

By Senator Oelrich

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1 A bill to be entitled

2 An act relating to the use of hoax firearms; creating s.
3 812.129, F.S.; defining the term "hoax firearm" for
4 specified purposes; amending ss. 812.13, 812.133, and
5 812.135, F.S.; revising provisions relating to robbery,
6 carjacking, and home-invasion robbery to provide increased
7 penalties when a hoax firearm is carried in the course of
8 committing the offense; amending s. 921.0022, F.S.;
9 conforming provisions of the offense severity ranking
10 chart of the Criminal Punishment Code to changes made by
11 the act; amending s. 948.062, F.S.; conforming provisions;
12 providing an effective date.

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

15
16 Section 1. Section 812.129, Florida Statutes, is created to
17 read:

18 812.129 Definition; ss. 812.13-813.135.--As used is ss.
19 812.13-813.135, the term "hoax firearm" means any device or
20 object that by its design, construction, content, or
21 characteristics appears to be a firearm as defined in s. 790.001,
22 but is, in fact, a facsimile or imitation of such firearm.

23 Section 2. Paragraphs (a) and (c) of subsection (2) of
24 section 812.13, Florida Statutes, are amended to read:

25 812.13 Robbery.--

26 (2) (a) If in the course of committing the robbery the
27 offender carried a firearm or other deadly weapon or a hoax
28 firearm, then the robbery is a felony of the first degree,
29 punishable by imprisonment for a term of years not exceeding life

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30 imprisonment or as provided in s. 775.082, s. 775.083, or s.
31 775.084.

32 (c) If in the course of committing the robbery the offender
33 carried no firearm, deadly weapon, ~~or~~ other weapon, or hoax
34 firearm, then the robbery is a felony of the second degree,
35 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

36 Section 3. Subsection (2) of section 812.133, Florida
37 Statutes, is amended to read:

38 812.133 Carjacking.--

39 (2)(a) If in the course of committing the carjacking the
40 offender carried a firearm or other deadly weapon or a hoax
41 firearm, then the carjacking is a felony of the first degree,
42 punishable by imprisonment for a term of years not exceeding life
43 imprisonment or as provided in s. 775.082, s. 775.083, or s.
44 775.084.

45 (b) If in the course of committing the carjacking the
46 offender carried no firearm, deadly weapon, ~~or~~ other weapon, or
47 hoax firearm, then the carjacking is a felony of the first
48 degree, punishable as provided in s. 775.082, s. 775.083, or s.
49 775.084.

50 Section 4. Paragraphs (a) and (c) of subsection (2) of
51 section 812.135, Florida Statutes, are amended to read:

52 812.135 Home-invasion robbery.--

53 (2)(a) If in the course of committing the home-invasion
54 robbery the person carries a firearm or other deadly weapon or a
55 hoax firearm, the person commits a felony of the first degree,
56 punishable by imprisonment for a term of years not exceeding life
57 imprisonment as provided in s. 775.082, s. 775.083, or s.
58 775.084.

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59 (c) If in the course of committing the home-invasion
 60 robbery the person carries no firearm, deadly weapon, ~~or~~ other
 61 weapon, or hoax firearm, the person commits a felony of the first
 62 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 63 775.084.

64 Section 5. Paragraphs (f), (g), (h), (i), and (j) of
 65 subsection (3) of section 921.0022, Florida Statutes, are amended
 66 to read:

67 921.0022 Criminal Punishment Code; offense severity ranking
 68 chart.--

69 (3) OFFENSE SEVERITY RANKING CHART

70 (f) LEVEL 6

71

Florida Statute	Felony Degree	Description
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
499.0051(3)	2nd	Forgery of pedigree papers.
499.0051(4)	2nd	Purchase or receipt of legend drug from unauthorized person.
499.0051(5)	2nd	Sale of legend drug to unauthorized person.
775.0875(1)	3rd	Taking firearm from law enforcement officer.

