

By the Committees on Criminal Justice; Commerce; and Senators
Joyner and Lynn

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1 A bill to be entitled
2 An act relating to sex trafficking; amending s. 559.927,
3 F.S.; defining the term "travel services for commercial
4 sexual purposes"; amending s. 559.928, F.S.; requiring the
5 seller of travel to include in the initial registration
6 documents, and in the annual affidavit to renew the
7 registration, sent to the Department of Agriculture and
8 Consumer Services a statement that the seller of travel
9 does not offer for sale, facilitate, advertise, or promote
10 travel services for commercial sexual purposes; providing
11 that the department may deny or refuse to renew the
12 registration of any seller of travel based upon a
13 determination that the seller of travel has offered for
14 sale, facilitated, advertised, or promoted travel services
15 for commercial sexual purposes; amending s. 559.9335,
16 F.S.; providing that an offer of sale, facilitation, an
17 advertisement, or a promotion of travel services for
18 commercial sexual purposes is a violation of part IX of
19 ch. 559, F.S.; amending s. 559.937, F.S.; providing that a
20 seller of travel who offers for sale, facilitates,
21 advertises, or promotes travel services for commercial
22 sexual purposes commits a felony of the second degree;
23 providing criminal penalties; authorizing a court to
24 freeze the assets of a seller of travel who has or is
25 about to commit such offense; providing procedures;
26 amending s. 772.102, F.S.; expanding the definition of the
27 term "criminal activity" to include the offense of
28 facilitating certain offenses for purposes of seeking
29 civil remedies for criminal offenses; amending s. 775.21,

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30 F.S.; conforming cross-references; creating s. 796.011,
31 F.S.; providing definitions; amending s. 796.03, F.S.;
32 increasing penalties for procuring a minor for
33 prostitution; amending s. 796.04, F.S.; providing enhanced
34 penalties for forcing, compelling, or coercing another to
35 become a prostitute; renumbering and amending s. 796.035,
36 F.S., and amending s. 796.045, F.S.; increasing penalties
37 for selling or buying minors into sex trafficking or
38 prostitution; revising provisions relating to sex
39 trafficking; increasing penalties; amending s. 796.06,
40 F.S.; revising provisions prohibiting rental of certain
41 facilities for prohibited activities; amending s. 796.07,
42 F.S.; revising provisions prohibiting prostitution,
43 lewdness, and assignation; providing penalties; amending
44 s. 796.09, F.S.; revising provisions providing a civil
45 action against persons who coerce or induce certain
46 activities; requiring the court to award prevailing
47 plaintiffs reasonable attorney's fees and costs; creating
48 s. 796.10, F.S.; defining the term "business entity";
49 providing that a business entity convicted of a violation
50 of chapter 796, F.S., may be subject to specified
51 sanctions and forfeiture of property; amending s. 823.05,
52 F.S.; providing that a place used for specified violations
53 relating to prostitution may be declared a public nuisance
54 and abated or enjoined; amending s. 893.138, F.S.;
55 providing additional prostitution offenses that may
56 subject a place to being declared a public nuisance by a
57 county or municipality and abated pursuant to specified
58 provisions; amending s. 895.02, F.S.; redefining the term

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59 "racketeering activity" to revise the offenses included
60 for purposes of the Florida RICO Act; amending s.
61 921.0022, F.S.; conforming the offense severity ranking
62 chart of the Criminal Punishment Code; amending ss.
63 322.28, 943.0435, 944.606, and 944.607, F.S.; conforming
64 cross-references; providing an effective date.

65
66 Be It Enacted by the Legislature of the State of Florida:

67
68 Section 1. Present subsection (11) of section 559.927,
69 Florida Statutes, is redesignated as subsection (12), and a new
70 subsection (11) is added to that section, to read:

71 559.927 Definitions.--For the purposes of this part, the
72 term:

73 (11) "Travel services for commercial sexual purposes" means
74 travel, transportation, or vacation services provided for the
75 purposes of enabling the customer to engage in prostitution or
76 engage a prostitute as described in s. 796.07.

77 Section 2. Subsections (1), (3), and (9) of section
78 559.928, Florida Statutes, are amended to read:

79 559.928 Registration.--

80 (1) Each seller of travel shall annually register with the
81 department, providing: its legal business or trade name, mailing
82 address, and business locations; the full names, addresses,
83 telephone numbers, and social security numbers of its owners or
84 corporate officers and directors and the Florida agent of the
85 corporation; a statement whether it is a domestic or foreign
86 corporation, its state and date of incorporation, its charter
87 number, and, if a foreign corporation, the date it registered

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88 | with the State of Florida, and occupational license where
89 | applicable; the date on which a seller of travel registered its
90 | fictitious name if the seller of travel is operating under a
91 | fictitious or trade name; the name of all other corporations,
92 | business entities, and trade names through which each owner of
93 | the seller of travel operated, was known, or did business as a
94 | seller of travel within the preceding 5 years; a list of all
95 | authorized independent agents, including the agent's trade name,
96 | full name, mailing address, business address, telephone numbers,
97 | and social security number; the business location and address of
98 | each branch office and full name and address of the manager or
99 | supervisor; and proof of purchase of adequate bond or
100 | establishment of a letter of credit or certificate of deposit as
101 | required in this part. The registration documents sent to the
102 | department must include a statement that the seller of travel
103 | does not offer for sale, facilitate, advertise, or promote travel
104 | services for commercial sexual purposes. A certificate evidencing
105 | proof of registration shall be issued by the department and must
106 | be prominently displayed in the seller of travel's primary place
107 | of business.

108 | (3) Each independent agent shall annually file an affidavit
109 | with the department prior to engaging in business in this state.
110 | This affidavit must include the independent agent's full name,
111 | legal business or trade name, mailing address, business address,
112 | telephone number, social security number, and the name or names
113 | and addresses of each seller of travel represented by the
114 | independent agent. The affidavit must also state that the
115 | independent agent does not offer for sale, facilitate, advertise,
116 | or promote travel services for commercial sexual purposes. A

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117 | letter evidencing proof of filing must be issued by the
118 | department and must be prominently displayed in the independent
119 | agent's primary place of business. As used in this subsection,
120 | the term "independent agent" means a person who represents a
121 | seller of travel by soliciting persons on its behalf; who has a
122 | written contract with a seller of travel which is operating in
123 | compliance with this part and any rules adopted thereunder; who
124 | does not receive a fee, commission, or other valuable
125 | consideration directly from the purchaser for the seller of
126 | travel; who does not at any time have any unissued ticket stock
127 | or travel documents in his or her possession; and who does not
128 | have the ability to issue tickets, vacation certificates, or any
129 | other travel document. The term "independent agent" does not
130 | include an affiliate of the seller of travel, as that term is
131 | used in s. 559.935(3), or the employees of the seller of travel
132 | or of such affiliates.

