Aggravated stalking; violation of court order.
273	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
274	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
275	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
276	784.081 (1)	1st	Aggravated battery

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			on specified official or employee.
277	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
278	784.083 (1)	1st	Aggravated battery on code inspector.
279	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
280	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
281	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
282	790.165 (3)	2nd	Possessing,

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283	790.166 (3)	2nd	displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
284	790.166 (4)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
285	796.03	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
286	800.04 (5) (c) 1.	2nd	Procuring any person under 16 years for prostitution.
			Lewd or lascivious molestation; victim less than 12 years

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287	800.04 (5) (c) 2.	2nd	of age; offender less than 18 years.
288	806.01 (2)	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
289	810.02 (3) (a)	2nd	Maliciously damage structure by fire or explosive.
290	810.02 (3) (b)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
291	810.02 (3) (d)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
			Burglary of occupied conveyance; unarmed; no assault or battery.

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292	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.
293	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
294	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
295	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
296	812.019 (2)	1st	Stolen property;

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			initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
297	812.131 (2) (a)	2nd	Robbery by sudden snatching.
298	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
299	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
300	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
301	817.234 (11) (c)	1st	Insurance fraud;

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302

817.2341(2)(b) & 1st
(3)(b)

property value
\$100,000 or more.

Making false entries
of material fact or
false statements
regarding property
values relating to
the solvency of an
insuring entity
which are a
significant cause of
the insolvency of
that entity.

303

825.102(3)(b) 2nd

Neglecting an
elderly person or
disabled adult
causing great bodily
harm, disability, or
disfigurement.

304

825.103(2)(b) 2nd

Exploiting an
elderly person or
disabled adult and
property is valued
at \$20,000 or more,
but less than

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305	827.03 (3) (b)	2nd	\$100,000.
306	827.04 (3)	3rd	Neglect of a child causing great bodily harm, disability, or disfigurement.
307	837.05 (2)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
308	838.015	2nd	Giving false information about alleged capital felony to a law enforcement officer.
309	838.016	2nd	Bribery.
310	838.021 (3) (a)	2nd	Unlawful compensation or reward for official behavior.
			Unlawful harm to a public servant.

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311	838.22	2nd	Bid tampering.
312	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
313	872.06	2nd	Abuse of a dead human body.
314	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.

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893.13 (1) (e) 1. 1st Sell, manufacture,
 or deliver cocaine
 or other drug
 prohibited under s.
 893.03 (1) (a),
 (1) (b), (1) (d),
 (2) (a), (2) (b), or
 (2) (c) 4., within
 1,000 feet of
 property used for
 religious services
 or a specified
 business site.

316

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).

317

893.135 (1) (a) 1. 1st Trafficking in
 cannabis, more than
 25 lbs., less than
 2,000 lbs.

318

893.135 1st Trafficking in

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319	(1) (b) 1.a.	1st	cocaine, more than 28 grams, less than 200 grams.
320	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
321	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
322	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
323	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
323	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.

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324	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
325	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4- Butanediol, 1 kilogram or more, less than 5 kilograms.
326	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
327	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
328	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or

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329	943.0435(4)(c)	2nd	registration requirements, financial transactions exceeding \$300 but less than \$20,000.
330	943.0435(8)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
331	943.0435(9)(a)	3rd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
332	943.0435(13)	3rd	Sexual offender; failure to comply with reporting requirements. Failure to report or

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333	943.0435 (14)	3rd	<p>providing false information about a sexual offender; harbor or conceal a sexual offender.</p>
334	944.607 (9)	3rd	<p>Sexual offender; failure to report and reregister; failure to respond to address verification.</p>
335	944.607 (10) (a)	3rd	<p>Sexual offender; failure to comply with reporting requirements.</p>
336	944.607 (12)	3rd	<p>Sexual offender; failure to submit to the taking of a digitized photograph.</p> <p>Failure to report or providing false information about a sexual offender;</p>

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harbor or conceal a
sexual offender.

337

944.607(13) 3rd

Sexual offender;
failure to report
and reregister;
failure to respond
to address
verification.