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77	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
78	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
79	784.041	3rd	Felony battery; domestic battery by strangulation.
80	784.048 (3)	3rd	Aggravated stalking; credible threat.
81	784.048 (5)	3rd	Aggravated stalking of person under 16.
82	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
83	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
84	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
85	784.081 (2)	2nd	Aggravated assault on specified official or employee.
86	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.

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87	784.083 (2)	2nd	Aggravated assault on code inspector.
88	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
89	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
90	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
91	790.164 (1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
92	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
93	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
94	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
95	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.

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96	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
97	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
98	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
99	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
100	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
101	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
102	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
103	812.13 (2) (c)	2nd	Robbery, no firearm, or other weapon, <u>or hoax weapon</u> (strong-arm robbery).
104	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
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106	817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
107	825.102(1)	3rd	Abuse of an elderly person or disabled adult.
108	825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
109	825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
110	825.103(2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
111	827.03(1)	3rd	Abuse of a child.
112	827.03(3)(c)	3rd	Neglect of a child.
113	827.071(2)&(3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
114	836.05	2nd	Threats; extortion.
	836.10	2nd	Written threats to kill or do bodily injury.

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115	843.12	3rd	Aids or assists person to escape.
116	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
117	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
118	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.
119	944.40	2nd	Escapes.
120	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
121	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
122	951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
123			
124	(g)	LEVEL 7	

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125	Florida	Felony	Description
	Statute	Degree	
126	316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
127	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
128	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.
129	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
130	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.
131	409.920(2)	3rd	Medicaid provider fraud.
132	456.065(2)	3rd	Practicing a health care profession

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without a license.

133

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

134

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

135

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

136

460.411 (1) 3rd Practicing chiropractic medicine without a license.

137

461.012 (1) 3rd Practicing podiatric medicine without a license.

138

462.17 3rd Practicing naturopathy without a license.

139

463.015 (1) 3rd Practicing optometry without a license.

140

464.016 (1) 3rd Practicing nursing without a license.

141

465.015 (2) 3rd Practicing pharmacy without a license.

142

466.026 (1) 3rd Practicing dentistry or dental hygiene without a license.

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143	467.201	3rd	Practicing midwifery without a license.
144	468.366	3rd	Delivering respiratory care services without a license.
145	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
146	483.901 (9)	3rd	Practicing medical physics without a license.
147	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
148	484.053	3rd	Dispensing hearing aids without a license.
149	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.
150	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
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152	560.125 (5) (a)	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
153	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
154	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
155	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
156	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
157	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

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158	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
159	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
160	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
161	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
162	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
163	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
164	784.048 (7)	3rd	Aggravated stalking; violation of court order.
165	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
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167	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
168	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
169	784.081 (1)	1st	Aggravated battery on specified official or employee.
170	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
171	784.083 (1)	1st	Aggravated battery on code inspector.
172	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2).
173	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
174	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
175	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
	790.166 (3)	2nd	Possessing, selling, using, or

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attempting to use a hoax weapon of mass destruction.

176

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

177

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.

178

796.03 2nd Procuring any person under 16 years for prostitution.

179

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

180

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.

181

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

182

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

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183	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
184	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
185	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
186	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.
187	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
188	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
189	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
190	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.

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191	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
192	812.131 (2) (a)	2nd	Robbery by sudden snatching.
193	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or <u>other weapon, or hoax firearm.</u>
194	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
195	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
196	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
197	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.
198	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily

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harm, disability, or disfigurement.

199

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.

200

827.03 (3) (b) 2nd Neglect of a child causing great bodily harm, disability, or disfigurement.

201

827.04 (3) 3rd Impregnation of a child under 16 years of age by person 21 years of age or older.

202

837.05 (2) 3rd Giving false information about alleged capital felony to a law enforcement officer.

203

838.015 2nd Bribery.

204

838.016 2nd Unlawful compensation or reward for official behavior.

205

838.021 (3) (a) 2nd Unlawful harm to a public servant.

206

838.22 2nd Bid tampering.

207

847.0135 (3) 3rd Solicitation of a child, via a

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computer service, to commit an
unlawful sex act.

