

By Senator Lynn

7-03562A-08

20082478__

1 A bill to be entitled

2 An act relating to sex trafficking; amending s. 772.102,
3 F.S.; expanding the definition of the term "criminal
4 activity" to include the offense of facilitating certain
5 offenses for purposes of seeking civil remedies for
6 criminal offenses; amending s. 775.21, F.S.; conforming
7 cross-references; creating s. 796.011, F.S.; providing
8 definitions; amending s. 796.03, F.S.; increasing
9 penalties for procuring a minor for prostitution; amending
10 s. 796.04, F.S.; providing enhanced penalties for forcing,
11 compelling, or coercing another to become a prostitute;
12 renumbering and amending s. 796.035, F.S., and amending s.
13 796.045, F.S.; increasing penalties for selling or buying
14 minors into sex trafficking or prostitution; revising
15 provisions relating to sex trafficking; increasing
16 penalties; amending s. 796.05, F.S.; revising provisions
17 prohibiting deriving support or maintenance from earnings
18 of prostitution; providing penalties; amending s. 796.06,
19 F.S.; revising provisions prohibiting rental of certain
20 facilities for prohibited activities; amending s. 796.07,
21 F.S.; revising provisions prohibiting prostitution,
22 lewdness, and assignation; providing penalties; amending
23 s. 796.09, F.S.; revising provisions providing a civil
24 action against persons who coerce or induce certain
25 activities; requiring the court to award prevailing
26 plaintiffs reasonable attorney's fees and costs; creating
27 s. 796.10, F.S.; defining the term "business entity";
28 providing that a business entity convicted of a violation
29 of chapter 796, F.S., may be subject to specified

7-03562A-08

20082478__

30 sanctions and forfeiture of property; amending s. 823.05,
31 F.S.; providing that a place used for specified violations
32 relating to prostitution may be declared a public nuisance
33 and abated or enjoined; amending s. 893.138, F.S.;

34 providing additional prostitution offenses that may
35 subject a place to being declared a public nuisance by a
36 county or municipality and abated pursuant to specified
37 provisions; amending s. 895.02, F.S.; redefining the term
38 "racketeering activity" to revise the offenses included
39 for purposes of the Florida RICO Act; amending s.
40 921.0022, F.S.; conforming the offense severity ranking
41 chart of the Criminal Punishment Code; amending ss.
42 322.28, 943.0435, 944.606, and 944.607, F.S.; conforming
43 cross-references; providing an effective date.

44
45 Be It Enacted by the Legislature of the State of Florida:

46
47 Section 1. Paragraph (a) of subsection (1) of section
48 772.102, Florida Statutes, is amended to read:

49 772.102 Definitions.--As used in this chapter, the term:

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

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

55 1. Section 210.18, relating to evasion of payment of
56 cigarette taxes.

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

58 3. Section 440.105 or s. 440.106, relating to workers'

7-03562A-08

20082478__

- 59 compensation.
- 60 4. Part IV of chapter 501, relating to telemarketing.
- 61 5. Chapter 517, relating to securities transactions.
- 62 6. Section 550.235, s. 550.3551, or s. 550.3605, relating
- 63 to dogracing and horseracing.
- 64 7. Chapter 550, relating to jai alai frontons.
- 65 8. Chapter 552, relating to the manufacture, distribution,
- 66 and use of explosives.
- 67 9. Chapter 562, relating to beverage law enforcement.
- 68 10. Section 624.401, relating to transacting insurance
- 69 without a certificate of authority, s. 624.437(4)(c)1., relating
- 70 to operating an unauthorized multiple-employer welfare
- 71 arrangement, or s. 626.902(1)(b), relating to representing or
- 72 aiding an unauthorized insurer.
- 73 11. Chapter 687, relating to interest and usurious
- 74 practices.
- 75 12. Section 721.08, s. 721.09, or s. 721.13, relating to
- 76 real estate timeshare plans.
- 77 13. Chapter 782, relating to homicide.
- 78 14. Chapter 784, relating to assault and battery.
- 79 15. Chapter 787, relating to kidnapping or human
- 80 trafficking.
- 81 16. Chapter 790, relating to weapons and firearms.
- 82 17. Section 796.03, s. 796.04, s. 796.045, s. 796.05, s.
- 83 796.06, or s. 796.07, relating to prostitution.
- 84 18. Chapter 806, relating to arson.
- 85 19. Section 810.02(2)(c), relating to specified burglary of
- 86 a dwelling or structure.
- 87 20. Chapter 812, relating to theft, robbery, and related

