

1                   A bill to be entitled  
2           An act relating to sex trafficking; amending s. 772.102,  
3           F.S.; expanding the definition of the term "criminal  
4           activity" to include the offense of facilitating certain  
5           offenses for purposes of seeking civil remedies for  
6           criminal offenses; amending s. 775.21, F.S.; conforming  
7           cross-references; creating s. 796.011, F.S.; providing  
8           definitions; amending s. 796.03, F.S.; increasing  
9           penalties for procuring a minor for prostitution; amending  
10          s. 796.04, F.S.; providing enhanced penalties for forcing,  
11          compelling, or coercing another to become a prostitute;  
12          renumbering and amending s. 796.035, F.S., and amending s.  
13          796.045, F.S.; increasing penalties for selling or buying  
14          minors into sex trafficking or prostitution; revising  
15          provisions relating to sex trafficking; increasing  
16          penalties; amending s. 796.06, F.S.; revising provisions  
17          prohibiting rental of certain facilities for prohibited  
18          activities; amending s. 796.07, F.S.; revising provisions  
19          prohibiting prostitution, lewdness, and assignation;  
20          providing penalties; amending s. 796.09, F.S.; revising  
21          provisions providing a civil action against persons who  
22          coerce or induce certain activities; requiring the court  
23          to award prevailing plaintiffs reasonable attorney's fees  
24          and costs; creating s. 796.10, F.S.; defining the term  
25          "business entity"; providing that a business entity  
26          convicted of a violation of chapter 796, F.S., may be  
27          subject to specified sanctions and forfeiture of property;  
28          amending s. 823.05, F.S.; providing that a place used for

29 specified violations relating to prostitution may be may  
 30 be declared a public nuisance and abated or enjoined;  
 31 amending s. 893.138, F.S.; providing additional  
 32 prostitution offenses that may subject a place to being  
 33 declared a public nuisance by a county or municipality and  
 34 abated pursuant to specified provisions; amending s.  
 35 895.02, F.S.; redefining the term "racketeering activity"  
 36 to revise the offenses included for purposes of the  
 37 Florida RICO Act; amending s. 921.0022, F.S.; conforming  
 38 the offense severity ranking chart of the Criminal  
 39 Punishment Code; amending ss. 322.28, 943.0435, 944.606,  
 40 and 944.607, F.S.; conforming cross-references; providing  
 41 an effective date.

42  
 43 Be It Enacted by the Legislature of the State of Florida:

44  
 45 Section 1. Paragraph (a) of subsection (1) of section  
 46 772.102, Florida Statutes, is amended to read:

47 772.102 Definitions.--As used in this chapter, the term:

48 (1) "Criminal activity" means to commit, to attempt to  
 49 commit, to conspire to commit, or to solicit, coerce, or  
 50 intimidate another person to commit:

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

- 53 1. Section 210.18, relating to evasion of payment of
- 54 cigarette taxes.
- 55 2. Section 414.39, relating to public assistance fraud.
- 56 3. Section 440.105 or s. 440.106, relating to workers'

- 57 compensation.
- 58 4. Part IV of chapter 501, relating to telemarketing.
- 59 5. Chapter 517, relating to securities transactions.
- 60 6. Section 550.235, s. 550.3551, or s. 550.3605, relating
- 61 to dogracing and horseracing.
- 62 7. Chapter 550, relating to jai alai frontons.
- 63 8. Chapter 552, relating to the manufacture, distribution,
- 64 and use of explosives.
- 65 9. Chapter 562, relating to beverage law enforcement.
- 66 10. Section 624.401, relating to transacting insurance
- 67 without a certificate of authority, s. 624.437(4)(c)1., relating
- 68 to operating an unauthorized multiple-employer welfare
- 69 arrangement, or s. 626.902(1)(b), relating to representing or
- 70 aiding an unauthorized insurer.
- 71 11. Chapter 687, relating to interest and usurious
- 72 practices.
- 73 12. Section 721.08, s. 721.09, or s. 721.13, relating to
- 74 real estate timeshare plans.
- 75 13. Chapter 782, relating to homicide.
- 76 14. Chapter 784, relating to assault and battery.
- 77 15. Chapter 787, relating to kidnapping or human
- 78 trafficking.
- 79 16. Chapter 790, relating to weapons and firearms.
- 80 17. Section 796.03, s. 796.04, s. 796.045, s. 796.05, s.
- 81 796.06, or s. 796.07, relating to prostitution.
- 82 18. Chapter 806, relating to arson.
- 83 19. Section 810.02(2)(c), relating to specified burglary
- 84 of a dwelling or structure.

85           20. Chapter 812, relating to theft, robbery, and related  
86 crimes.

87           21. Chapter 815, relating to computer-related crimes.

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

90           23. Section 827.071, relating to commercial sexual  
91 exploitation of children.

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

93           25. Chapter 832, relating to issuance of worthless checks  
94 and drafts.

95           26. Section 836.05, relating to extortion.

96           27. Chapter 837, relating to perjury.

97           28. Chapter 838, relating to bribery and misuse of public  
98 office.

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

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

102          31. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.  
103 849.25, relating to gambling.

104          32. Chapter 893, relating to drug abuse prevention and  
105 control.

106          33. Section 914.22 or s. 914.23, relating to witnesses,  
107 victims, or informants.

108          34. Section 918.12 or s. 918.13, relating to tampering  
109 with jurors and evidence.

110          Section 2. Paragraph (a) of subsection (4) and paragraph  
111 (b) of subsection (10) of section 775.21, Florida Statutes, are  
112 amended to read:

113           775.21 The Florida Sexual Predators Act.--  
 114           (4) SEXUAL PREDATOR CRITERIA.--  
 115           (a) For a current offense committed on or after October 1,  
 116 1993, upon conviction, an offender shall be designated as a  
 117 "sexual predator" under subsection (5), and subject to  
 118 registration under subsection (6) and community and public  
 119 notification under subsection (7) if:  
 120           1. The felony is:  
 121           a. A capital, life, or first-degree felony violation, or  
 122 any attempt thereof, of s. 787.01 or s. 787.02, where the victim  
 123 is a minor and the defendant is not the victim's parent or  
 124 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a  
 125 violation of a similar law of another jurisdiction; or  
 126           b. Any felony violation, or any attempt thereof, of s.  
 127 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a  
 128 minor and the defendant is not the victim's parent or guardian;  
 129 s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03;  
 130 former s. 796.035; s. 796.045(2); s. 800.04; s. 825.1025(2)(b);  
 131 s. 827.071; s. 847.0145; or s. 985.701(1); or a violation of a  
 132 similar law of another jurisdiction, and the offender has  
 133 previously been convicted of or found to have committed, or has  
 134 pled nolo contendere or guilty to, regardless of adjudication,  
 135 any violation of s. 787.01, s. 787.02, or s. 787.025(2)(c),  
 136 where the victim is a minor and the defendant is not the  
 137 victim's parent or guardian; s. 794.011, excluding s.  
 138 794.011(10); s. 794.05; s. 796.03; former s. 796.035; s.  
 139 796.045(2); s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.  
 140 847.0135, excluding s. 847.0135(4); s. 847.0145; or s.