133 | (9) The department may deny or refuse to renew the
134 | registration of any seller of travel based upon a determination
135 | that the seller of travel, or any of its directors, officers,
136 | owners, or general partners:

137 | (a) Has failed to meet the requirements for registration as
138 | provided in this part;

139 | (b) Has been convicted of a crime involving fraud,
140 | dishonest dealing, or any other act of moral turpitude;

141 | (c) Has not satisfied a civil fine or penalty arising out
142 | of any administrative or enforcement action brought by any
143 | governmental agency or private person based upon conduct
144 | involving fraud, dishonest dealing, or any violation of this
145 | part;

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146 (d) Has pending against her or him any criminal,
147 administrative, or enforcement proceedings in any jurisdiction,
148 based upon conduct involving fraud, dishonest dealing, or any
149 other act of moral turpitude; ~~or~~

150 (e) Has offered for sale, facilitated, advertised, or
151 promoted travel services for commercial sexual purposes; or

152 (f) ~~(e)~~ Has had a judgment entered against her or him in any
153 action brought by the department or the Department of Legal
154 Affairs pursuant to ss. 501.201-501.213 or this part.

155 Section 3. Subsection (25) is added to section 559.9335,
156 Florida Statutes, to read:

157 559.9335 Violations.--It is a violation of this part for
158 any person:

159 (25) To offer for sale, facilitate, advertise, or promote
160 travel services for commercial sexual purposes.

161 Section 4. Section 559.937, Florida Statutes, is amended to
162 read:

163 559.937 Criminal penalties; freezing of assets--

164 (1) Except as provided in subsection (2), any person or
165 business that ~~which~~ violates this part commits a misdemeanor of
166 the first degree, punishable as provided in s. 775.082 or s.
167 775.083.

168 (2) (a) A seller of travel or independent agent may not
169 offer for sale, facilitate, advertise, or promote travel for
170 commercial sexual purposes.

171 (b) A seller of travel or independent agent who violates
172 paragraph (a) commits a felony of the second degree, punishable
173 as provided in s. 775.082, s. 775.083, or s. 775.084.

174 (3) (a) A court may issue an attachment order directing a

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175 financial institution to freeze some or all of the funds or
176 assets deposited with or held by the financial institution by or
177 on behalf of a seller of travel or independent agent when there
178 exists a reasonable suspicion that the seller of travel or
179 independent agent has violated or is about to violate paragraph
180 (2) (a).

181 (b) A petition to attach assets must be filed by the
182 department and must contain:

183 1. A statement of facts relied upon by the department,
184 including the details of the particular offense that is about to
185 be committed or that has been committed; and

186 2. Identification of the name and financial institution
187 account number of the seller of travel or independent agent.

188 (c) If the court finds there exists a reasonable suspicion
189 that the seller of travel or independent agent has violated or is
190 about to violate paragraph (2) (a), that the accounts of the
191 seller of travel or independent agent can be specifically
192 identified, and that it is necessary to freeze the account
193 holder's funds or assets in order to ensure eventual restitution
194 to victims of the alleged offense, the court may order a
195 financial institution to freeze all or part of the deposited
196 funds or assets of the seller of travel or independent agent so
197 that the funds or assets may not be withdrawn or disposed of
198 until further order of the court.

199 Section 5. Paragraph (a) of subsection (1) of section
200 772.102, Florida Statutes, is amended to read:

201 772.102 Definitions.--As used in this chapter, the term:

202 (1) "Criminal activity" means to commit, to attempt to
203 commit, to conspire to commit, or to solicit, coerce, or

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204 intimidate another person to commit:

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

207 1. Section 210.18, relating to evasion of payment of
208 cigarette taxes.

209 2. Section 414.39, relating to public assistance fraud.

210 3. Section 440.105 or s. 440.106, relating to workers'
211 compensation.

212 4. Part IV of chapter 501, relating to telemarketing.

213 5. Chapter 517, relating to securities transactions.

214 6. Section 550.235, s. 550.3551, or s. 550.3605, relating
215 to dogracing and horseracing.

216 7. Chapter 550, relating to jai alai frontons.

217 8. Chapter 552, relating to the manufacture, distribution,
218 and use of explosives.

219 9. Chapter 562, relating to beverage law enforcement.

220 10. Section 624.401, relating to transacting insurance
221 without a certificate of authority, s. 624.437(4)(c)1., relating
222 to operating an unauthorized multiple-employer welfare
223 arrangement, or s. 626.902(1)(b), relating to representing or
224 aiding an unauthorized insurer.

225 11. Chapter 687, relating to interest and usurious
226 practices.

227 12. Section 721.08, s. 721.09, or s. 721.13, relating to
228 real estate timeshare plans.

229 13. Chapter 782, relating to homicide.

230 14. Chapter 784, relating to assault and battery.

231 15. Chapter 787, relating to kidnapping or human
232 trafficking.

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- 233 16. Chapter 790, relating to weapons and firearms.
- 234 17. Section 796.03, s. 796.04, s. 796.045, s. 796.05, s.
- 235 796.06, or s. 796.07, relating to prostitution.
- 236 18. Chapter 806, relating to arson.
- 237 19. Section 810.02(2)(c), relating to specified burglary of
- 238 a dwelling or structure.
- 239 20. Chapter 812, relating to theft, robbery, and related
- 240 crimes.
- 241 21. Chapter 815, relating to computer-related crimes.
- 242 22. Chapter 817, relating to fraudulent practices, false
- 243 pretenses, fraud generally, and credit card crimes.
- 244 23. Section 827.071, relating to commercial sexual
- 245 exploitation of children.
- 246 24. Chapter 831, relating to forgery and counterfeiting.
- 247 25. Chapter 832, relating to issuance of worthless checks
- 248 and drafts.
- 249 26. Section 836.05, relating to extortion.
- 250 27. Chapter 837, relating to perjury.
- 251 28. Chapter 838, relating to bribery and misuse of public
- 252 office.
- 253 29. Chapter 843, relating to obstruction of justice.
- 254 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
- 255 s. 847.07, relating to obscene literature and profanity.
- 256 31. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
- 257 849.25, relating to gambling.
- 258 32. Chapter 893, relating to drug abuse prevention and
- 259 control.
- 260 33. Section 914.22 or s. 914.23, relating to witnesses,
- 261 victims, or informants.

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262 34. Section 918.12 or s. 918.13, relating to tampering with
263 jurors and evidence.