7-03562A-08

20082478__

88 | crimes.

89 | 21. Chapter 815, relating to computer-related crimes.

90 | 22. Chapter 817, relating to fraudulent practices, false

91 | pretenses, fraud generally, and credit card crimes.

92 | 23. Section 827.071, relating to commercial sexual

93 | exploitation of children.

94 | 24. Chapter 831, relating to forgery and counterfeiting.

95 | 25. Chapter 832, relating to issuance of worthless checks

96 | and drafts.

97 | 26. Section 836.05, relating to extortion.

98 | 27. Chapter 837, relating to perjury.

99 | 28. Chapter 838, relating to bribery and misuse of public

100 | office.

101 | 29. Chapter 843, relating to obstruction of justice.

102 | 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or

103 | s. 847.07, relating to obscene literature and profanity.

104 | 31. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.

105 | 849.25, relating to gambling.

106 | 32. Chapter 893, relating to drug abuse prevention and

107 | control.

108 | 33. Section 914.22 or s. 914.23, relating to witnesses,

109 | victims, or informants.

110 | 34. Section 918.12 or s. 918.13, relating to tampering with

111 | jurors and evidence.

112 | Section 2. Paragraph (a) of subsection (4) and paragraph

113 | (b) of subsection (10) of section 775.21, Florida Statutes, are

114 | amended to read:

115 | 775.21 The Florida Sexual Predators Act.--

116 | (4) SEXUAL PREDATOR CRITERIA.--

7-03562A-08

20082478__

117 (a) For a current offense committed on or after October 1,
118 1993, upon conviction, an offender shall be designated as a
119 "sexual predator" under subsection (5), and subject to
120 registration under subsection (6) and community and public
121 notification under subsection (7) if:

122 1. The felony is:

123 a. A capital, life, or first-degree felony violation, or
124 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
125 is a minor and the defendant is not the victim's parent or
126 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a
127 violation of a similar law of another jurisdiction; or

128 b. Any felony violation, or any attempt thereof, of s.
129 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a
130 minor and the defendant is not the victim's parent or guardian;
131 s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03;
132 former s. 796.035; s. 796.045(2); s. 800.04; s. 825.1025(2)(b);
133 s. 827.071; s. 847.0145; or s. 985.701(1); or a violation of a
134 similar law of another jurisdiction, and the offender has
135 previously been convicted of or found to have committed, or has
136 pled nolo contendere or guilty to, regardless of adjudication,
137 any violation of s. 787.01, s. 787.02, or s. 787.025(2)(c), where
138 the victim is a minor and the defendant is not the victim's
139 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
140 794.05; s. 796.03; former s. 796.035; s. 796.045(2); s. 800.04;
141 s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
142 847.0135(4); s. 847.0145; or s. 985.701(1); or a violation of a
143 similar law of another jurisdiction;

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

7-03562A-08

20082478__

146 operation of this paragraph; and

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

150 (10) PENALTIES.--

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

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

167 796.011 Definitions.--As used in this chapter, the term:

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

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

7-03562A-08

20082478__

- 175 (a) Physical force or threat of physical force.
176 (b) Physical or mental torture.
177 (c) Kidnapping.
178 (d) Blackmail.
179 (e) Extortion or claims of indebtedness.
180 (f) Threat of legal complaint or report of delinquency.
181 (g) Threat to interfere with parental rights or
182 responsibilities, whether by judicial or administrative action or
183 otherwise.
184 (h) Restraint of speech or communication with others.
185 (i) Exploitation of a condition of developmental
186 disability, cognitive limitation, affective disorder, or
187 substance dependency.
188 (j) Exploitation of victimization by sexual abuse.
189 (k) Exploitation of pornographic performance.
190 (l) Exploitation of human needs for food, shelter, safety,
191 or affection.
192 (3) "Induces" means offers, promises, or withholds or
193 threatens to withhold, a benefit or advantage, whether legal,
194 financial, or otherwise, such as a promise of marriage,
195 employment, or material support or advantage, in order to bring
196 about or cause a person to take certain action.
197 (4) "Lewdness" means any indecent or obscene act.
198 (5) "Prostitution" means the giving or receiving of the
199 body for sexual activity for hire; however, the term does not
200 include sexual activity between spouses.
201 (6) "Sexual activity" means oral, anal, or vaginal
202 penetration by, or union with, the sexual organ of another; anal
203 or vaginal penetration of another by any other object; or the

7-03562A-08

20082478__

204 handling or fondling of the sexual organ of another for the
205 purpose of masturbation; however, the term does not include acts
206 done for bona fide medical purposes.

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

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

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

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

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

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

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

227 796.045 Sex trafficking; penalties.--

228 (1) (a) Any person who knowingly recruits, entices, harbors,
229 transports, provides, or obtains by any means a person, knowing
230 that force, fraud, or coercion will be used to cause that person
231 to engage in prostitution, commits the offense of sex

7-03562A-08

20082478__

232 trafficking, a felony of the first ~~second~~ degree, punishable as
233 provided in s. 775.082, s. 775.083, or s. 775.084.

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

239 (2) ~~796.035 Selling or buying of minors into sex~~
240 ~~trafficking or prostitution; penalties.--~~Any parent, legal
241 guardian, or other person having custody or control of a minor
242 who sells or otherwise transfers custody or control of such
243 minor, or offers to sell or otherwise transfer custody of such
244 minor, with knowledge that, as a consequence of the sale or
245 transfer, force, fraud, or coercion will be used to cause the
246 minor to engage in prostitution or otherwise participate in the
247 trade of sex trafficking, commits a life felony ~~of the first~~
248 ~~degree,~~ punishable as provided in s. 775.082, s. 775.083, or s.
249 775.084.

250 Section 7. Section 796.05, Florida Statutes, is amended to
251 read:

252 796.05 Deriving support from the proceeds of
253 prostitution.--

254 (1) It shall be unlawful for any person with reasonable
255 belief or knowing another person is engaged in prostitution to
256 live or derive support or maintenance in whole or in part,
257 directly or indirectly, from what is believed to be the earnings
258 or proceeds of such person's prostitution.

7-03562A-08

20082478__

259 (2) Anyone violating this section commits a felony of the
260 third degree, punishable as provided in s. 775.082, s. 775.083,
261 or s. 775.084.

262 Section 8. Section 796.06, Florida Statutes, is amended to
263 read:

264 796.06 Use of space for prohibited activities; sanctions
265 ~~Renting space to be used for lewdness, assignation, or~~
266 ~~prostitution.--~~

267 (1) Any person who owns, lets, rents, maintains, controls,
268 or operates ~~It is unlawful to let, or rent~~ any place, structure,
269 building, or part thereof, or trailer or other conveyance, with
270 the knowledge or reasonable cause to believe that it is being
271 used, or will be used, in whole or in part, for the purpose of
272 any activity prohibited under this chapter commits a felony of
273 the third degree, punishable as provided in s. 775.082, s.
274 775.083, or s. 775.084 ~~lewdness, assignation, or prostitution.~~