141 985.701(1); or a violation of a similar law of another  
 142 jurisdiction;

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

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

149 (10) PENALTIES.--

150 (b) A sexual predator who has been convicted of or found  
 151 to have committed, or has pled nolo contendere or guilty to,  
 152 regardless of adjudication, any violation, or attempted  
 153 violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where  
 154 the victim is a minor and the defendant is not the victim's  
 155 parent or guardian; s. 794.011, excluding s. 794.011(10); s.  
 156 794.05; s. 796.03; former s. 796.035; s. 796.045(2); s. 800.04;  
 157 s. 827.071; s. 847.0133; s. 847.0145; or s. 985.701(1); or a  
 158 violation of a similar law of another jurisdiction when the  
 159 victim of the offense was a minor, and who works, whether for  
 160 compensation or as a volunteer, at any business, school, day  
 161 care center, park, playground, or other place where children  
 162 regularly congregate, commits a felony of the third degree,  
 163 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

164 Section 3. Section 796.011, Florida Statutes, is created  
 165 to read:

166 796.011 Definitions.--As used in this chapter, the term:

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

170           (2) "Coerces" means uses force or intimidation, or any  
 171 practice of domination or restraint, in order to bring about or  
 172 cause a person to take certain action. The term includes, but is  
 173 not limited to, the use of:

174           (a) Physical force or threat of physical force.

175           (b) Physical or mental torture.

176           (c) Kidnapping.

177           (d) Blackmail.

178           (e) Extortion or claims of indebtedness.

179           (f) Threat of legal complaint or report of delinquency.

180           (g) Threat to interfere with parental rights or  
 181 responsibilities, whether by judicial or administrative action  
 182 or otherwise.

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

184           (i) Exploitation of a condition of developmental  
 185 disability, cognitive limitation, affective disorder, or  
 186 substance dependency.

187           (j) Exploitation of victimization by sexual abuse.

188           (k) Exploitation of pornographic performance.

189           (l) Exploitation of human needs for food, shelter, safety,  
 190 or affection.

191           (3) "Induces" means offers, promises, or withholds or  
 192 threatens to withhold, a benefit or advantage, whether legal,  
 193 financial, or otherwise, such as a promise of marriage,

194 employment, or material support or advantage, in order to bring  
 195 about or cause a person to take certain action.

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

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

200 (6) "Sexual activity" means oral, anal, or vaginal  
 201 penetration by, or union with, the sexual organ of another; anal  
 202 or vaginal penetration of another by any other object; or the  
 203 handling or fondling of the sexual organ of another for the  
 204 purpose of masturbation; however, the term does not include acts  
 205 done for bona fide medical purposes.

206 Section 4. Section 796.03, Florida Statutes, is amended to  
 207 read:

208 796.03 Procuring minor ~~person under age of 18~~ for  
 209 prostitution.--A person who procures for prostitution, or causes  
 210 to be prostituted, any minor ~~person who is under the age of 18~~  
 211 ~~years~~ commits a felony of the first ~~second~~ degree, punishable as  
 212 provided in s. 775.082, s. 775.083, or s. 775.084.

213 Section 5. Section 796.04, Florida Statutes, is amended to  
 214 read:

215 796.04 Forcing, compelling, or coercing another to become  
 216 a prostitute.--

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

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



222 Section 6. Section 796.035, Florida Statutes, is  
 223 renumbered as subsection (2) of section 796.045, Florida  
 224 Statutes, and amended, and section 796.045, Florida Statutes, is  
 225 amended, to read:

226 796.045 Sex trafficking; penalties.--

227 (1) (a) Any person who knowingly recruits, entices,  
 228 harbors, transports, provides, or obtains by any means a person,  
 229 knowing that force, fraud, or coercion will be used to cause  
 230 that person to engage in prostitution, commits the offense of  
 231 sex trafficking, a felony of the first ~~second~~ degree, punishable  
 232 as provided in s. 775.082, s. 775.083, or s. 775.084.

233 (b) A person commits a life felony ~~of the first degree~~,  
 234 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
 235 if the offense ~~of sex trafficking~~ is committed against a minor  
 236 ~~person who is under the age of 14 or the~~ if such offense results  
 237 in death.

238 (2) ~~796.035 Selling or buying of minors into sex~~  
 239 ~~trafficking or prostitution; penalties.--~~Any parent, legal  
 240 guardian, or other person having custody or control of a minor  
 241 who sells or otherwise transfers custody or control of such  
 242 minor, or offers to sell or otherwise transfer custody of such  
 243 minor, with knowledge that, as a consequence of the sale or  
 244 transfer, force, fraud, or coercion will be used to cause the  
 245 minor to engage in prostitution or otherwise participate in the  
 246 trade of sex trafficking, commits a life felony ~~of the first~~  
 247 ~~degree~~, punishable as provided in s. 775.082, s. 775.083, or s.  
 248 775.084.