264 Section 6. Paragraph (a) of subsection (4) and paragraph
265 (b) of subsection (10) of section 775.21, Florida Statutes, are
266 amended to read:

267 775.21 The Florida Sexual Predators Act.--

268 (4) SEXUAL PREDATOR CRITERIA.--

269 (a) For a current offense committed on or after October 1,
270 1993, upon conviction, an offender shall be designated as a
271 "sexual predator" under subsection (5), and subject to
272 registration under subsection (6) and community and public
273 notification under subsection (7) if:

274 1. The felony is:

275 a. A capital, life, or first-degree felony violation, or
276 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
277 is a minor and the defendant is not the victim's parent or
278 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a
279 violation of a similar law of another jurisdiction; or

280 b. Any felony violation, or any attempt thereof, of s.
281 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a
282 minor and the defendant is not the victim's parent or guardian;
283 s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03;
284 former s. 796.035; s. 796.045(2); s. 800.04; s. 825.1025(2)(b);
285 s. 827.071; s. 847.0145; or s. 985.701(1); or a violation of a
286 similar law of another jurisdiction, and the offender has
287 previously been convicted of or found to have committed, or has
288 pled nolo contendere or guilty to, regardless of adjudication,
289 any violation of s. 787.01, s. 787.02, or s. 787.025(2)(c), where
290 the victim is a minor and the defendant is not the victim's

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291 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
292 794.05; s. 796.03; former s. 796.035; s. 796.045(2); s. 800.04;
293 s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
294 847.0135(4); s. 847.0145; or s. 985.701(1); or a violation of a
295 similar law of another jurisdiction;

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

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

302 (10) PENALTIES.--

303 (b) A sexual predator who has been convicted of or found to
304 have committed, or has pled nolo contendere or guilty to,
305 regardless of adjudication, any violation, or attempted
306 violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where
307 the victim is a minor and the defendant is not the victim's
308 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
309 794.05; s. 796.03; former s. 796.035; s. 796.045(2); s. 800.04;
310 s. 827.071; s. 847.0133; s. 847.0145; or s. 985.701(1); or a
311 violation of a similar law of another jurisdiction when the
312 victim of the offense was a minor, and who works, whether for
313 compensation or as a volunteer, at any business, school, day care
314 center, park, playground, or other place where children regularly
315 congregate, commits a felony of the third degree, punishable as
316 provided in s. 775.082, s. 775.083, or s. 775.084.

317 Section 7. Section 796.011, Florida Statutes, is created to
318 read:

319 796.011 Definitions.--As used in this chapter, the term:

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320 (1) "Assignment" means the making of any appointment or
321 engagement for prostitution or lewdness or any act in furtherance
322 of such appointment or engagement.

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

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

328 (b) Physical or mental torture.

329 (c) Kidnapping.

330 (d) Blackmail.

331 (e) Extortion or claims of indebtedness.

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

333 (g) Threat to interfere with parental rights or
334 responsibilities, whether by judicial or administrative action or
335 otherwise.

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

337 (i) Exploitation of a condition of developmental
338 disability, cognitive limitation, affective disorder, or
339 substance dependency.

340 (j) Exploitation of victimization by sexual abuse.

341 (k) Exploitation of pornographic performance.

342 (l) Exploitation of human needs for food, shelter, safety,
343 or affection.

344 (3) "Induces" means offers, promises, or withholds or
345 threatens to withhold, a benefit or advantage, whether legal,
346 financial, or otherwise, such as a promise of marriage,
347 employment, or material support or advantage, in order to bring
348 about or cause a person to take certain action.

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

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

353 (6) "Sexual activity" means oral, anal, or vaginal
354 penetration by, or union with, the sexual organ of another; anal
355 or vaginal penetration of another by any other object; or the
356 handling or fondling of the sexual organ of another for the
357 purpose of masturbation; however, the term does not include acts
358 done for bona fide medical purposes.

359 Section 8. Section 796.03, Florida Statutes, is amended to
360 read:

361 796.03 Procuring minor ~~person under age of 18~~ for
362 prostitution.--A person who procures for prostitution, or causes
363 to be prostituted, any minor ~~person who is under the age of 18~~
364 ~~years~~ commits a felony of the first ~~second~~ degree, punishable as
365 provided in s. 775.082, s. 775.083, or s. 775.084.

366 Section 9. Section 796.04, Florida Statutes, is amended to
367 read:

368 796.04 Forcing, compelling, or coercing another to become a
369 prostitute.--

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

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

375 Section 10. Section 796.035, Florida Statutes, is
376 renumbered as subsection (2) of section 796.045, Florida

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377 Statutes, and amended, and section 796.045, Florida Statutes, is
378 amended, to read:

379 796.045 Sex trafficking; penalties.--

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

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

391 (2) ~~796.035 Selling or buying of minors into sex~~
392 ~~trafficking or prostitution; penalties.--~~Any parent, legal
393 guardian, or other person having custody or control of a minor
394 who sells or otherwise transfers custody or control of such
395 minor, or offers to sell or otherwise transfer custody of such
396 minor, with knowledge that, as a consequence of the sale or
397 transfer, force, fraud, or coercion will be used to cause the
398 minor to engage in prostitution or otherwise participate in the
399 trade of sex trafficking, commits a life felony ~~of the first~~
400 ~~degree~~, punishable as provided in s. 775.082, s. 775.083, or s.
401 775.084.

402 Section 11. Section 796.06, Florida Statutes, is amended to
403 read:

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404 796.06 Use of space for prohibited activities; sanctions
405 ~~Renting space to be used for lewdness, assignation, or~~
406 ~~prostitution.--~~

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

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

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

418 ~~(b) A misdemeanor of the first degree for a second or~~
419 ~~subsequent violation, punishable as provided in s. 775.082 or s.~~
420 ~~775.083.~~

421 Section 12. Section 796.07, Florida Statutes, is amended to
422 read:

423 796.07 Prohibiting prostitution, lewdness, and assignation
424 ~~etc.; evidence; penalties; definitions.--~~

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

426 ~~(a) "Prostitution" means the giving or receiving of the~~
427 ~~body for sexual activity for hire but excludes sexual activity~~
428 ~~between spouses.~~

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

430 ~~(c) "Assignation" means the making of any appointment or~~
431 ~~engagement for prostitution or lewdness, or any act in~~
432 ~~furtherance of such appointment or engagement.~~

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433 ~~(d) "Sexual activity" means oral, anal, or vaginal~~
434 ~~penetration by, or union with, the sexual organ of another; anal~~
435 ~~or vaginal penetration of another by any other object; or the~~
436 ~~handling or fondling of the sexual organ of another for the~~
437 ~~purpose of masturbation; however, the term does not include acts~~
438 ~~done for bona fide medical purposes.~~