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

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

278 ~~(b) A misdemeanor of the first degree for a second or~~
279 ~~subsequent violation, punishable as provided in s. 775.082 or s.~~
280 ~~775.083.~~

281 Section 9. Section 796.07, Florida Statutes, is amended to
282 read:

283 796.07 Prohibiting prostitution, lewdness, and assignation
284 ~~etc.; evidence; penalties; definitions.--~~

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

7-03562A-08

20082478__

286 ~~(a) "Prostitution" means the giving or receiving of the~~
287 ~~body for sexual activity for hire but excludes sexual activity~~
288 ~~between spouses.~~

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

290 ~~(c) "Assignment" means the making of any appointment or~~
291 ~~engagement for prostitution or lewdness, or any act in~~
292 ~~furtherance of such appointment or engagement.~~

293 ~~(d) "Sexual activity" means oral, anal, or vaginal~~
294 ~~penetration by, or union with, the sexual organ of another; anal~~
295 ~~or vaginal penetration of another by any other object; or the~~
296 ~~handling or fondling of the sexual organ of another for the~~
297 ~~purpose of masturbation; however, the term does not include acts~~
298 ~~done for bona fide medical purposes.~~

299 ~~(1)(2)~~ It is unlawful for a person:

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

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

306 ~~(b)(e)~~ To receive, or to offer or agree to receive, any
307 person into any place, structure, building, or trailer or other
308 conveyance for the purpose of prostitution, lewdness, or
309 assignment, ~~or to permit any person to remain there for such~~
310 ~~purpose.~~

311 ~~(c)(d)~~ To direct, take, or transport, or to offer or agree
312 to direct, take, or transport, any person to any place,
313 structure, ~~or~~ building, or trailer or other conveyance or to any
314 other person, with knowledge or reasonable cause to believe that

7-03562A-08

20082478__

315 the purpose of such directing, taking, or transporting is
316 prostitution, lewdness, or assignation.

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

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

321 ~~(f)(g)~~ To reside in, enter, or remain in, any place,
322 structure, or building, or to enter or remain in any trailer or
323 other conveyance, for the purpose of prostitution, lewdness, or
324 assignation.

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

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

330 ~~(2)(3)~~(a) In the trial of a person charged with a violation
331 of this section, testimony concerning the reputation of any
332 place, structure, building, or trailer or other conveyance
333 involved in the charge;~~;~~ testimony concerning the reputation of
334 any person residing in, operating, or frequenting such place,
335 structure, building, or trailer or other conveyance;~~;~~ and
336 testimony concerning the reputation of the defendant is
337 admissible in evidence in support of the charge.

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

341 ~~(3)(4)~~ Except as otherwise provided in this chapter, a
342 person who violates any provision of this section commits:

7-03562A-08

20082478__

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

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

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

350 (4)~~(5)~~ A person who is charged with a third or subsequent
351 violation of this section shall be offered admission to a
352 pretrial intervention program or a substance-abuse treatment
353 program as provided in s. 948.08.

354 (5)~~(6)~~ In addition to the punishment provided in subsection
355 (3), a person who violates paragraph (1) (e) ~~(2) (f)~~ shall be
356 assessed a civil penalty of \$500 if the violation results in any
357 judicial disposition other than acquittal or dismissal. The
358 proceeds from penalties assessed under this subsection shall be
359 paid to the circuit court administrator for the sole purpose of
360 paying the administrative costs of treatment-based drug court
361 programs provided under s. 397.334.