249 Section 7. Section 796.06, Florida Statutes, is amended to

250 read:

251        796.06 Use of space for prohibited activities; sanctions  
 252 ~~Renting space to be used for lewdness, assignation, or~~  
 253 ~~prostitution.--~~

254        (1) Any person who owns, lets, rents, maintains, controls,  
 255 or operates ~~It is unlawful to let, or rent~~ any place, structure,  
 256 building, or part thereof, or trailer or other conveyance, with  
 257 ~~the~~ knowledge that it is being used, or will be used, in whole  
 258 or in part, for the purpose of any activity prohibited under  
 259 this chapter commits a felony of the third degree, punishable as  
 260 provided in s. 775.082, s. 775.083, or s. 775.084. ~~lewdness,~~  
 261 ~~assignation, or prostitution.~~

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

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

265        ~~(b) A misdemeanor of the first degree for a second or~~  
 266 ~~subsequent violation, punishable as provided in s. 775.082 or s.~~  
 267 ~~775.083.~~

268        Section 8. Section 796.07, Florida Statutes, is amended to  
 269 read:

270        796.07 Prohibiting prostitution, lewdness, and assignation  
 271 ~~etc.; evidence; penalties; definitions.--~~

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

273        ~~(a) "Prostitution" means the giving or receiving of the~~  
 274 ~~body for sexual activity for hire but excludes sexual activity~~  
 275 ~~between spouses.~~

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

277 ~~(c) "Assignment" means the making of any appointment or~~  
 278 ~~engagement for prostitution or lewdness, or any act in~~  
 279 ~~furtherance of such appointment or engagement.~~

280 ~~(d) "Sexual activity" means oral, anal, or vaginal~~  
 281 ~~penetration by, or union with, the sexual organ of another; anal~~  
 282 ~~or vaginal penetration of another by any other object; or the~~  
 283 ~~handling or fondling of the sexual organ of another for the~~  
 284 ~~purpose of masturbation; however, the term does not include acts~~  
 285 ~~done for bona fide medical purposes.~~

286 (1)(2) It is unlawful for a person:

287 ~~(a) To own, establish, maintain, or operate any place,~~  
 288 ~~structure, building, or conveyance for the purpose of lewdness,~~  
 289 ~~assignment, or prostitution.~~

290 (a)(b) To offer, or to offer or agree to secure, any  
 291 person another for the purpose of prostitution, lewdness, or  
 292 assignment ~~or for any other lewd or indecent act.~~

293 (b)(e) To receive, or to offer or agree to receive, any  
 294 person into any place, structure, building, or trailer or other  
 295 conveyance for the purpose of prostitution, lewdness, or  
 296 assignment, ~~or to permit any person to remain there for such~~  
 297 ~~purpose.~~

298 (c)(d) To direct, take, or transport, or to offer or agree  
 299 to direct, take, or transport, any person to any place,  
 300 structure, ~~or~~ building, or trailer or other conveyance or to any  
 301 other person, with knowledge or reasonable cause to believe that  
 302 the purpose of such directing, taking, or transporting is  
 303 prostitution, lewdness, or assignment.

304        (d)~~(e)~~ To offer to commit, or to commit, or to engage in,  
 305 prostitution, lewdness, or assignation.

306        (e)~~(f)~~ To solicit, induce, entice, or procure any person  
 307 ~~another~~ to commit prostitution, lewdness, or assignation.

308        (f)~~(g)~~ To reside in, enter, or remain in, any place,  
 309 structure, or building, or to enter or remain in any trailer or  
 310 other conveyance, for the purpose of prostitution, lewdness, or  
 311 assignation.

312        (g)~~(h)~~ To aid, abet, or participate in prostitution,  
 313 lewdness, or assignation ~~any of the acts or things enumerated in~~  
 314 ~~this subsection.~~

315        (h)~~(i)~~ To purchase the services of any person engaged in  
 316 prostitution.

317        (2)~~(3)~~(a) In the trial of a person charged with a  
 318 violation of this section, testimony concerning the reputation  
 319 of any place, structure, building, or trailer or other  
 320 conveyance involved in the charge;; testimony concerning the  
 321 reputation of any person residing in, operating, or frequenting  
 322 such place, structure, building, or trailer or other  
 323 conveyance;; and testimony concerning the reputation of the  
 324 defendant is admissible in evidence in support of the charge.

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

328        (3)~~(4)~~ Except as otherwise provided in this chapter, a  
 329 person who violates any provision of this section commits:

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

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

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

337 ~~(4)(5)~~ A person who is charged with a third or subsequent  
 338 violation of this section shall be offered admission to a  
 339 pretrial intervention program or a substance-abuse treatment  
 340 program as provided in s. 948.08.

341 ~~(5)(6)~~ In addition to the punishment provided in  
 342 subsection (3), a person who violates paragraph (1)(e) ~~(2)(f)~~  
 343 shall be assessed a civil penalty of \$500 if the violation  
 344 results in any judicial disposition other than acquittal or  
 345 dismissal. The proceeds from penalties assessed under this  
 346 subsection shall be paid to the circuit court administrator for  
 347 the sole purpose of paying the administrative costs of  
 348 treatment-based drug court programs provided under s. 397.334.

349 Section 9. Section 796.09, Florida Statutes, is amended to  
 350 read:

351 796.09 Coercion or inducement; civil cause of action;  
 352 evidence; defenses; attorney's fees.--

353 (1) A person has a cause of action for compensatory and  
 354 punitive damages against:

355 (a) A person who coerces or induces ~~coerced~~ that person  
 356 into prostitution.†

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

359 (c) A person who collects or receives ~~uses coercion to~~  
360 ~~collect or receive~~ any part of another ~~that~~ person's earnings  
361 derived from prostitution.

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

364 ~~(3) As used in this section, the term "coercion" means any~~  
365 ~~practice of domination, restraint, or inducement for the purpose~~  
366 ~~of or with the reasonably foreseeable effect of causing another~~  
367 ~~person to engage in or remain in prostitution or to relinquish~~  
368 ~~earnings derived from prostitution, and includes, but is not~~  
369 ~~limited to:~~

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

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

372 ~~(c) Kidnapping.~~

373 ~~(d) Blackmail.~~

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

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

376 ~~(g) Threat to interfere with parental rights or~~  
377 ~~responsibilities, whether by judicial or administrative action~~  
378 ~~or otherwise.~~

379 ~~(h) Promise of legal benefit.~~

380 ~~(i) Promise of greater financial rewards.~~

381 ~~(j) Promise of marriage.~~

382 ~~(k) Restraint of speech or communication with others.~~

383 ~~(l) Exploitation of a condition of developmental~~  
384 ~~disability, cognitive limitation, affective disorder, or~~  
385 ~~substance dependency.~~