439 (1)~~(2)~~ It is unlawful for a person:

440 ~~(a) To own, establish, maintain, or operate any place,~~
441 ~~structure, building, or conveyance for the purpose of lewdness,~~
442 ~~assignation, or prostitution.~~

443 (a)~~(b)~~ To offer, or to offer or agree to secure, any person
444 ~~another~~ for the purpose of prostitution, lewdness, or assignation
445 ~~or for any other lewd or indecent act.~~

446 (b)~~(e)~~ To receive, or to offer or agree to receive, any
447 person into any place, structure, building, or trailer or other
448 conveyance for the purpose of prostitution, lewdness, or
449 assignation, ~~or to permit any person to remain there for such~~
450 ~~purpose.~~

451 (c)~~(d)~~ To direct, take, or transport, or to offer or agree
452 to direct, take, or transport, any person to any place,
453 structure, ~~or~~ building, or trailer or other conveyance or to any
454 other person, with knowledge or reasonable cause to believe that
455 the purpose of such directing, taking, or transporting is
456 prostitution, lewdness, or assignation.

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

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

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461 ~~(f)~~(g) To reside in, enter, or remain in, any place,
462 structure, or building, or to enter or remain in any trailer or
463 other conveyance, for the purpose of prostitution, lewdness, or
464 assignation.

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

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

470 ~~(2)~~(3)(a) In the trial of a person charged with a violation
471 of this section, testimony concerning the reputation of any
472 place, structure, building, or trailer or other conveyance
473 involved in the charge;; testimony concerning the reputation of
474 any person residing in, operating, or frequenting such place,
475 structure, building, or trailer or other conveyance; and
476 testimony concerning the reputation of the defendant is
477 admissible in evidence in support of the charge.

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

481 ~~(3)~~(4) Except as otherwise provided in this chapter, a
482 person who violates any provision of this section commits:

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

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

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

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490 ~~(4)(5)~~ A person who is charged with a third or subsequent
 491 violation of this section shall be offered admission to a
 492 pretrial intervention program or a substance-abuse treatment
 493 program as provided in s. 948.08.

494 ~~(5)(6)~~ In addition to the punishment provided in subsection
 495 (3), a person who violates paragraph (1)(e) ~~(2)(f)~~ shall be
 496 assessed a civil penalty of \$500 if the violation results in any
 497 judicial disposition other than acquittal or dismissal. The
 498 proceeds from penalties assessed under this subsection shall be
 499 paid to the circuit court administrator for the sole purpose of
 500 paying the administrative costs of treatment-based drug court
 501 programs provided under s. 397.334.

502 Section 13. Section 796.09, Florida Statutes, is amended to
 503 read:

504 796.09 Coercion or inducement; civil cause of action;
 505 evidence; defenses; attorney's fees.--

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

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

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

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

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

517 ~~(3) As used in this section, the term "coercion" means any~~
 518 ~~practice of domination, restraint, or inducement for the purpose~~

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519 ~~of or with the reasonably foreseeable effect of causing another~~
520 ~~person to engage in or remain in prostitution or to relinquish~~
521 ~~earnings derived from prostitution, and includes, but is not~~
522 ~~limited to:~~

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

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

525 ~~(c) Kidnapping.~~

526 ~~(d) Blackmail.~~

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

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

529 ~~(g) Threat to interfere with parental rights or~~
530 ~~responsibilities, whether by judicial or administrative action or~~
531 ~~otherwise.~~

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

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

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

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

536 ~~(l) Exploitation of a condition of developmental~~
537 ~~disability, cognitive limitation, affective disorder, or~~
538 ~~substance dependency.~~

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

540 ~~(n) Exploitation of pornographic performance.~~

541 ~~(o) Exploitation of human needs for food, shelter, safety,~~
542 ~~or affection.~~

543 (2)~~(4)~~ In the course of litigation under this section, any
544 transaction about which a plaintiff testifies or produces
545 evidence does not subject such plaintiff to criminal prosecution
546 or any penalty or forfeiture. Further, any testimony or evidence,
547 documentary or otherwise, or information directly or indirectly

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548 derived from such testimony or evidence which is given or
549 produced by a plaintiff or a witness for a plaintiff shall not be
550 used against these persons in any other investigation or
551 proceeding. Such testimony or evidence, however, may be used
552 against a plaintiff or a witness for a plaintiff upon any
553 criminal investigation or proceeding for perjury committed while
554 giving such testimony or producing such evidence.

555 (3)~~(5)~~ It does not constitute a defense to a complaint
556 under this section that:

557 (a) The plaintiff was paid or otherwise compensated for
558 acts of prostitution or other acts prohibited under this chapter;

559 (b) The plaintiff engaged in acts of prostitution or other
560 acts prohibited under this chapter prior to any involvement with
561 the defendant; ~~or~~

562 (c) The plaintiff made no attempt to escape, flee, or
563 otherwise terminate contact with the defendant;~~;-~~

564 (d) In the case of a cause of action based on inducement,
565 the victim consented; or

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

568 (4)~~(6)~~ Evidence of convictions for prostitution or other
569 acts prohibited under this chapter ~~or prostitution-related~~
570 ~~offenses~~ are inadmissible in a proceeding brought under this
571 section for purposes of attacking the plaintiff's credibility.

572 (5)~~(7)~~ In any action brought under this section, the court
573 shall, in its discretion, may award prevailing plaintiffs
574 reasonable attorney's fees and costs.

575 Section 14. Section 796.10, Florida Statutes, is created to
576 read:

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577 796.10 Violations by a business entity; sanctions.--

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

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

584 (a) Its dissolution or reorganization;

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

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

592 (3) All property, real or personal, including money, used
593 in the course of, intended for use in the course of, derived
594 from, or realized through conduct in violation of a provision of
595 this chapter is subject to civil forfeiture to the state under
596 ss. 932.701-932.706.

597 Section 15. Section 823.05, Florida Statutes, is amended to
598 read:

599 823.05 Places declared a nuisance; abatement ~~may be abated~~
600 and injunction enjoined.--

601 (1) Whoever shall erect, establish, continue, or maintain,
602 own or lease any building, booth, tent or place which tends to
603 annoy the community or injure the health of the community, or
604 become manifestly injurious to the morals or manners of the
605 people as described in s. 823.01, or shall be frequented by the

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606 class of persons mentioned in s. 856.02, or any house or place of
607 prostitution, assignation, lewdness or place or building where
608 games of chance are engaged in violation of law or any place
609 where any law of the state is violated, shall be deemed guilty of
610 maintaining a nuisance, and the building, erection, place, tent
611 or booth and the furniture, fixtures and contents are declared a
612 nuisance. All such places or persons shall be abated or enjoined
613 as provided in ss. 60.05 and 60.06.