362 Section 10. Section 796.09, Florida Statutes, is amended to
363 read:

364 796.09 Coercion or inducement; civil cause of action;
365 evidence; defenses; attorney's fees.--

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

368 (a) A person who coerces or induces ~~coerced~~ that person
369 into prostitution.~~;~~

370 (b) A person who coerces or induces that person to remain
371 in prostitution.~~;~~~~or~~

7-03562A-08

20082478__

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

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

377 ~~(3) As used in this section, the term "coercion" means any~~
378 ~~practice of domination, restraint, or inducement for the purpose~~
379 ~~of or with the reasonably foreseeable effect of causing another~~
380 ~~person to engage in or remain in prostitution or to relinquish~~
381 ~~earnings derived from prostitution, and includes, but is not~~
382 ~~limited to:~~

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

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

385 ~~(c) Kidnapping.~~

386 ~~(d) Blackmail.~~

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

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

389 ~~(g) Threat to interfere with parental rights or~~
390 ~~responsibilities, whether by judicial or administrative action or~~
391 ~~otherwise.~~

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

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

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

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

396 ~~(l) Exploitation of a condition of developmental~~
397 ~~disability, cognitive limitation, affective disorder, or~~
398 ~~substance dependency.~~

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

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

7-03562A-08

20082478__

401 ~~(e) Exploitation of human needs for food, shelter, safety,~~
402 ~~or affection.~~

403 (2)~~(4)~~ In the course of litigation under this section, any
404 transaction about which a plaintiff testifies or produces
405 evidence does not subject such plaintiff to criminal prosecution
406 or any penalty or forfeiture. Further, any testimony or evidence,
407 documentary or otherwise, or information directly or indirectly
408 derived from such testimony or evidence which is given or
409 produced by a plaintiff or a witness for a plaintiff shall not be
410 used against these persons in any other investigation or
411 proceeding. Such testimony or evidence, however, may be used
412 against a plaintiff or a witness for a plaintiff upon any
413 criminal investigation or proceeding for perjury committed while
414 giving such testimony or producing such evidence.

415 (3)~~(5)~~ It does not constitute a defense to a complaint
416 under this section that:

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

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

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

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

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

428 (4)~~(6)~~ Evidence of convictions for prostitution or other
429 acts prohibited under this chapter ~~or prostitution-related~~

7-03562A-08

20082478__

430 ~~offenses~~ are inadmissible in a proceeding brought under this
431 section for purposes of attacking the plaintiff's credibility.

432 (5) ~~(7)~~ In any action brought under this section, the court
433 ~~shall, in its discretion, may~~ award prevailing plaintiffs
434 reasonable attorney's fees and costs.

435 Section 11. Section 796.10, Florida Statutes, is created to
436 read:

437 796.10 Violations by a business entity; sanctions.--

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

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

444 (a) Its dissolution or reorganization;

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

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

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

457 Section 12. Section 823.05, Florida Statutes, is amended to
458 read:

7-03562A-08

20082478__

459 823.05 Places declared a nuisance; abatement ~~may be abated~~
460 and injunction ~~enjoined~~--

461 (1) Whoever shall erect, establish, continue, or maintain,
462 own or lease any building, booth, tent or place which tends to
463 annoy the community or injure the health of the community, or
464 become manifestly injurious to the morals or manners of the
465 people as described in s. 823.01, or shall be frequented by the
466 class of persons mentioned in s. 856.02, or any house or place of
467 prostitution, assignation, lewdness or place or building where
468 games of chance are engaged in violation of law or any place
469 where any law of the state is violated, shall be deemed guilty of
470 maintaining a nuisance, and the building, erection, place, tent
471 or booth and the furniture, fixtures and contents are declared a
472 nuisance. All such places or persons shall be abated or enjoined
473 as provided in ss. 60.05 and 60.06.

474 (2) Any place, structure, building, or part thereof, or
475 trailer or other conveyance that has been used as provided in s.
476 893.138(2), may be declared a public nuisance and abated or
477 enjoined as provided in ss. 60.05 and 60.06.

478 Section 13. Paragraph (a) of subsection (2) of section
479 893.138, Florida Statutes, is amended to read:

480 893.138 Local administrative action to abate drug-related,
481 prostitution-related, or stolen-property-related public nuisances
482 and criminal street gang activity.--

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

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

486

7-03562A-08

20082478__

487 | may be declared to be a public nuisance, and such nuisance may be
488 | abated pursuant to the procedures provided in this section.

