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CS/HB 339

2007 Legislature

1                                   A bill to be entitled  
2           An act relating to federal law enforcement officers;  
3           amending s. 784.07, F.S.; redefining the term "law  
4           enforcement officer" to include a federal law enforcement  
5           officer for purposes of certain enhanced penalties imposed  
6           for the offense of assault or battery of a law enforcement  
7           officer; amending s. 843.08, F.S.; adding federal law  
8           enforcement officer to offense of false personation;  
9           reenacting ss. 435.04(3)(a), 901.15(15), 921.0022(3)(b),  
10          (d), (f), and (g), 943.051(3)(b), and 985.11(1)(b), F.S.,  
11          relating to screening standards, arrest without warrant,  
12          the offense severity ranking chart, and the fingerprinting  
13          of minors, to incorporate the amendments to ss. 784.07 and  
14          843.08, F.S., in references thereto; providing an  
15          effective date.

16  
17   Be It Enacted by the Legislature of the State of Florida:

18  
19           Section 1. Paragraph (a) of subsection (1) of section  
20   784.07, Florida Statutes, is amended, and subsections (2) and  
21   (3) of that section are reenacted, to read:

22           784.07 Assault or battery of law enforcement officers,  
23   firefighters, emergency medical care providers, public transit  
24   employees or agents, or other specified officers;  
25   reclassification of offenses; minimum sentences.--

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

27           (a) "Law enforcement officer" includes a law enforcement  
28   officer, a correctional officer, a correctional probation

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

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

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57 | traffic accident investigation officer, traffic infraction  
58 | enforcement officer, inspector, analyst, operator, parking  
59 | enforcement specialist, public transit employee or agent, or  
60 | security officer is engaged in the lawful performance of his or  
61 | her duties, the offense for which the person is charged shall be  
62 | reclassified as follows:

63 |       (a) In the case of assault, from a misdemeanor of the  
64 | second degree to a misdemeanor of the first degree.

65 |       (b) In the case of battery, from a misdemeanor of the  
66 | first degree to a felony of the third degree.

67 |       (c) In the case of aggravated assault, from a felony of  
68 | the third degree to a felony of the second degree.

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

72 |       (d) In the case of aggravated battery, from a felony of  
73 | the second degree to a felony of the first degree.

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

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

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

83 |       (b) A semiautomatic firearm and its high-capacity  
84 | detachable box magazine, as defined in s. 775.087(3), or a

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85 machine gun as defined in s. 790.001, shall be sentenced to a  
86 minimum term of imprisonment of 8 years.

87

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

94 Section 2. Section 843.08, Florida Statutes, is amended to  
95 read:

96 843.08 Falsely personating officer, etc.--A person who  
97 falsely assumes or pretends to be a sheriff, officer of the  
98 Florida Highway Patrol, officer of the Fish and Wildlife  
99 Conservation Commission, officer of the Department of  
100 Environmental Protection, officer of the Department of  
101 Transportation, officer of the Department of Financial Services,  
102 officer of the Department of Corrections, correctional probation  
103 officer, deputy sheriff, state attorney or assistant state  
104 attorney, statewide prosecutor or assistant statewide  
105 prosecutor, state attorney investigator, coroner, police  
106 officer, lottery special agent or lottery investigator, beverage  
107 enforcement agent, or watchman, or any member of the Parole  
108 Commission and any administrative aide or supervisor employed by  
109 the commission, or any personnel or representative of the  
110 Department of Law Enforcement, or a federal law enforcement  
111 officer as defined in s. 901.1505, and takes upon himself or  
112 herself to act as such, or to require any other person to aid or

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113 assist him or her in a matter pertaining to the duty of any such  
 114 officer, commits a felony of the third degree, punishable as  
 115 provided in s. 775.082, s. 775.083, or s. 775.084; however, a  
 116 person who falsely personates any such officer during the course  
 117 of the commission of a felony commits a felony of the second  
 118 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 119 775.084; except that if the commission of the felony results in  
 120 the death or personal injury of another human being, the person  
 121 commits a felony of the first degree, punishable as provided in  
 122 s. 775.082, s. 775.083, or s. 775.084.