614 (2) Any place, structure, building, or part thereof, or
615 trailer or other conveyance that has been used as provided in s.
616 893.138(2), may be declared a public nuisance and abated or
617 enjoined as provided in ss. 60.05 and 60.06.

618 Section 16. Paragraph (a) of subsection (2) of section
619 893.138, Florida Statutes, is amended to read:

620 893.138 Local administrative action to abate drug-related,
621 prostitution-related, or stolen-property-related public nuisances
622 and criminal street gang activity.--

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

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

626
627 may be declared to be a public nuisance, and such nuisance may be
628 abated pursuant to the procedures provided in this section.

629 Section 17. Paragraph (a) of subsection (1) of section
630 895.02, Florida Statutes, is amended to read:

631 895.02 Definitions.--As used in ss. 895.01-895.08, the
632 term:

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633 (1) "Racketeering activity" means to commit, to attempt to
634 commit, to conspire to commit, or to solicit, coerce, or
635 intimidate another person to commit:

636 (a) Any crime that is chargeable by indictment or
637 information under the following provisions of the Florida
638 Statutes:

639 1. Section 210.18, relating to evasion of payment of
640 cigarette taxes.

641 2. Section 403.727(3)(b), relating to environmental
642 control.

643 3. Section 409.920 or s. 409.9201, relating to Medicaid
644 fraud.

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

646 5. Section 440.105 or s. 440.106, relating to workers'
647 compensation.

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

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

652 8. Sections 499.0051, 499.0052, 499.00535, 499.00545, and
653 499.0691, relating to crimes involving contraband and adulterated
654 drugs.

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

656 10. Chapter 517, relating to sale of securities and
657 investor protection.

658 11. Section 550.235, s. 550.3551, or s. 550.3605, relating
659 to dogracing and horseracing.

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

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

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- 662 14. Chapter 552, relating to the manufacture, distribution,
663 and use of explosives.
- 664 15. Chapter 560, relating to money transmitters, if the
665 violation is punishable as a felony.
- 666 16. Chapter 562, relating to beverage law enforcement.
- 667 17. Section 624.401, relating to transacting insurance
668 without a certificate of authority, s. 624.437(4)(c)1., relating
669 to operating an unauthorized multiple-employer welfare
670 arrangement, or s. 626.902(1)(b), relating to representing or
671 aiding an unauthorized insurer.
- 672 18. Section 655.50, relating to reports of currency
673 transactions, when such violation is punishable as a felony.
- 674 19. Chapter 687, relating to interest and usurious
675 practices.
- 676 20. Section 721.08, s. 721.09, or s. 721.13, relating to
677 real estate timeshare plans.
- 678 21. Chapter 782, relating to homicide.
- 679 22. Chapter 784, relating to assault and battery.
- 680 23. Chapter 787, relating to kidnapping or human
681 trafficking.
- 682 24. Chapter 790, relating to weapons and firearms.
- 683 25. Section 796.03, ~~s. 796.035~~, s. 796.04, s. 796.045, s.
684 796.05, s. 796.06, or s. 796.07, relating to prostitution and sex
685 trafficking.
- 686 26. Chapter 806, relating to arson.
- 687 27. Section 810.02(2)(c), relating to specified burglary of
688 a dwelling or structure.
- 689 28. Chapter 812, relating to theft, robbery, and related
690 crimes.

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- 691 29. Chapter 815, relating to computer-related crimes.
- 692 30. Chapter 817, relating to fraudulent practices, false
693 pretenses, fraud generally, and credit card crimes.
- 694 31. Chapter 825, relating to abuse, neglect, or
695 exploitation of an elderly person or disabled adult.
- 696 32. Section 827.071, relating to commercial sexual
697 exploitation of children.
- 698 33. Chapter 831, relating to forgery and counterfeiting.
- 699 34. Chapter 832, relating to issuance of worthless checks
700 and drafts.
- 701 35. Section 836.05, relating to extortion.
- 702 36. Chapter 837, relating to perjury.
- 703 37. Chapter 838, relating to bribery and misuse of public
704 office.
- 705 38. Chapter 843, relating to obstruction of justice.
- 706 39. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
707 s. 847.07, relating to obscene literature and profanity.
- 708 40. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
709 849.25, relating to gambling.
- 710 41. Chapter 874, relating to criminal street gangs.
- 711 42. Chapter 893, relating to drug abuse prevention and
712 control.
- 713 43. Chapter 896, relating to offenses related to financial
714 transactions.
- 715 44. Sections 914.22 and 914.23, relating to tampering with
716 a witness, victim, or informant, and retaliation against a
717 witness, victim, or informant.
- 718 45. Sections 918.12 and 918.13, relating to tampering with
719 jurors and evidence.

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720 Section 18. Paragraphs (a), (b), (d), (g), (h), and (i) of
 721 subsection (3) of section 921.0022, Florida Statutes, are amended
 722 to read:

723 921.0022 Criminal Punishment Code; offense severity ranking
 724 chart.--

725 (3) OFFENSE SEVERITY RANKING CHART

726 (a) LEVEL 1

727

Florida Statute	Felony Degree	Description
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728

24.118 (3) (a)	3rd	Counterfeit or altered state lottery ticket.
----------------	-----	--

729

212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
-----------------	-----	--

730

212.15 (2) (b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
----------------	-----	---

731

316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
--------------	-----	---

732

319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
------------	-----	--

733

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734	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
735	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
736	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
737	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
738	322.212 (5) (a)	3rd	False application for driver's license or identification card.
739	414.39 (2)	3rd	Unauthorized use, possession, forgery, or alteration of food stamps, Medicaid ID, value greater than \$200.
740	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.

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741	443.071 (1)	3rd	False statement or representation to obtain or increase unemployment compensation benefits.
742	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
743	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
744	562.27 (1)	3rd	Possess still or still apparatus.
745	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
746	<u>796.07 (3) (c)</u>	<u>3rd</u>	<u>Prostitution, 3rd or subsequent violation.</u>
747	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
748	812.081 (2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
	815.04 (4) (a)	3rd	Offense against intellectual property (i.e., computer programs,

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data).

749

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

750

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

751

826.01 3rd Bigamy.

752

828.122 (3) 3rd Fighting or baiting animals.

753

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

754

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

755

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

756

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.