338

339 Section 5. For the purpose of incorporating the amendment
340 made by this act to section 784.07, Florida Statutes, in a
341 reference thereto, paragraph (b) of subsection (3) of section
342 943.051, Florida Statutes, is reenacted to read:

343 943.051 Criminal justice information; collection and
344 storage; fingerprinting.--

345 (3)

346 (b) A minor who is charged with or found to have committed
347 the following offenses shall be fingerprinted and the
348 fingerprints shall be submitted to the department:

349 1. Assault, as defined in s. 784.011.

350 2. Battery, as defined in s. 784.03.

351 3. Carrying a concealed weapon, as defined in s.
352 790.01(1).

353 4. Unlawful use of destructive devices or bombs, as
354 defined in s. 790.1615(1).

355 5. Negligent treatment of children, as defined in s.
356 827.05.

357 6. Assault or battery on a law enforcement officer, a
 358 firefighter, or other specified officers, as defined in s.
 359 784.07(2)(a) and (b).

360 7. Open carrying of a weapon, as defined in s. 790.053.

361 8. Exposure of sexual organs, as defined in s. 800.03.

362 9. Unlawful possession of a firearm, as defined in s.
 363 790.22(5).

364 10. Petit theft, as defined in s. 812.014(3).

365 11. Cruelty to animals, as defined in s. 828.12(1).

366 12. Arson, as defined in s. 806.031(1).

367 13. Unlawful possession or discharge of a weapon or
 368 firearm at a school-sponsored event or on school property as
 369 defined in s. 790.115.

370 Section 6. For the purpose of incorporating the amendment
 371 made by this act to section 784.07, Florida Statutes, in a
 372 reference thereto, paragraph (b) of subsection (1) of section
 373 985.11, Florida Statutes, is reenacted to read:

374 985.11 Fingerprinting and photographing.--

375 (1)

376 (b) A child who is charged with or found to have committed
 377 one of the following offenses shall be fingerprinted, and the
 378 fingerprints shall be submitted to the Department of Law
 379 Enforcement as provided in s. 943.051(3)(b):

380 1. Assault, as defined in s. 784.011.

381 2. Battery, as defined in s. 784.03.

382 3. Carrying a concealed weapon, as defined in s.
 383 790.01(1).

384 4. Unlawful use of destructive devices or bombs, as

385 defined in s. 790.1615(1).

386 5. Negligent treatment of children, as defined in former
387 s. 827.05.

388 6. Assault on a law enforcement officer, a firefighter, or
389 other specified officers, as defined in s. 784.07(2)(a).

390 7. Open carrying of a weapon, as defined in s. 790.053.

391 8. Exposure of sexual organs, as defined in s. 800.03.

392 9. Unlawful possession of a firearm, as defined in s.
393 790.22(5).

394 10. Petit theft, as defined in s. 812.014.

395 11. Cruelty to animals, as defined in s. 828.12(1).

396 12. Arson, resulting in bodily harm to a firefighter, as
397 defined in s. 806.031(1).

398 13. Unlawful possession or discharge of a weapon or
399 firearm at a school-sponsored event or on school property as
400 defined in s. 790.115.

401
402 A law enforcement agency may fingerprint and photograph a child
403 taken into custody upon probable cause that such child has
404 committed any other violation of law, as the agency deems
405 appropriate. Such fingerprint records and photographs shall be
406 retained by the law enforcement agency in a separate file, and
407 these records and all copies thereof must be marked "Juvenile
408 Confidential." These records are not available for public
409 disclosure and inspection under s. 119.07(1) except as provided
410 in ss. 943.053 and 985.04(2), but shall be available to other
411 law enforcement agencies, criminal justice agencies, state
412 attorneys, the courts, the child, the parents or legal

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413 | custodians of the child, their attorneys, and any other person
414 | authorized by the court to have access to such records. In
415 | addition, such records may be submitted to the Department of Law
416 | Enforcement for inclusion in the state criminal history records
417 | and used by criminal justice agencies for criminal justice
418 | purposes. These records may, in the discretion of the court, be
419 | open to inspection by anyone upon a showing of cause. The
420 | fingerprint and photograph records shall be produced in the
421 | court whenever directed by the court. Any photograph taken
422 | pursuant to this section may be shown by a law enforcement
423 | officer to any victim or witness of a crime for the purpose of
424 | identifying the person who committed such crime.

425 | Section 7. This act shall take effect July 1, 2007.