208

847.0135(4) 2nd Traveling to meet a minor to commit an
unlawful sex act.

209

872.06 2nd Abuse of a dead human body.

210

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.

211

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.

212

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).

213

893.135(1)(a)1. 1st Trafficking in cannabis, more than 25

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lbs., less than 2,000 lbs.

214

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

215

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

216

893.135 (1) (d) 1. 1st Trafficking in phencyclidine, more
than 28 grams, less than 200 grams.

217

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

218

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

219

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

220

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

221

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

222

893.135 (1) (k) 2.a. 1st Trafficking in Phenethylamines, 10

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grams or more, less than 200 grams.

223

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

224

896.104 (4) (a) 1. 3rd Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

225

943.0435 (4) (c) 2nd Sexual offender vacating permanent residence; failure to comply with reporting requirements.

226

943.0435 (8) 2nd Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

227

943.0435 (9) (a) 3rd Sexual offender; failure to comply with reporting requirements.

228

943.0435 (13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

229

943.0435 (14) 3rd Sexual offender; failure to report and reregister; failure to respond to

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address verification.

230

944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

231

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

232

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

233

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

234

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

235

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

236

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

237

238 (h) LEVEL 8

239

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	Florida Statute	Felony Degree	Description
240	316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
241	316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
242	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
243	499.0051 (7)	1st	Forgery of prescription or legend drug labels.
244	499.0052	1st	Trafficking in contraband legend drugs.
245	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.
246	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.
247	655.50 (10) (b) 2.	2nd	Failure to report financial

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transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.

248

777.03 (2) (a) 1st Accessory after the fact, capital felony.

249

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.

250

782.051 (2) 1st Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).

251

782.071 (1) (b) 1st Committing vehicular homicide and failing to render aid or give information.

252

782.072 (2) 1st Committing vessel homicide and failing to render aid or give information.

253

790.161 (3) 1st Discharging a destructive device which results in bodily harm or

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property damage.

254

794.011 (5) 2nd Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.

255

794.08 (3) 2nd Female genital mutilation, removal of a victim younger than 18 years of age from this state.

256

800.04 (4) 2nd Lewd or lascivious battery.

257

806.01 (1) 1st Maliciously damage dwelling or structure by fire or explosive, believing person in structure.

258

810.02 (2) (a) 1st,PBL Burglary with assault or battery.

259

810.02 (2) (b) 1st,PBL Burglary; armed with explosives or dangerous weapon.

260

810.02 (2) (c) 1st Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.

261

812.014 (2) (a) 2. 1st Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.

262

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263	812.13 (2) (b)	1st	Robbery with a weapon.
264	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon, <u>or hoax firearm</u> .
265	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
266	825.102 (2)	2nd	Aggravated abuse of an elderly person or disabled adult.
267	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
268	825.103 (2) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.
269	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
270	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
	860.121 (2) (c)	1st	Shooting at or throwing any object in

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path of railroad vehicle resulting in
great bodily harm.

271

860.16 1st Aircraft piracy.

272

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).

273

893.13(2)(b) 1st Purchase in excess of 10 grams of any
substance specified in s.
893.03(1)(a) or (b).

274

893.13(6)(c) 1st Possess in excess of 10 grams of any
substance specified in s.
893.03(1)(a) or (b).

275

893.135(1)(a)2. 1st Trafficking in cannabis, more than
2,000 lbs., less than 10,000 lbs.

276

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

277

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

278

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

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280	893.135(1)(e)1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
281	893.135(1)(f)1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
282	893.135(1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
283	893.135(1)(h)1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
284	893.135(1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
285	893.135(1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
286	895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
287	895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.

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288	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
289	896.101 (5) (b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
290	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.
291	(i) LEVEL 9		
292	Florida Statute	Felony Degree	Description
293	316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
294	327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
295	499.00535	1st	Sale or purchase of contraband legend drugs resulting in great bodily harm.
296	560.123 (8) (b) 3.	1st	Failure to report currency or payment

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instruments totaling or exceeding
\$100,000 by money transmitter.