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758	838.15 (2)	3rd	Commercial bribe receiving.
759	838.16	3rd	Commercial bribery.
760	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
761	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
762	849.01	3rd	Keeping gambling house.
763	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.
764	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
765	849.25 (2)	3rd	Engaging in bookmaking.
766	860.08	3rd	Interfere with a railroad signal.
767	860.13 (1) (a)	3rd	Operate aircraft while under the influence.

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768	893.13(2)(a)2.	3rd	Purchase of cannabis.
769	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
770	934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
771	(b) LEVEL 2		
772			
773	Florida Statute	Felony Degree	Description
774	370.12(1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
775	370.12(1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
776	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.
	517.07	3rd	Registration of securities and

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furnishing of prospectus required.

777

590.28 (1) 3rd Willful, malicious, or intentional
burning.

778

784.05 (3) 3rd Storing or leaving a loaded firearm
within reach of minor who uses it to
inflict injury or death.

779

787.04 (1) 3rd In violation of court order, take,
entice, etc., minor beyond state
limits.

780

796.06 3rd Use of space for activity prohibited
in chapter 796.

781

806.13 (1) (b) 3. 3rd Criminal mischief; damage \$1,000 or
more to public communication or any
other public service.

782

810.061 (2) 3rd Impairing or impeding telephone or
power to a dwelling; facilitating or
furthering burglary.

783

810.09 (2) (e) 3rd Trespassing on posted commercial
horticulture property.

784

812.014 (2) (c) 1. 3rd Grand theft, 3rd degree; \$300 or
more but less than \$5,000.

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785	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
786	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
787	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
788	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
789	817.52 (3)	3rd	Failure to redeliver hired vehicle.
790	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
791	817.60 (5)	3rd	Dealing in credit cards of another.
792	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
793	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.

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794	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
795	831.01	3rd	Forgery.
796	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
797	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
798	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
799	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
800	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
801	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
802	843.08	3rd	Falsely impersonating an officer.
803	893.13 (2) (a) 2.	3rd	Purchase of any s. 893.03(1) (c),

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(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.

804

893.147 (2) 3rd Manufacture or delivery of drug
 paraphernalia.

805

806 (d) LEVEL 4

807

Florida Statute	Felony Degree	Description
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808

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.
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809

499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
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810

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

811

499.0051 (6)	2nd	Sale or delivery, or possession with intent to sell, contraband legend drugs.
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812	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
813	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
814	784.075	3rd	Battery on detention or commitment facility staff.
815	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
816	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
817	784.081 (3)	3rd	Battery on specified official or employee.
818	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
819	784.083 (3)	3rd	Battery on code inspector.
820	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
821			

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822	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
823	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
824	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
825	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
826	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
827	790.115 (2) (c)	3rd	Possessing firearm on school property.
828	<u>796.05</u>	<u>3rd</u>	<u>Deriving support from prostitution proceeds.</u>
829	800.04 (7) (d)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of

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an unoccupied structure; unarmed; no assault or battery.

830

810.02 (4) (b) 3rd Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.

831

810.06 3rd Burglary; possession of tools.

832

810.08 (2) (c) 3rd Trespass on property, armed with firearm or dangerous weapon.

833

812.014 (2) (c) 3. 3rd Grand theft, 3rd degree \$10,000 or more but less than \$20,000.

834

812.014 (2) (c) 4.- 3rd Grand theft, 3rd degree, a will, 10. firearm, motor vehicle, livestock, etc.

835

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

836

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

837

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

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838	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
839	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
840	837.02 (1)	3rd	Perjury in official proceedings.
841	837.021 (1)	3rd	Make contradictory statements in official proceedings.
842	838.022	3rd	Official misconduct.
843	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
844	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Family Services.
845	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
846	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of

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protection or communication.

847

843.15(1)(a) 3rd Failure to appear while on bail for felony (bond estreature or bond jumping).

848

874.05(1) 3rd Encouraging or recruiting another to join a criminal street gang.

849

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).

850

914.14(2) 3rd Witnesses accepting bribes.

851

914.22(1) 3rd Force, threaten, etc., witness, victim, or informant.

852

914.23(2) 3rd Retaliation against a witness, victim, or informant, no bodily injury.

853

918.12 3rd Tampering with jurors.

854

934.215 3rd Use of two-way communications device to facilitate commission of a crime.

855

856 (g) LEVEL 7

857

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	Florida Statute	Felony Degree	Description
858	316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
859	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
860	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.
861	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
862	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
863	409.920(2)	3rd	Medicaid provider fraud.
864	456.065(2)	3rd	Practicing a health care profession

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without a license.

865

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

866

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

867

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

868

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

869

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

870

462.17 3rd Practicing naturopathy without a license.

871

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

872

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

873

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

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874	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
875	467.201	3rd	Practicing midwifery without a license.
876	468.366	3rd	Delivering respiratory care services without a license.
877	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
878	483.901 (9)	3rd	Practicing medical physics without a license.
879	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
880	484.053	3rd	Dispensing hearing aids without a license.
881	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.
882	560.123 (8) (b) 1.	3rd	Failure to report currency or

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payment instruments exceeding \$300
but less than \$20,000 by money
transmitter.

883

560.125 (5) (a) 3rd Money transmitter business by
unauthorized person, currency or
payment instruments exceeding \$300
but less than \$20,000.

884

655.50 (10) (b) 1. 3rd Failure to report financial
transactions exceeding \$300 but less
than \$20,000 by financial
institution.

885

775.21 (10) (a) 3rd Sexual predator; failure to
register; failure to renew driver's
license or identification card;
other registration violations.

886

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

887

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

888

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

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attempted felony.

889

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

890

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

891

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

892

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

893

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

894

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

895

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

896

784.048(7) 3rd Aggravated stalking; violation of

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court order.

897

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

898

784.074(1)(a) 1st Aggravated battery on sexually violent predators facility staff.

899

784.08(2)(a) 1st Aggravated battery on a person 65 years of age or older.

900

784.081(1) 1st Aggravated battery on specified official or employee.

901

784.082(1) 1st Aggravated battery by detained person on visitor or other detainee.

902

784.083(1) 1st Aggravated battery on code inspector.

903

790.07(4) 1st Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).

904

790.16(1) 1st Discharge of a machine gun under specified circumstances.

905

790.165(2) 2nd Manufacture, sell, possess, or deliver hoax bomb.

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906	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
907	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
908	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
909	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.
910	796.03	<u>1st</u> 2nd	Procuring any <u>minor</u> person under 16 years for prostitution.
911	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
912	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but

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less than 16 years; offender 18 years or older.

913

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

914

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

915

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

916

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

917

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

918

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.