123 Section 3. For the purpose of incorporating the amendment  
 124 made by this act to section 784.07, Florida Statutes, in a  
 125 reference thereto, paragraph (a) of subsection (3) of section  
 126 435.04, Florida Statutes, is reenacted to read:

127 435.04 Level 2 screening standards.--

128 (3) The security background investigations conducted under  
 129 this section for employees of the Department of Juvenile Justice  
 130 must ensure that no persons subject to the provisions of this  
 131 section have been found guilty of, regardless of adjudication,  
 132 or entered a plea of nolo contendere or guilty to, any offense  
 133 prohibited under any of the following provisions of the Florida  
 134 Statutes or under any similar statute of another jurisdiction:

135 (a) Section 784.07, relating to assault or battery of law  
 136 enforcement officers, firefighters, emergency medical care  
 137 providers, public transit employees or agents, or other  
 138 specified officers.

139

140 The Department of Juvenile Justice may not remove a

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141 disqualification from employment or grant an exemption to any  
 142 person who is disqualified under this section for any offense  
 143 disposed of during the most recent 7-year period.

144 Section 4. For the purpose of incorporating the amendment  
 145 made by this act to section 784.07, Florida Statutes, in a  
 146 reference thereto, subsection (15) of section 901.15, Florida  
 147 Statutes, is reenacted to read:

148 901.15 When arrest by officer without warrant is  
 149 lawful.--A law enforcement officer may arrest a person without a  
 150 warrant when:

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

158 Section 5. For the purpose of incorporating the amendment  
 159 made by this act to section 843.08, Florida Statutes, in a  
 160 reference thereto, paragraph (b) of subsection (3) of section  
 161 921.0022, Florida Statutes is reenacted, and for the purpose of  
 162 incorporating the amendment made by this act to section 784.07,  
 163 Florida Statutes, in references thereto, paragraphs (d), (f),  
 164 and (g) of subsection (3) of that section are reenacted, to  
 165 read:

166 921.0022 Criminal Punishment Code; offense severity  
 167 ranking chart.--

168 (3) OFFENSE SEVERITY RANKING CHART

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169	Florida	Felony	
170	Statute	Degree	Description
171			(b) LEVEL 2
172	370.12(1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
173	370.12(1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
174	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.
175	517.07	3rd	Registration of securities and furnishing of prospectus required.
176	590.28(1)	3rd	Willful, malicious, or intentional burning.
176	784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor

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			who uses it to inflict injury or death.
177	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
178	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
179	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
180	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.
181	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
182	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
183	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device



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			countermeasure.
184	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
185	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
186	817.52 (3)	3rd	Failure to redeliver hired vehicle.
187	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
188	817.60 (5)	3rd	Dealing in credit cards of another.
189	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
190	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
191	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.

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192	831.01	3rd	Forgery.
193	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
194	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
195	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
196	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
197	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
198	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
199	843.08	3rd	Falsely impersonating an officer.
200	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.,

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			(2)(c)8., (2)(c)9., (3), or (4) drugs other than cannabis.
201	893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.
202			(d) LEVEL 4
203	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.
204	499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
205	499.0051(2)	3rd	Failure to authenticate pedigree papers.
206	499.0051(6)	2nd	Sale or delivery, or possession with intent to sell, contraband legend drugs.
207	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
208	784.074(1)(c)	3rd	Battery of sexually violent

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209	784.075	3rd	predators facility staff. Battery on detention or commitment facility staff.
210	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
211	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
212	784.081 (3)	3rd	Battery on specified official or employee.
213	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
214	784.083 (3)	3rd	Battery on code inspector.
215	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
216	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
217	787.04 (2)	3rd	Take, entice, or remove child

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			beyond state limits with criminal intent pending custody proceedings.
218	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
219	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
220	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
221	790.115 (2) (c)	3rd	Possessing firearm on school property.
222	800.04 (7) (d)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
223	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
224	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.

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225	810.06	3rd	Burglary; possession of tools.
226	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
227	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
228	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
229	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
230	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s.893.03 (5) drugs.
231	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
232	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
233	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent

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			breeding disability to any registered horse or cattle.
234	837.02 (1)	3rd	Perjury in official proceedings.
235	837.021 (1)	3rd	Make contradictory statements in official proceedings.
236	838.022	3rd	Official misconduct.
237	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
238	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Family Services.
239	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
240	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
241	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).

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242	874.05 (1)	3rd	Encouraging or recruiting another to join a criminal street gang.
243	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).
244	914.14 (2)	3rd	Witnesses accepting bribes.
245	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
246	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
247	918.12	3rd	Tampering with jurors.
248	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
249			(f) LEVEL 6
250	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
251	499.0051 (3)	2nd	Forgery of pedigree papers.