489 | Section 14. Paragraph (a) of subsection (1) of section
490 | 895.02, Florida Statutes, is amended to read:

491 | 895.02 Definitions.--As used in ss. 895.01-895.08, the
492 | term:

493 | (1) "Racketeering activity" means to commit, to attempt to
494 | commit, to conspire to commit, or to solicit, coerce, or
495 | intimidate another person to commit:

496 | (a) Any crime that is chargeable by indictment or
497 | information under the following provisions of the Florida
498 | Statutes:

499 | 1. Section 210.18, relating to evasion of payment of
500 | cigarette taxes.

501 | 2. Section 403.727(3)(b), relating to environmental
502 | control.

503 | 3. Section 409.920 or s. 409.9201, relating to Medicaid
504 | fraud.

505 | 4. Section 414.39, relating to public assistance fraud.

506 | 5. Section 440.105 or s. 440.106, relating to workers'
507 | compensation.

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

510 | 7. Section 465.0161, relating to distribution of medicinal
511 | drugs without a permit as an Internet pharmacy.

512 | 8. Sections 499.0051, 499.0052, 499.00535, 499.00545, and
513 | 499.0691, relating to crimes involving contraband and adulterated
514 | drugs.

515 | 9. Part IV of chapter 501, relating to telemarketing.

7-03562A-08

20082478__

- 516 10. Chapter 517, relating to sale of securities and
517 investor protection.
- 518 11. Section 550.235, s. 550.3551, or s. 550.3605, relating
519 to dogracing and horseracing.
- 520 12. Chapter 550, relating to jai alai frontons.
- 521 13. Section 551.109, relating to slot machine gaming.
- 522 14. Chapter 552, relating to the manufacture, distribution,
523 and use of explosives.
- 524 15. Chapter 560, relating to money transmitters, if the
525 violation is punishable as a felony.
- 526 16. Chapter 562, relating to beverage law enforcement.
- 527 17. Section 624.401, relating to transacting insurance
528 without a certificate of authority, s. 624.437(4)(c)1., relating
529 to operating an unauthorized multiple-employer welfare
530 arrangement, or s. 626.902(1)(b), relating to representing or
531 aiding an unauthorized insurer.
- 532 18. Section 655.50, relating to reports of currency
533 transactions, when such violation is punishable as a felony.
- 534 19. Chapter 687, relating to interest and usurious
535 practices.
- 536 20. Section 721.08, s. 721.09, or s. 721.13, relating to
537 real estate timeshare plans.
- 538 21. Chapter 782, relating to homicide.
- 539 22. Chapter 784, relating to assault and battery.
- 540 23. Chapter 787, relating to kidnapping or human
541 trafficking.
- 542 24. Chapter 790, relating to weapons and firearms.

7-03562A-08

20082478__

- 543 25. Section 796.03, ~~s. 796.035~~, s. 796.04, s. 796.045, s.
544 796.05, s. 796.06, or s. 796.07, relating to prostitution and sex
545 trafficking.
- 546 26. Chapter 806, relating to arson.
- 547 27. Section 810.02(2)(c), relating to specified burglary of
548 a dwelling or structure.
- 549 28. Chapter 812, relating to theft, robbery, and related
550 crimes.
- 551 29. Chapter 815, relating to computer-related crimes.
- 552 30. Chapter 817, relating to fraudulent practices, false
553 pretenses, fraud generally, and credit card crimes.
- 554 31. Chapter 825, relating to abuse, neglect, or
555 exploitation of an elderly person or disabled adult.
- 556 32. Section 827.071, relating to commercial sexual
557 exploitation of children.
- 558 33. Chapter 831, relating to forgery and counterfeiting.
- 559 34. Chapter 832, relating to issuance of worthless checks
560 and drafts.
- 561 35. Section 836.05, relating to extortion.
- 562 36. Chapter 837, relating to perjury.
- 563 37. Chapter 838, relating to bribery and misuse of public
564 office.
- 565 38. Chapter 843, relating to obstruction of justice.
- 566 39. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
567 s. 847.07, relating to obscene literature and profanity.
- 568 40. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
569 849.25, relating to gambling.
- 570 41. Chapter 874, relating to criminal street gangs.