919

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

920

812.014 (2) (b) 3. 2nd Property stolen, emergency medical

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equipment; 2nd degree grand theft.

921			
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
922			
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
923			
	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
924			
	812.131 (2) (a)	2nd	Robbery by sudden snatching.
925			
	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
926			
	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
927			
	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
928			
	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.

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929	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.
930	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
931	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.
932	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
933	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
934	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
935			

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936	838.015	2nd	Bribery.
937	838.016	2nd	Unlawful compensation or reward for official behavior.
938	838.021(3)(a)	2nd	Unlawful harm to a public servant.
939	838.22	2nd	Bid tampering.
940	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
941	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
942	872.06	2nd	Abuse of a dead human body.
943	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.
	893.13(1)(e)1.	1st	Sell, manufacture, or deliver

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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.

944	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).
945	893.135(1) (a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
946	893.135(1) (b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
947	893.135(1) (c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
948	893.135(1) (d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
949	893.135(1) (e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
950	893.135(1) (f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.

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951	893.135(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
952	893.135(1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
953	893.135(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
954	893.135(1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
955	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
956	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
957	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
958			

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959	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
960	943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
961	943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
962	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
963	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
964	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
965	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond

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to address verification.

966

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

967

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

968

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

969

970 (h) LEVEL 8

971

Florida	Felony	Description
Statute	Degree	

972

316.193 (3) (c) 3.a. 2nd DUI manslaughter.

973

316.1935 (4) (b) 1st Aggravated fleeing or attempted eluding with serious bodily injury or death.

974

327.35 (3) (c) 3. 2nd Vessel BUI manslaughter.

975

499.0051 (7) 1st Forgery of prescription or legend drug labels.

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976	499.0052	1st	Trafficking in contraband legend drugs.
977	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.
978	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.
979	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
980	777.03 (2) (a)	1st	Accessory after the fact, capital felony.
981	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.

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982	782.051 (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).
983	782.071 (1) (b)	1st	Committing vehicular homicide and failing to render aid or give information.
984	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
985	790.161 (3)	1st	Discharging a destructive device which results in bodily harm or property damage.
986	794.011 (5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
987	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
988	<u>796.045 (1) (a)</u>	<u>1st</u>	<u>Sex trafficking.</u>
989			

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990	800.04 (4)	2nd	Lewd or lascivious battery.
991	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
992	810.02 (2) (a)	1st, PB L	Burglary with assault or battery.
993	810.02 (2) (b)	1st, PB L	Burglary; armed with explosives or dangerous weapon.
994	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
995	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
996	812.13 (2) (b)	1st	Robbery with a weapon.
997	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
998	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.

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999	825.102 (2)	2nd	Aggravated abuse of an elderly person or disabled adult.
1000	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
1001	825.103 (2) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.
1002	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
1003	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
1004	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
1005	860.16	1st	Aircraft piracy.
1006	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).
	893.13 (2) (b)	1st	Purchase in excess of 10 grams of

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			any substance specified in s. 893.03(1) (a) or (b).
1007	893.13(6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
1008	893.135(1) (a) 2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
1009	893.135(1) (b) 1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
1010	893.135(1) (c) 1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
1011	893.135(1) (d) 1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
1012	893.135(1) (e) 1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
1013	893.135(1) (f) 1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
1014	893.135(1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
1015			

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1016	893.135(1)(h)1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
1017	893.135(1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
1018	893.135(1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
1019	895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
1020	895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
1021	895.03(3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
1022	896.101(5)(b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
	896.104(4)(a)2.	2nd	Structuring transactions to evade reporting or registration

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

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1024
1025
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1027
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1030
1031

(i) LEVEL 9

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

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1032	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
1033	775.0844	1st	Aggravated white collar crime.
1034	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
1035	782.04 (3)	1st, PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
1036	782.051 (1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04 (3).
1037	782.07 (2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
1038	787.01 (1) (a) 1.	1st, PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
1039	787.01 (1) (a) 2.	1st, PBL	Kidnapping with intent to commit or facilitate commission of any felony.
	787.01 (1) (a) 4.	1st, PBL	Kidnapping with intent to interfere

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			with performance of any governmental or political function.
1040	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.
1041	790.161	1st	Attempted capital destructive device offense.
1042	790.166 (2)	1st, PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
1043	794.011 (2)	1st	Attempted sexual battery; victim less than 12 years of age.
1044	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
1045	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
1046	794.011 (8) (b)	1st	Sexual battery; engage in sexual

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			conduct with minor 12 to 18 years by person in familial or custodial authority.
1047	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
1048	<u>796.045 (1) (b)</u>	<u>Life</u>	<u>Sex trafficking involving a minor or resulting in death.</u>
1049	<u>796.045 (2)</u>	<u>Life</u>	<u>Selling or buying of minors into sex trafficking or prostitution.</u>
1050	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
1051	812.13 (2) (a)	1st,PBL	Robbery with firearm or other deadly weapon.
1052	812.133 (2) (a)	1st,PBL	Carjacking; firearm or other deadly weapon.
1053	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
1054	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,

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			or person exercising custodial authority.
1055	827.03 (2)	1st	Aggravated child abuse.
1056	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
1057	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
1058	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.
1059	893.135	1st	Attempted capital trafficking offense.
1060	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
1061	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
1062	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.

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1063	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
1064	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
1065	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
1066	893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
1067	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
1068	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
1069	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
1070	896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
1071			
1072	Section 19. Subsection (7) of section 322.28, Florida		

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1073 Statutes, is amended to read:

1074 322.28 Period of suspension or revocation.--

1075 (7) Following a second or subsequent violation of s.

1076 796.07(1)(e) ~~s. 796.07(2)(f)~~ which involves a motor vehicle and

1077 which results in any judicial disposition other than acquittal or

1078 dismissal, in addition to any other sentence imposed, the court

1079 shall revoke the person's driver's license or driving privilege,

1080 effective upon the date of the disposition, for a period of not

1081 less than 1 year. A person sentenced under this subsection may

1082 request a hearing under s. 322.271.