386 ~~(m) Exploitation of victimization by sexual abuse.~~

387        ~~(n) Exploitation of pornographic performance.~~  
 388        ~~(o) Exploitation of human needs for food, shelter, safety,~~  
 389        ~~or affection.~~  
 390        (2)~~(4)~~ In the course of litigation under this section, any  
 391        transaction about which a plaintiff testifies or produces  
 392        evidence does not subject such plaintiff to criminal prosecution  
 393        or any penalty or forfeiture. Further, any testimony or  
 394        evidence, documentary or otherwise, or information directly or  
 395        indirectly derived from such testimony or evidence which is  
 396        given or produced by a plaintiff or a witness for a plaintiff  
 397        shall not be used against these persons in any other  
 398        investigation or proceeding. Such testimony or evidence,  
 399        however, may be used against a plaintiff or a witness for a  
 400        plaintiff upon any criminal investigation or proceeding for  
 401        perjury committed while giving such testimony or producing such  
 402        evidence.  
 403        (3)~~(5)~~ It does not constitute a defense to a complaint  
 404        under this section that:  
 405        (a) The plaintiff was paid or otherwise compensated for  
 406        acts of prostitution or other acts prohibited under this  
 407        chapter;  
 408        (b) The plaintiff engaged in acts of prostitution or other  
 409        acts prohibited under this chapter prior to any involvement with  
 410        the defendant; ~~or~~  
 411        (c) The plaintiff made no attempt to escape, flee, or  
 412        otherwise terminate contact with the defendant;  
 413        (d) In the case of a cause of action based on inducement,  
 414        the victim consented; or

415 (e) The plaintiff stipulated or otherwise agreed that the  
 416 prohibited acts did not occur as a result of coercion.

417 (4)-(6) Evidence of convictions for prostitution or other  
 418 acts prohibited under this chapter or prostitution related  
 419 offenses are inadmissible in a proceeding brought under this  
 420 section for purposes of attacking the plaintiff's credibility.

421 (5)-(7) In any action brought under this section, the court  
 422 shall, in its discretion, may award prevailing plaintiffs  
 423 reasonable attorney's fees and costs.

424 Section 10. Section 796.10, Florida Statutes, is created  
 425 to read:

426 796.10 Violations by a business entity; sanctions.--

427 (1) For purposes of this section, the term "business  
 428 entity" includes, but is not limited to, any corporation,  
 429 syndicate, association, firm, joint venture, partnership,  
 430 limited liability company, or business trust.

431 (2) If a business entity is convicted of a violation of  
 432 this chapter, the court may, when appropriate, order:

433 (a) Its dissolution or reorganization;

434 (b) The suspension or revocation of any license,  
 435 including, but not limited to, any occupational license, license  
 436 under chapter 561, permit, or prior approval granted to the  
 437 business entity by a state agency; or

438 (c) The surrender of its charter, if organized under the  
 439 laws of this state, or any certificate to conduct business in  
 440 this state, if it is not organized by the laws of this state.

441 (3) All property, real or personal, including money, used  
 442 in the course of, intended for use in the course of, derived



443 from, or realized through conduct in violation of a provision of  
 444 this chapter is subject to civil forfeiture to the state under  
 445 ss. 932.701-932.706.

446 Section 11. Section 823.05, Florida Statutes, is amended  
 447 to read:

448 823.05 Places declared a nuisance; abatement ~~may be abated~~  
 449 and injunction enjoined.--

450 (1) Whoever shall erect, establish, continue, or maintain,  
 451 own or lease any building, booth, tent or place which tends to  
 452 annoy the community or injure the health of the community, or  
 453 become manifestly injurious to the morals or manners of the  
 454 people as described in s. 823.01, or shall be frequented by the  
 455 class of persons mentioned in s. 856.02, or any house or place  
 456 of prostitution, assignation, lewdness or place or building  
 457 where games of chance are engaged in violation of law or any  
 458 place where any law of the state is violated, shall be deemed  
 459 guilty of maintaining a nuisance, and the building, erection,  
 460 place, tent or booth and the furniture, fixtures and contents  
 461 are declared a nuisance. All such places or persons shall be  
 462 abated or enjoined as provided in ss. 60.05 and 60.06.

463 (2) Any place, structure, building, or part thereof, or  
 464 trailer or other conveyance that has been used as provided in s.  
 465 893.138(2), may be declared a public nuisance and abated or  
 466 enjoined as provided in ss. 60.05 and 60.06.

467 Section 12. Paragraph (a) of subsection (2) of section  
 468 893.138, Florida Statutes, is amended to read:

469 893.138 Local administrative action to abate drug-related,  
 470 prostitution-related, or stolen-property-related public  
 471 nuisances and criminal street gang activity.--

472 (2) Any place or premises that has been used:

473 (a) On more than two occasions within a 6-month period, as  
 474 the site of a violation of chapter 796 ~~s. 796.07~~;

475  
 476 may be declared to be a public nuisance, and such nuisance may  
 477 be abated pursuant to the procedures provided in this section.

478 Section 13. Paragraph (a) of subsection (1) of section  
 479 895.02, Florida Statutes, is amended to read:

480 895.02 Definitions.--As used in ss. 895.01-895.08, the  
 481 term:

482 (1) "Racketeering activity" means to commit, to attempt to  
 483 commit, to conspire to commit, or to solicit, coerce, or  
 484 intimidate another person to commit:

485 (a) Any crime that is chargeable by indictment or  
 486 information under the following provisions of the Florida  
 487 Statutes:

488 1. Section 210.18, relating to evasion of payment of  
 489 cigarette taxes.

490 2. Section 403.727(3)(b), relating to environmental  
 491 control.

492 3. Section 409.920 or s. 409.9201, relating to Medicaid  
 493 fraud.

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

495 5. Section 440.105 or s. 440.106, relating to workers'  
 496 compensation.

497           6. Section 443.071(4), relating to creation of a  
 498 fictitious employer scheme to commit unemployment compensation  
 499 fraud.

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

502           8. Sections 499.0051, 499.0052, 499.00535, 499.00545, and  
 503 499.0691, relating to crimes involving contraband and  
 504 adulterated drugs.

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

506           10. Chapter 517, relating to sale of securities and  
 507 investor protection.

508           11. Section 550.235, s. 550.3551, or s. 550.3605, relating  
 509 to dogracing and horseracing.

510           12. Chapter 550, relating to jai alai frontons.

511           13. Section 551.109, relating to slot machine gaming.

512           14. Chapter 552, relating to the manufacture,  
 513 distribution, and use of explosives.

514           15. Chapter 560, relating to money transmitters, if the  
 515 violation is punishable as a felony.

516           16. Chapter 562, relating to beverage law enforcement.

517           17. Section 624.401, relating to transacting insurance  
 518 without a certificate of authority, s. 624.437(4)(c)1., relating  
 519 to operating an unauthorized multiple-employer welfare  
 520 arrangement, or s. 626.902(1)(b), relating to representing or  
 521 aiding an unauthorized insurer.

522           18. Section 655.50, relating to reports of currency  
 523 transactions, when such violation is punishable as a felony.