7-03562A-08

20082478__

571 42. Chapter 893, relating to drug abuse prevention and
572 control.

573 43. Chapter 896, relating to offenses related to financial
574 transactions.

575 44. Sections 914.22 and 914.23, relating to tampering with
576 a witness, victim, or informant, and retaliation against a
577 witness, victim, or informant.

578 45. Sections 918.12 and 918.13, relating to tampering with
579 jurors and evidence.

580 Section 15. Paragraphs (a), (b), (d), (g), (h), and (i) of
581 subsection (3) of section 921.0022, Florida Statutes, are amended
582 to read:

583 921.0022 Criminal Punishment Code; offense severity ranking
584 chart.--

585 (3) OFFENSE SEVERITY RANKING CHART

586 (a) LEVEL 1

587

Florida	Felony	Description
Statute	Degree	

588

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

589

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

590

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

7-03562A-08

20082478__

\$20,000.

591			
	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
592			
	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
593			
	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
594			
	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
595			
	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
596			
	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
597			
	322.212 (5) (a)	3rd	False application for driver's license or identification card.
598			
	414.39 (2)	3rd	Unauthorized use, possession,

7-03562A-08

20082478__

forgery, or alteration of food stamps, Medicaid ID, value greater than \$200.

599

414.39 (3) (a) 3rd Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.

600

443.071 (1) 3rd False statement or representation to obtain or increase unemployment compensation benefits.

601

509.151 (1) 3rd Defraud an innkeeper, food or lodging value greater than \$300.

602

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

603

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

604

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

605

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

606

812.014 (3) (c) 3rd Petit theft (3rd conviction); theft

7-03562A-08

20082478__

of any property not specified in
subsection (2).

607	812.081(2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
608	815.04(4)(a)	3rd	Offense against intellectual property (i.e., computer programs, data).
609	817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
610	817.569(2)	3rd	Use of public record or public records information to facilitate commission of a felony.
611	826.01	3rd	Bigamy.
612	828.122(3)	3rd	Fighting or baiting animals.
613	831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
614	831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.

7-03562A-08

20082478__

615	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
616	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.
617	838.15 (2)	3rd	Commercial bribe receiving.
618	838.16	3rd	Commercial bribery.
619	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
620	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
621	849.01	3rd	Keeping gambling house.
622	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.
623	849.23	3rd	Gambling-related machines; "common

7-03562A-08

20082478__

offender" as to property rights.

624

849.25 (2) 3rd Engaging in bookmaking.

625

860.08 3rd Interfere with a railroad signal.

626

860.13 (1) (a) 3rd Operate aircraft while under the influence.

627

893.13 (2) (a) 2. 3rd Purchase of cannabis.

628

893.13 (6) (a) 3rd Possession of cannabis (more than 20 grams).

629

934.03 (1) (a) 3rd Intercepts, or procures any other person to intercept, any wire or oral communication.

630

631 (b) LEVEL 2

632

Florida	Felony	Description
Statute	Degree	

633

370.12 (1) (e) 3. 3rd Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.

634

370.12 (1) (e) 4. 3rd Possession of more than 11 marine turtle eggs in violation of the

7-03562A-08

20082478__

Marine Turtle Protection Act.

635

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.

636

517.07 3rd Registration of securities and furnishing of prospectus required.