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252	499.0051 (4)	2nd	Purchase or receipt of legend drug from unauthorized person.
253	499.0051 (5)	2nd	Sale of legend drug to unauthorized person.
254	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
255	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
256	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
257	784.041	3rd	Felony battery.
258	784.048 (3)	3rd	Aggravated stalking; credible threat.
259	784.048 (5)	3rd	Aggravated stalking of person under 16.
260	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
261	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
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263	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
264	784.081 (2)	2nd	Aggravated assault on specified official or employee.
265	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
266	784.083 (2)	2nd	Aggravated assault on code inspector.
267	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
268	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
269	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
270	790.164 (1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.

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271	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
272	794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
273	794.05(1)	2nd	Unlawful sexual activity with specified minor.
274	800.04(5)(d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
275	800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
276	806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
277	810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
	812.014(2)(b)1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.

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278	812.015 (9)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
279	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
280	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
281	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
282	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
283	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
284	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
285	825.103 (2) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
286	827.03 (1)	3rd	Abuse of a child.
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288	827.03 (3) (c)	3rd	Neglect of a child.
289	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
290	836.05	2nd	Threats; extortion.
291	836.10	2nd	Written threats to kill or do bodily injury.
292	843.12	3rd	Aids or assists person to escape.
293	847.0135 (2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
294	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
295	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.
	944.40	2nd	Escapes.

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296	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
297	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
298	951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
299			(g) LEVEL 7
300	316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
301	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
302	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.
303	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious

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			bodily injury.
304	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
305	409.920 (2)	3rd	Medicaid provider fraud.
306	456.065 (2)	3rd	Practicing a health care profession without a license.
307	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
308	458.327 (1)	3rd	Practicing medicine without a license.
309	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
310	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
311	461.012 (1)	3rd	Practicing podiatric medicine without a license.
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313	462.17	3rd	Practicing naturopathy without a license.
314	463.015 (1)	3rd	Practicing optometry without a license.
315	464.016 (1)	3rd	Practicing nursing without a license.
316	465.015 (2)	3rd	Practicing pharmacy without a license.
317	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
318	467.201	3rd	Practicing midwifery without a license.
319	468.366	3rd	Delivering respiratory care services without a license.
320	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
321	483.901 (9)	3rd	Practicing medical physics without a license.
322	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.



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323	484.053	3rd	Dispensing hearing aids without a license.
324	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.
325	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
326	560.125(5)(a)	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
327	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
327	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other

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registration violations.

328

775.21(10)(b) 3rd Sexual predator working where children regularly congregate.

329

775.21(10)(g) 3rd Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.

330

782.051(3) 2nd Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

331

782.07(1) 2nd Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

332

782.071 2nd Killing of human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).

333

782.072 2nd Killing of a human being by the operation of a vessel in a reckless manner (vessel

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homicide).

334	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
335	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
336	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
337	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
338	784.048 (7)	3rd	Aggravated stalking; violation of court order.
339	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
340	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
341	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
342	784.081 (1)	1st	Aggravated battery on specified official or employee.
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	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
344	784.083 (1)	1st	Aggravated battery on code inspector.
345	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
346	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
347	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
348	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
349	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
350	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while

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			committing or attempting to commit a felony.
351	796.03	2nd	Procuring any person under 16 years for prostitution.
352	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
353	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.
354	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
355	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
356	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
357	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
358	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a

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semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.

359 812.014 (2) (b) 2. 2nd Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

360 812.014 (2) (b) 3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.

361 812.0145 (2) (a) 1st Theft from person 65 years of age or older; \$50,000 or more.

362 812.019 (2) 1st Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

363 812.131 (2) (a) 2nd Robbery by sudden snatching.

364 812.133 (2) (b) 1st Carjacking; no firearm, deadly weapon, or other weapon.

365 817.234 (8) (a) 2nd Solicitation of motor vehicle accident victims with intent to defraud.

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366	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
367	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
368	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
369	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
370	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.
371	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
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373	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
374	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
375	838.015	2nd	Bribery.
376	838.016	2nd	Unlawful compensation or reward for official behavior.
377	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
378	838.22	2nd	Bid tampering.
379	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
380	872.06	2nd	Abuse of a dead human body.
	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



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care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

381 893.13 (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.

382 893.13 (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).

383 893.135 (1) (a) 1. 1st Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

384 893.135 (1) (b) 1.a. 1st Trafficking in cocaine, more than 28 grams, less than 200 grams.