- 524           19. Chapter 687, relating to interest and usurious  
525 practices.
- 526           20. Section 721.08, s. 721.09, or s. 721.13, relating to  
527 real estate timeshare plans.
- 528           21. Chapter 782, relating to homicide.
- 529           22. Chapter 784, relating to assault and battery.
- 530           23. Chapter 787, relating to kidnapping or human  
531 trafficking.
- 532           24. Chapter 790, relating to weapons and firearms.
- 533           25. Section 796.03, ~~s. 796.035~~, s. 796.04, s. 796.045, s.  
534 796.05, s. 796.06, or s. 796.07, relating to prostitution and  
535 sex trafficking.
- 536           26. Chapter 806, relating to arson.
- 537           27. Section 810.02(2)(c), relating to specified burglary  
538 of a dwelling or structure.
- 539           28. Chapter 812, relating to theft, robbery, and related  
540 crimes.
- 541           29. Chapter 815, relating to computer-related crimes.
- 542           30. Chapter 817, relating to fraudulent practices, false  
543 pretenses, fraud generally, and credit card crimes.
- 544           31. Chapter 825, relating to abuse, neglect, or  
545 exploitation of an elderly person or disabled adult.
- 546           32. Section 827.071, relating to commercial sexual  
547 exploitation of children.
- 548           33. Chapter 831, relating to forgery and counterfeiting.
- 549           34. Chapter 832, relating to issuance of worthless checks  
550 and drafts.
- 551           35. Section 836.05, relating to extortion.

- 552 36. Chapter 837, relating to perjury.
- 553 37. Chapter 838, relating to bribery and misuse of public
- 554 office.
- 555 38. Chapter 843, relating to obstruction of justice.
- 556 39. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
- 557 s. 847.07, relating to obscene literature and profanity.
- 558 40. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
- 559 849.25, relating to gambling.
- 560 41. Chapter 874, relating to criminal street gangs.
- 561 42. Chapter 893, relating to drug abuse prevention and
- 562 control.
- 563 43. Chapter 896, relating to offenses related to financial
- 564 transactions.
- 565 44. Sections 914.22 and 914.23, relating to tampering with
- 566 a witness, victim, or informant, and retaliation against a
- 567 witness, victim, or informant.
- 568 45. Sections 918.12 and 918.13, relating to tampering with
- 569 jurors and evidence.
- 570 Section 14. Paragraphs (a), (b), (d), (g), (h), and (i) of
- 571 subsection (3) of section 921.0022, Florida Statutes, are
- 572 amended to read:
- 573 921.0022 Criminal Punishment Code; offense severity
- 574 ranking chart.--
- 575 (3) OFFENSE SEVERITY RANKING CHART
- 576 (a) LEVEL 1
- 577

Florida	Felony Description
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	Statute	Degree	
578	24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
579	212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
580	212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
581	316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
582	319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
583	319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
584	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
585			

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586	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
587	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
588	322.212 (5) (a)	3rd	False application for driver's license or identification card.
589	414.39 (2)	3rd	Unauthorized use, possession, forgery, or alteration of food stamps, Medicaid ID, value greater than \$200.
590	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
591	443.071 (1)	3rd	False statement or representation to obtain or increase unemployment compensation benefits.
	509.151 (1)	3rd	Defraud an innkeeper, food or

lodging value greater than \$300.

592

517.302 (1) 3rd Violation of the Florida Securities and Investor Protection Act.

593

562.27 (1) 3rd Possess still or still apparatus.

594

713.69 3rd Tenant removes property upon which lien has accrued, value more than \$50.

595

796.07 (3) (c) 3rd Prostitution, 3rd or subsequent violation.

596

812.014 (3) (c) 3rd Petit theft (3rd conviction); theft of any property not specified in subsection (2).

597

812.081 (2) 3rd Unlawfully makes or causes to be made a reproduction of a trade secret.

598

815.04 (4) (a) 3rd Offense against intellectual property (i.e., computer programs, data).

599

817.52 (2) 3rd Hiring with intent to defraud, motor



vehicle services.

600

817.569 (2) 3rd Use of public record or public records information to facilitate commission of a felony.

601

826.01 3rd Bigamy.

602

828.122 (3) 3rd Fighting or baiting animals.

603

831.04 (1) 3rd Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.

604

831.31 (1) (a) 3rd Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.

605

832.041 (1) 3rd Stopping payment with intent to defraud \$150 or more.

606

832.05 (2) (b) & (4) (c) 3rd Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.

607

838.15 (2) 3rd Commercial bribe receiving.

608

609	838.16	3rd	Commercial bribery.
610	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
611	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
612	849.01	3rd	Keeping gambling house.
613	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
614	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
615	849.25(2)	3rd	Engaging in bookmaking.
616	860.08	3rd	Interfere with a railroad signal.
617	860.13(1)(a)	3rd	Operate aircraft while under the influence.

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618	893.13 (2) (a) 2.	3rd	Purchase of cannabis.
619	893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
620	934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
621	(b) LEVEL 2		
622			
623	Florida Statute	Felony Degree	Description
624	370.12 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
625	370.12 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
626	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.

627	517.07	3rd	Registration of securities and furnishing of prospectus required.
628	590.28 (1)	3rd	Willful, malicious, or intentional burning.
629	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
630	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
631	<u>796.06</u>	<u>3rd</u>	<u>Use of space for activity prohibited in chapter 796.</u>
632	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
633	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
634	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.

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635	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
636	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
637	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
638	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
639	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
640	817.52 (3)	3rd	Failure to redeliver hired vehicle.
641	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
642	817.60 (5)	3rd	Dealing in credit cards of another.
	817.60 (6) (a)	3rd	Forgery; purchase goods, services

with false card.

643

817.61 3rd Fraudulent use of credit cards over \$100 or more within 6 months.

644

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

645

831.01 3rd Forgery.

646

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

647

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

648

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

649

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

650

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

651

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652	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
653	843.08	3rd	Falsely impersonating an officer.
654	893.13 (2) (a) 2.	3rd	Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs other than cannabis.
655	893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.
656	(d) LEVEL 4		
657	Florida Statute	Felony Degree	Description
658	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.
659	499.0051(1)	3rd	Failure to maintain or deliver

pedigree papers.

660

499.0051(2) 3rd Failure to authenticate pedigree papers.

661

499.0051(6) 2nd Sale or delivery, or possession with intent to sell, contraband legend drugs.

662

784.07(2)(b) 3rd Battery of law enforcement officer, firefighter, intake officer, etc.