1083 Section 20. Paragraph (a) of subsection (1) of section

1084 943.0435, Florida Statutes, is amended to read:

1085 943.0435 Sexual offenders required to register with the
1086 department; penalty.--

1087 (1) As used in this section, the term:

1088 (a)1. "Sexual offender" means a person who meets the
1089 criteria in sub-subparagraph a., sub-subparagraph b., sub-
1090 subparagraph c., or sub-subparagraph d., as follows:

1091 a.(I) Has been convicted of committing, or attempting,
1092 soliciting, or conspiring to commit, any of the criminal offenses
1093 proscribed in the following statutes in this state or similar
1094 offenses in another jurisdiction: s. 787.01, s. 787.02, or s.
1095 787.025(2)(c), where the victim is a minor and the defendant is
1096 not the victim's parent or guardian; s. 794.011, excluding s.
1097 794.011(10); s. 794.05; s. 796.03; former s. 796.035; s.
1098 796.045(2); s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.
1099 847.0135, excluding s. 847.0135(4); s. 847.0137; s. 847.0138; s.
1100 847.0145; or s. 985.701(1); or any similar offense committed in
1101 this state which has been redesignated from a former statute

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1102 number to one of those listed in this sub-sub-subparagraph; and
1103 (II) Has been released on or after October 1, 1997, from
1104 the sanction imposed for any conviction of an offense described
1105 in sub-sub-subparagraph (I). For purposes of sub-sub-subparagraph
1106 (I), a sanction imposed in this state or in any other
1107 jurisdiction includes, but is not limited to, a fine, probation,
1108 community control, parole, conditional release, control release,
1109 or incarceration in a state prison, federal prison, private
1110 correctional facility, or local detention facility;

1111 b. Establishes or maintains a residence in this state and
1112 who has not been designated as a sexual predator by a court of
1113 this state but who has been designated as a sexual predator, as a
1114 sexually violent predator, or by another sexual offender
1115 designation in another state or jurisdiction and was, as a result
1116 of such designation, subjected to registration or community or
1117 public notification, or both, or would be if the person were a
1118 resident of that state or jurisdiction, without regard to whether
1119 the person otherwise meets the criteria for registration as a
1120 sexual offender;

1121 c. Establishes or maintains a residence in this state who
1122 is in the custody or control of, or under the supervision of, any
1123 other state or jurisdiction as a result of a conviction for
1124 committing, or attempting, soliciting, or conspiring to commit,
1125 any of the criminal offenses proscribed in the following statutes
1126 or similar offense in another jurisdiction: s. 787.01, s. 787.02,
1127 or s. 787.025(2)(c), where the victim is a minor and the
1128 defendant is not the victim's parent or guardian; s. 794.011,
1129 excluding s. 794.011(10); s. 794.05; s. 796.03; former s.
1130 796.035; s. 796.045(2); s. 800.04; s. 825.1025; s. 827.071; s.

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1131 847.0133; s. 847.0135, excluding s. 847.0135(4); s. 847.0137; s.
1132 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense
1133 committed in this state which has been redesignated from a former
1134 statute number to one of those listed in this sub-subparagraph;
1135 or

1136 d. On or after July 1, 2007, has been adjudicated
1137 delinquent for committing, or attempting, soliciting, or
1138 conspiring to commit, any of the criminal offenses proscribed in
1139 the following statutes in this state or similar offenses in
1140 another jurisdiction when the juvenile was 14 years of age or
1141 older at the time of the offense:

1142 (I) Section 794.011, excluding s. 794.011(10);

1143 (II) Section 800.04(4)(b) where the victim is under 12
1144 years of age or where the court finds sexual activity by the use
1145 of force or coercion;

1146 (III) Section 800.04(5)(c)1. where the court finds
1147 molestation involving unclothed genitals; or

1148 (IV) Section 800.04(5)(d) where the court finds the use of
1149 force or coercion and unclothed genitals.

1150 2. For all qualifying offenses listed in sub-subparagraph
1151 (1)(a)1.d., the court shall make a written finding of the age of
1152 the offender at the time of the offense.

1153
1154 For each violation of a qualifying offense listed in this
1155 subsection, the court shall make a written finding of the age of
1156 the victim at the time of the offense. For a violation of s.
1157 800.04(4), the court shall additionally make a written finding
1158 indicating that the offense did or did not involve sexual
1159 activity and indicating that the offense did or did not involve

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1160 force or coercion. For a violation of s. 800.04(5), the court
1161 shall additionally make a written finding that the offense did or
1162 did not involve unclothed genitals or genital area and that the
1163 offense did or did not involve the use of force or coercion.

1164 Section 21. Paragraph (b) of subsection (1) of section
1165 944.606, Florida Statutes, is amended to read:

1166 944.606 Sexual offenders; notification upon release.--

1167 (1) As used in this section:

1168 (b) "Sexual offender" means a person who has been convicted
1169 of committing, or attempting, soliciting, or conspiring to
1170 commit, any of the criminal offenses proscribed in the following
1171 statutes in this state or similar offenses in another
1172 jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where
1173 the victim is a minor and the defendant is not the victim's
1174 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
1175 794.05; s. 796.03; former s. 796.035; s. 796.045(2); s. 800.04;
1176 s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
1177 847.0135(4); s. 847.0137; s. 847.0138; s. 847.0145; or s.
1178 985.701(1); or any similar offense committed in this state which
1179 has been redesignated from a former statute number to one of
1180 those listed in this subsection, when the department has received
1181 verified information regarding such conviction; an offender's
1182 computerized criminal history record is not, in and of itself,
1183 verified information.

1184 Section 22. Paragraph (a) of subsection (1) of section
1185 944.607, Florida Statutes, is amended to read:

1186 944.607 Notification to Department of Law Enforcement of
1187 information on sexual offenders.--

1188 (1) As used in this section, the term:

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1189 (a) "Sexual offender" means a person who is in the custody
1190 or control of, or under the supervision of, the department or is
1191 in the custody of a private correctional facility:

1192 1. On or after October 1, 1997, as a result of a conviction
1193 for committing, or attempting, soliciting, or conspiring to
1194 commit, any of the criminal offenses proscribed in the following
1195 statutes in this state or similar offenses in another
1196 jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where
1197 the victim is a minor and the defendant is not the victim's
1198 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
1199 794.05; s. 796.03; former s. 796.035; s. 796.045(2); s. 800.04;
1200 s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
1201 847.0135(4); s. 847.0137; s. 847.0138; s. 847.0145; or s.
1202 985.701(1); or any similar offense committed in this state which
1203 has been redesignated from a former statute number to one of
1204 those listed in this paragraph; or

1205 2. Who establishes or maintains a residence in this state
1206 and who has not been designated as a sexual predator by a court
1207 of this state but who has been designated as a sexual predator,
1208 as a sexually violent predator, or by another sexual offender
1209 designation in another state or jurisdiction and was, as a result
1210 of such designation, subjected to registration or community or
1211 public notification, or both, or would be if the person were a
1212 resident of that state or jurisdiction, without regard as to
1213 whether the person otherwise meets the criteria for registration
1214 as a sexual offender.

1215 Section 23. This act shall take effect July 1, 2008.