297

560.125 (5) (c) 1st Money transmitter business by
unauthorized person, currency, or
payment instruments totaling or
exceeding \$100,000.

298

655.50 (10) (b) 3. 1st Failure to report financial
transactions totaling or exceeding
\$100,000 by financial institution.

299

775.0844 1st Aggravated white collar crime.

300

782.04 (1) 1st Attempt, conspire, or solicit to
commit premeditated murder.

301

782.04 (3) 1st, PBL Accomplice to murder in connection
with arson, sexual battery, robbery,
burglary, and other specified
felonies.

302

782.051 (1) 1st Attempted felony murder while
perpetrating or attempting to
perpetrate a felony enumerated in s.
782.04 (3).

303

782.07 (2) 1st Aggravated manslaughter of an elderly
person or disabled adult.

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304	787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
305	787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
306	787.01(1)(a)4.	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
307	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.
308	790.161	1st	Attempted capital destructive device offense.
309	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
310	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
311	794.011(2)	Life	Sexual battery; offender younger than

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18 years and commits sexual battery on a person less than 12 years.

312

794.011 (4) 1st Sexual battery; victim 12 years or older, certain circumstances.

313

794.011 (8) (b) 1st Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.

314

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

315

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

316

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

317

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

318

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

319

817.568 (7) 2nd,PBL Fraudulent use of personal identification information of an individual under the age of 18 by his

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or her parent, legal guardian, or
 person exercising custodial
 authority.

320

827.03 (2) 1st Aggravated child abuse.

321

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

322

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

323

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.

324

893.135 1st Attempted capital trafficking
 offense.

325

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

326

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

327

893.135 (1) (c) 1.c. 1st Trafficking in illegal drugs, more
 than 28 grams, less than 30

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kilograms.

328

893.135 (1) (d) 1.c. 1st Trafficking in phencyclidine, more than 400 grams.

329

893.135 (1) (e) 1.c. 1st Trafficking in methaqualone, more than 25 kilograms.

330

893.135 (1) (f) 1.c. 1st Trafficking in amphetamine, more than 200 grams.

331

893.135 (1) (h) 1.c. 1st Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.

332

893.135 (1) (j) 1.c. 1st Trafficking in 1,4-Butanediol, 10 kilograms or more.

333

893.135 (1) (k) 2.c. 1st Trafficking in Phenethylamines, 400 grams or more.

334

896.101 (5) (c) 1st Money laundering, financial instruments totaling or exceeding \$100,000.

335

896.104 (4) (a) 3. 1st Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.

336

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337 (j) LEVEL 10

338

Florida	Felony	Description
Statute	Degree	

339

499.00545	1st	Sale or purchase of contraband legend drugs resulting in death.
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340

782.04 (2)	1st,PBL	Unlawful killing of human; act is homicide, unpremeditated.
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341

787.01 (1) (a) 3.	1st,PBL	Kidnapping; inflict bodily harm upon or terrorize victim.
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342

787.01 (3) (a)	Life	Kidnapping; child under age 13, perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
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343

782.07 (3)	1st	Aggravated manslaughter of a child.
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344

794.011 (3)	Life	Sexual battery; victim 12 years or older, offender uses or threatens to use deadly weapon or physical force to cause serious injury.
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345

812.135 (2) (a)	1st,PBL	Home-invasion robbery with firearm or other deadly weapon <u>or hoax firearm</u> .
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346

876.32 1st Treason against the state.

347

348 Section 6. Paragraph (g) of subsection (1) of section
349 948.062, Florida Statutes, is amended to read:

350 948.062 Reviewing and reporting serious offenses committed
351 by offenders placed on probation or community control.--

352 (1) The department shall review the circumstances related
353 to an offender placed on probation or community control who has
354 been arrested while on supervision for the following offenses:

355 (g) Any robbery with a firearm or other deadly weapon or a
356 hoax firearm, home invasion robbery, or carjacking as provided in
357 s. 812.13(2)(a), s. 812.135, or s. 812.133;

358 Section 7. This act shall take effect October 1, 2008.