663

784.074(1)(c) 3rd Battery of sexually violent predators facility staff.

664

784.075 3rd Battery on detention or commitment facility staff.

665

784.078 3rd Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.

666

784.08(2)(c) 3rd Battery on a person 65 years of age or older.

667

784.081(3) 3rd Battery on specified official or employee.

668



669	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
670	784.083 (3)	3rd	Battery on code inspector.
671	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
672	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
673	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
674	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
675	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
676	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.

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677	790.115 (2) (c)	3rd	Possessing firearm on school property.
678	<u>796.05</u>	<u>3rd</u>	<u>Deriving support from prostitution proceeds.</u>
679	800.04 (7) (d)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
680	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
681	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
682	810.06	3rd	Burglary; possession of tools.
683	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
684	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
	812.014 (2) (c) 4.- 10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock,

etc.

685 812.0195 (2) 3rd Dealing in stolen property by use of  
the Internet; property stolen \$300  
or more.

686 817.563 (1) 3rd Sell or deliver substance other than  
controlled substance agreed upon,  
excluding s. 893.03 (5) drugs.

687 817.568 (2) (a) 3rd Fraudulent use of personal  
identification information.

688 817.625 (2) (a) 3rd Fraudulent use of scanning device or  
reencoder.

689 828.125 (1) 2nd Kill, maim, or cause great bodily  
harm or permanent breeding  
disability to any registered horse  
or cattle.

690 837.02 (1) 3rd Perjury in official proceedings.

691 837.021 (1) 3rd Make contradictory statements in  
official proceedings.

692 838.022 3rd Official misconduct.

693

694	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
695	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Family Services.
696	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
697	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
698	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
699	874.05 (1)	3rd	Encouraging or recruiting another to join a criminal street gang.
700	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).
701	914.14 (2)	3rd	Witnesses accepting bribes.

702	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
703	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
704	918.12	3rd	Tampering with jurors.
705	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
706	(g) LEVEL 7		
707			
708	Florida Statute	Felony Degree	Description
709	316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
710	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
	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.

711

327.35 (3) (c) 2. 3rd Vessel BUI resulting in serious bodily injury.

712

402.319 (2) 2nd Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

713

409.920 (2) 3rd Medicaid provider fraud.

714

456.065 (2) 3rd Practicing a health care profession without a license.

715

456.065 (2) 2nd Practicing a health care profession without a license which results in serious bodily injury.

716

458.327 (1) 3rd Practicing medicine without a license.

717

459.013 (1) 3rd Practicing osteopathic medicine without a license.

718

719	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
720	461.012 (1)	3rd	Practicing podiatric medicine without a license.
721	462.17	3rd	Practicing naturopathy without a license.
722	463.015 (1)	3rd	Practicing optometry without a license.
723	464.016 (1)	3rd	Practicing nursing without a license.
724	465.015 (2)	3rd	Practicing pharmacy without a license.
725	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
726	467.201	3rd	Practicing midwifery without a license.
727	468.366	3rd	Delivering respiratory care services without a license.

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728	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
729	483.901 (9)	3rd	Practicing medical physics without a license.
730	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
731	484.053	3rd	Dispensing hearing aids without a license.
732	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.
733	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
734	560.125 (5) (a)	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.



735	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
736	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
737	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
738	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
739	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
740	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
	782.071	2nd	Killing of a human being or viable

fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).

741

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

742

784.045 (1) (a) 1. 2nd Aggravated battery; intentionally causing great bodily harm or disfigurement.

743

784.045 (1) (a) 2. 2nd Aggravated battery; using deadly weapon.

744

784.045 (1) (b) 2nd Aggravated battery; perpetrator aware victim pregnant.

745

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

746

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

747

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

748

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749	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
750	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
751	784.081 (1)	1st	Aggravated battery on specified official or employee.
752	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
753	784.083 (1)	1st	Aggravated battery on code inspector.
754	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
755	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
756	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb

while committing or attempting to  
commit a felony.

757

790.166 (3)                    2nd     Possessing, selling, using, or  
attempting to use a hoax weapon of  
mass destruction.

758

790.166 (4)                    2nd     Possessing, displaying, or  
threatening to use a hoax weapon of  
mass destruction while committing or  
attempting to commit a felony.

759

794.08 (4)                    3rd     Female genital mutilation; consent  
by a parent, guardian, or a person  
in custodial authority to a victim  
younger than 18 years of age.

760

796.03                         1st     Procuring any minor ~~person under 16~~  
~~2nd~~     ~~years~~ for prostitution.

761

800.04 (5) (c) 1.            2nd     Lewd or lascivious molestation;  
victim less than 12 years of age;  
offender less than 18 years.

762

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.

763

806.01 (2) 2nd Maliciously damage structure by fire or explosive.

764

810.02 (3) (a) 2nd Burglary of occupied dwelling; unarmed; no assault or battery.

765

810.02 (3) (b) 2nd Burglary of unoccupied dwelling; unarmed; no assault or battery.

766

810.02 (3) (d) 2nd Burglary of occupied conveyance; unarmed; no assault or battery.

767

810.02 (3) (e) 2nd Burglary of authorized emergency vehicle.

768

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.

769

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

770

771	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
772	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
773	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
774	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
775	812.131 (2) (a)	2nd	Robbery by sudden snatching.
776	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
777	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
778	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.

779	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
780	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.
781	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
782	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.
783	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
784	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.

785	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
786	838.015	2nd	Bribery.
787	838.016	2nd	Unlawful compensation or reward for official behavior.
788	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
789	838.22	2nd	Bid tampering.
790	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
791	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
792	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 care



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

793

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.

794

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).

795

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

796

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

797

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

798

893.135 (1) (d) 1. 1st Trafficking in phencyclidine, more

than 28 grams, less than 200 grams.

799

893.135(1)(e)1. 1st Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.

800

893.135(1)(f)1. 1st Trafficking in amphetamine, more than 14 grams, less than 28 grams.

801

893.135(1)(g)1.a. 1st Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.

802

893.135(1)(h)1.a. 1st Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.

803

893.135(1)(j)1.a. 1st Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.

804

893.135(1)(k)2.a. 1st Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

805

896.101(5)(a) 3rd Money laundering, financial transactions exceeding \$300 but less than \$20,000.

806

807	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
808	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
809	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
810	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
811	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
812	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
	944.607 (9)	3rd	Sexual offender; failure to comply

with reporting requirements.