385 893.135 (1) (c) 1.a. 1st Trafficking in illegal drugs, more than 4 grams, less than 14

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grams.

386	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
387	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
388	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
389	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
390	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
391	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
392	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

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393	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
394	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
395	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
396	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
397	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
398	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
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400	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
401	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
402	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
403	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
404	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
405	Section 6. For the purpose of incorporating the amendment		
406	made by this act to section 784.07, Florida Statutes, in a		
407	reference thereto, paragraph (b) of subsection (3) of section		
408	943.051, Florida Statutes, is reenacted to read:		
409	943.051 Criminal justice information; collection and		
410	storage; fingerprinting.--		

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411 (3)

412 (b) A minor who is charged with or found to have committed

413 the following offenses shall be fingerprinted and the

414 fingerprints shall be submitted to the department:

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

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

417 3. Carrying a concealed weapon, as defined in s.

418 790.01(1).

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

420 defined in s. 790.1615(1).

421 5. Negligent treatment of children, as defined in s.

422 827.05.

423 6. Assault or battery on a law enforcement officer, a

424 firefighter, or other specified officers, as defined in s.

425 784.07(2)(a) and (b).

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

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

428 9. Unlawful possession of a firearm, as defined in s.

429 790.22(5).

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

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

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

433 13. Unlawful possession or discharge of a weapon or

434 firearm at a school-sponsored event or on school property as

435 defined in s. 790.115.

436 Section 7. For the purpose of incorporating the amendment

437 made by this act to section 784.07, Florida Statutes, in a

438 reference thereto, paragraph (b) of subsection (1) of section

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439 985.11, Florida Statutes, is reenacted to read:  
 440 985.11 Fingerprinting and photographing.--  
 441 (1)  
 442 (b) A child who is charged with or found to have committed  
 443 one of the following offenses shall be fingerprinted, and the  
 444 fingerprints shall be submitted to the Department of Law  
 445 Enforcement as provided in s. 943.051(3)(b):  
 446 1. Assault, as defined in s. 784.011.  
 447 2. Battery, as defined in s. 784.03.  
 448 3. Carrying a concealed weapon, as defined in s.  
 449 790.01(1).  
 450 4. Unlawful use of destructive devices or bombs, as  
 451 defined in s. 790.1615(1).  
 452 5. Negligent treatment of children, as defined in former  
 453 s. 827.05.  
 454 6. Assault on a law enforcement officer, a firefighter, or  
 455 other specified officers, as defined in s. 784.07(2)(a).  
 456 7. Open carrying of a weapon, as defined in s. 790.053.  
 457 8. Exposure of sexual organs, as defined in s. 800.03.  
 458 9. Unlawful possession of a firearm, as defined in s.  
 459 790.22(5).  
 460 10. Petit theft, as defined in s. 812.014.  
 461 11. Cruelty to animals, as defined in s. 828.12(1).  
 462 12. Arson, resulting in bodily harm to a firefighter, as  
 463 defined in s. 806.031(1).  
 464 13. Unlawful possession or discharge of a weapon or  
 465 firearm at a school-sponsored event or on school property as  
 466 defined in s. 790.115.

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468 A law enforcement agency may fingerprint and photograph a child  
469 taken into custody upon probable cause that such child has  
470 committed any other violation of law, as the agency deems  
471 appropriate. Such fingerprint records and photographs shall be  
472 retained by the law enforcement agency in a separate file, and  
473 these records and all copies thereof must be marked "Juvenile  
474 Confidential." These records are not available for public  
475 disclosure and inspection under s. 119.07(1) except as provided  
476 in ss. 943.053 and 985.04(2), but shall be available to other  
477 law enforcement agencies, criminal justice agencies, state  
478 attorneys, the courts, the child, the parents or legal  
479 custodians of the child, their attorneys, and any other person  
480 authorized by the court to have access to such records. In  
481 addition, such records may be submitted to the Department of Law  
482 Enforcement for inclusion in the state criminal history records  
483 and used by criminal justice agencies for criminal justice  
484 purposes. These records may, in the discretion of the court, be  
485 open to inspection by anyone upon a showing of cause. The  
486 fingerprint and photograph records shall be produced in the  
487 court whenever directed by the court. Any photograph taken  
488 pursuant to this section may be shown by a law enforcement  
489 officer to any victim or witness of a crime for the purpose of  
490 identifying the person who committed such crime.

491 Section 8. This act shall take effect July 1, 2007.