813

944.607(10)(a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

814

944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

815

944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

816

985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

817

985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

818

985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

819

820 (h) LEVEL 8

821

	Florida Statute	Felony Degree	Description
822	316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
823	316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
824	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
825	499.0051 (7)	1st	Forgery of prescription or legend drug labels.
826	499.0052	1st	Trafficking in contraband legend drugs.
827	560.123 (8) (b) 2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
828	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.
829			

830	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
831	777.03 (2) (a)	1st	Accessory after the fact, capital felony.
832	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.
833	782.051 (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).
834	782.071 (1) (b)	1st	Committing vehicular homicide and failing to render aid or give information.
835	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.

836	790.161 (3)	1st	Discharging a destructive device which results in bodily harm or property damage.
837	794.011 (5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
838	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
839	<u>796.045 (1) (a)</u>	<u>1st</u>	<u>Sex trafficking.</u>
840	800.04 (4)	2nd	Lewd or lascivious battery.
841	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
842	810.02 (2) (a)	1st, PB L	Burglary with assault or battery.
843	810.02 (2) (b)	1st, PB L	Burglary; armed with explosives or dangerous weapon.

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844	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
845	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
846	812.13 (2) (b)	1st	Robbery with a weapon.
847	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
848	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
849	825.102 (2)	2nd	Aggravated abuse of an elderly person or disabled adult.
850	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
851	825.103 (2) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.



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852	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
853	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
854	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
855	860.16	1st	Aircraft piracy.
856	893.13 (1) (b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
857	893.13 (2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
858	893.13 (6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
	893.135 (1) (a) 2.	1st	Trafficking in cannabis, more than

2,000 lbs., less than 10,000 lbs.

859

893.135 (1) (b) 1.b. 1st Trafficking in cocaine, more than 200 grams, less than 400 grams.

860

893.135 (1) (c) 1.b. 1st Trafficking in illegal drugs, more than 14 grams, less than 28 grams.

861

893.135 (1) (d) 1.b. 1st Trafficking in phencyclidine, more than 200 grams, less than 400 grams.

862

893.135 (1) (e) 1.b. 1st Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.

863

893.135 (1) (f) 1.b. 1st Trafficking in amphetamine, more than 28 grams, less than 200 grams.

864

893.135 (1) (g) 1.b. 1st Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.

865

893.135 (1) (h) 1.b. 1st Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.

866

893.135 (1) (j) 1.b. 1st Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10

kilograms.

867

893.135 (1) (k) 2.b. 1st Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.

868

895.03 (1) 1st Use or invest proceeds derived from pattern of racketeering activity.

869

895.03 (2) 1st Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.

870

895.03 (3) 1st Conduct or participate in any enterprise through pattern of racketeering activity.

871

896.101 (5) (b) 2nd Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.

872

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.

873

874 (i) LEVEL 9

875	Florida Statute	Felony Degree	Description
876	316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
877	327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
878	499.00535	1st	Sale or purchase of contraband legend drugs resulting in great bodily harm.
879	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
880	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
881	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
882			

883	775.0844	1st	Aggravated white collar crime.
884	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
885	782.04 (3)	1st, PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
886	782.051 (1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04 (3) .
887	782.07 (2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
888	787.01 (1) (a) 1.	1st, PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
889	787.01 (1) (a) 2.	1st, PBL	Kidnapping with intent to commit or facilitate commission of any felony.
890	787.01 (1) (a) 4.	1st, PBL	Kidnapping with intent to interfere with performance of any governmental or political function.

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891	787.02 (3) (a)	1st	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
892	790.161	1st	Attempted capital destructive device offense.
893	790.166 (2)	1st, PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
894	794.011 (2)	1st	Attempted sexual battery; victim less than 12 years of age.
895	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
896	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by

person in familial or custodial authority.

897

794.08 (2) 1st Female genital mutilation; victim younger than 18 years of age.

898

796.045 (1) (b) Life Sex trafficking involving a minor or resulting in death.

899

796.045 (2) Life Selling or buying of minors into sex trafficking or prostitution.

900

800.04 (5) (b) Life Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.

901

812.13 (2) (a) 1st, PBL Robbery with firearm or other deadly weapon.

902

812.133 (2) (a) 1st, PBL Carjacking; firearm or other deadly weapon.

903

812.135 (2) (b) 1st Home-invasion robbery with weapon.

904

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.

905

827.03 (2) 1st Aggravated child abuse.

906

847.0145 (1) 1st Selling, or otherwise transferring  
custody or control, of a minor.

907

847.0145 (2) 1st Purchasing, or otherwise obtaining  
custody or control, of a minor.

908

859.01 1st Poisoning or introducing bacteria,  
radioactive materials, viruses, or  
chemical compounds into food, drink,  
medicine, or water with intent to  
kill or injure another person.

909

893.135 1st Attempted capital trafficking  
offense.

910

893.135 (1) (a) 3. 1st Trafficking in cannabis, more than  
10,000 lbs.

911

893.135 (1) (b) 1.c. 1st Trafficking in cocaine, more than  
400 grams, less than 150 kilograms.

912



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913	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
914	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
915	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
916	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
917	893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
918	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
919	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
920	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
	896.104 (4) (a) 3.	1st	Structuring transactions to evade

reporting or registration requirements, financial transactions totaling or exceeding \$100,000.

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Section 15. Subsection (7) of section 322.28, Florida Statutes, is amended to read:

322.28 Period of suspension or revocation.--

(7) Following a second or subsequent violation of s. 796.07(1)(e) ~~(2)(f)~~ which involves a motor vehicle and which results in any judicial disposition other than acquittal or dismissal, in addition to any other sentence imposed, the court shall revoke the person's driver's license or driving privilege, effective upon the date of the disposition, for a period of not less than 1 year. A person sentenced under this subsection may request a hearing under s. 322.271.

Section 16. Paragraph (a) of subsection (1) of section 943.0435, Florida Statutes, is amended to read:

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

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

(a)1. "Sexual offender" means a person who meets the criteria in sub-subparagraph a., sub-subparagraph b., sub-subparagraph c., or sub-subparagraph d., as follows:

a.(I) Has been convicted of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the

946 defendant is not the victim's parent or guardian; s. 794.011,  
 947 excluding s. 794.011(10); s. 794.05; s. 796.03; former s.  
 948 796.035; s. 796.045(2); s. 800.04; s. 825.1025; s. 827.071; s.  
 949 847.0133; s. 847.0135, excluding s. 847.0135(4); s. 847.0137; s.  
 950 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense  
 951 committed in this state which has been redesignated from a  
 952 former statute number to one of those listed in this sub-sub-  
 953 subparagraph; and

954 (II) Has been released on or after October 1, 1997, from  
 955 the sanction imposed for any conviction of an offense described  
 956 in sub-sub-subparagraph (I). For purposes of sub-sub-  
 957 subparagraph (I), a sanction imposed in this state or in any  
 958 other jurisdiction includes, but is not limited to, a fine,  
 959 probation, community control, parole, conditional release,  
 960 control release, or incarceration in a state prison, federal  
 961 prison, private correctional facility, or local detention  
 962 facility;

963 b. Establishes or maintains a residence in this state and  
 964 who has not been designated as a sexual predator by a court of  
 965 this state but who has been designated as a sexual predator, as  
 966 a sexually violent predator, or by another sexual offender  
 967 designation in another state or jurisdiction and was, as a  
 968 result of such designation, subjected to registration or  
 969 community or public notification, or both, or would be if the  
 970 person were a resident of that state or jurisdiction, without  
 971 regard to whether the person otherwise meets the criteria for  
 972 registration as a sexual offender;

973 c. Establishes or maintains a residence in this state who

974 is in the custody or control of, or under the supervision of,  
 975 any other state or jurisdiction as a result of a conviction for  
 976 committing, or attempting, soliciting, or conspiring to commit,  
 977 any of the criminal offenses proscribed in the following  
 978 statutes or similar offense in another jurisdiction: s. 787.01,  
 979 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and  
 980 the defendant is not the victim's parent or guardian; s.  
 981 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; former  
 982 s. 796.035; s. 796.045(2); s. 800.04; s. 825.1025; s. 827.071;  
 983 s. 847.0133; s. 847.0135, excluding s. 847.0135(4); s. 847.0137;  
 984 s. 847.0138; s. 847.0145; or s. 985.701(1); or any similar  
 985 offense committed in this state which has been redesignated from  
 986 a former statute number to one of those listed in this sub-  
 987 subparagraph; or

988 d. On or after July 1, 2007, has been adjudicated  
 989 delinquent for committing, or attempting, soliciting, or  
 990 conspiring to commit, any of the criminal offenses proscribed in  
 991 the following statutes in this state or similar offenses in  
 992 another jurisdiction when the juvenile was 14 years of age or  
 993 older at the time of the offense:

994 (I) Section 794.011, excluding s. 794.011(10);

995 (II) Section 800.04(4)(b) where the victim is under 12  
 996 years of age or where the court finds sexual activity by the use  
 997 of force or coercion;

998 (III) Section 800.04(5)(c)1. where the court finds  
 999 molestation involving unclothed genitals; or

1000 (IV) Section 800.04(5)(d) where the court finds the use of  
 1001 force or coercion and unclothed genitals.

1002           2. For all qualifying offenses listed in sub-subparagraph  
 1003 (1)(a)1.d., the court shall make a written finding of the age of  
 1004 the offender at the time of the offense.

1005  
 1006 For each violation of a qualifying offense listed in this  
 1007 subsection, the court shall make a written finding of the age of  
 1008 the victim at the time of the offense. For a violation of s.  
 1009 800.04(4), the court shall additionally make a written finding  
 1010 indicating that the offense did or did not involve sexual  
 1011 activity and indicating that the offense did or did not involve  
 1012 force or coercion. For a violation of s. 800.04(5), the court  
 1013 shall additionally make a written finding that the offense did  
 1014 or did not involve unclothed genitals or genital area and that  
 1015 the offense did or did not involve the use of force or coercion.

1016           Section 17. Paragraph (b) of subsection (1) of section  
 1017 944.606, Florida Statutes, is amended to read:

1018           944.606 Sexual offenders; notification upon release.--

1019           (1) As used in this section:

1020           (b) "Sexual offender" means a person who has been  
 1021 convicted of committing, or attempting, soliciting, or  
 1022 conspiring to commit, any of the criminal offenses proscribed in  
 1023 the following statutes in this state or similar offenses in  
 1024 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c),  
 1025 where the victim is a minor and the defendant is not the  
 1026 victim's parent or guardian; s. 794.011, excluding s.  
 1027 794.011(10); s. 794.05; s. 796.03; former s. 796.035; s.  
 1028 796.045(2); s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.  
 1029 847.0135, excluding s. 847.0135(4); s. 847.0137; s. 847.0138; s.

1030 847.0145; or s. 985.701(1); or any similar offense committed in  
 1031 this state which has been redesignated from a former statute  
 1032 number to one of those listed in this subsection, when the  
 1033 department has received verified information regarding such  
 1034 conviction; an offender's computerized criminal history record  
 1035 is not, in and of itself, verified information.

1036 Section 18. Paragraph (a) of subsection (1) of section  
 1037 944.607, Florida Statutes, is amended to read:

1038 944.607 Notification to Department of Law Enforcement of  
 1039 information on sexual offenders.--

1040 (1) As used in this section, the term:

1041 (a) "Sexual offender" means a person who is in the custody  
 1042 or control of, or under the supervision of, the department or is  
 1043 in the custody of a private correctional facility:

1044 1. On or after October 1, 1997, as a result of a  
 1045 conviction for committing, or attempting, soliciting, or  
 1046 conspiring to commit, any of the criminal offenses proscribed in  
 1047 the following statutes in this state or similar offenses in  
 1048 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c),  
 1049 where the victim is a minor and the defendant is not the  
 1050 victim's parent or guardian; s. 794.011, excluding s.  
 1051 794.011(10); s. 794.05; s. 796.03; former s. 796.035; s.  
 1052 796.045(2); s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.  
 1053 847.0135, excluding s. 847.0135(4); s. 847.0137; s. 847.0138; s.  
 1054 847.0145; or s. 985.701(1); or any similar offense committed in  
 1055 this state which has been redesignated from a former statute  
 1056 number to one of those listed in this paragraph; or

1057 2. Who establishes or maintains a residence in this state

1058 | and who has not been designated as a sexual predator by a court  
1059 | of this state but who has been designated as a sexual predator,  
1060 | as a sexually violent predator, or by another sexual offender  
1061 | designation in another state or jurisdiction and was, as a  
1062 | result of such designation, subjected to registration or  
1063 | community or public notification, or both, or would be if the  
1064 | person were a resident of that state or jurisdiction, without  
1065 | regard as to whether the person otherwise meets the criteria for  
1066 | registration as a sexual offender.

1067 |       Section 19. This act shall take effect July 1, 2008.