637

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

638

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

639

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

640

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

641

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

642

7-03562A-08

20082478__

643	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
644	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.
645	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
646	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
647	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
648	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
649	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
650	817.52 (3)	3rd	Failure to redeliver hired vehicle.
	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false

7-03562A-08

20082478__

representation.

651			
	817.60 (5)	3rd	Dealing in credit cards of another.
652			
	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
653			
	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
654			
	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
655			
	831.01	3rd	Forgery.
656			
	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
657			
	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
658			
	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
659			
	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
660			

7-03562A-08

20082478__

661	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
662	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
663	843.08	3rd	Falsely impersonating an officer.
664	893.13 (2) (a) 2.	3rd	Purchase of any s. 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) drugs other than cannabis.
665	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.
666	(d) LEVEL 4		
667	Florida Statute	Felony Degree	Description
668	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.
669			

7-03562A-08

20082478__

670	499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
671	499.0051(2)	3rd	Failure to authenticate pedigree papers.
672	499.0051(6)	2nd	Sale or delivery, or possession with intent to sell, contraband legend drugs.
673	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
674	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
675	784.075	3rd	Battery on detention or commitment facility staff.
676	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
677	784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
678	784.081(3)	3rd	Battery on specified official or employee.

7-03562A-08

20082478__

679	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
680	784.083 (3)	3rd	Battery on code inspector.
681	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
682	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
683	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
684	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
685	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
686	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
	790.115 (2) (c)	3rd	Possessing firearm on school

7-03562A-08

20082478__

property.

687

796.05 3rd Deriving support from prostitution
proceeds.

688

800.04 (7) (d) 3rd Lewd or lascivious exhibition;
offender less than 18 years.

689

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

690

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

691

810.06 3rd Burglary; possession of tools.

692

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

693

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

694

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

695

812.0195 (2) 3rd Dealing in stolen property by use of

7-03562A-08

20082478__

the Internet; property stolen \$300
or more.

696

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

697

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

698

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

699

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

700

837.02 (1) 3rd Perjury in official proceedings.

701

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

702

838.022 3rd Official misconduct.

703

839.13 (2) (a) 3rd Falsifying records of an individual
in the care and custody of a state
agency.

704

7-03562A-08

20082478__

705	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Family Services.
706	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
707	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
708	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
709	874.05(1)	3rd	Encouraging or recruiting another to join a criminal street gang.
710	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).
711	914.14(2)	3rd	Witnesses accepting bribes.
712	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily

7-03562A-08

20082478__

injury.

713

918.12 3rd Tampering with jurors.

714

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

715

716 (g) LEVEL 7

717

Florida	Felony	Description
Statute	Degree	

718

316.027(1)(b) 1st Accident involving death, failure to stop; leaving scene.

719

316.193(3)(c)2. 3rd DUI resulting in serious bodily injury.

720

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.

721

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

722

7-03562A-08

20082478__

723	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
724	409.920 (2)	3rd	Medicaid provider fraud.
725	456.065 (2)	3rd	Practicing a health care profession without a license.
726	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
727	458.327 (1)	3rd	Practicing medicine without a license.
728	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
729	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
730	461.012 (1)	3rd	Practicing podiatric medicine without a license.
	462.17	3rd	Practicing naturopathy without a license.

7-03562A-08

20082478__

731	463.015 (1)	3rd	Practicing optometry without a license.
732	464.016 (1)	3rd	Practicing nursing without a license.
733	465.015 (2)	3rd	Practicing pharmacy without a license.
734	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
735	467.201	3rd	Practicing midwifery without a license.
736	468.366	3rd	Delivering respiratory care services without a license.
737	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
738	483.901 (9)	3rd	Practicing medical physics without a license.
739	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
740	484.053	3rd	Dispensing hearing aids without a

7-03562A-08

20082478__

license.

741

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.

742

560.123(8)(b)1. 3rd Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.

743

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

744

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

745

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

746

775.21(10)(b) 3rd Sexual predator working where

7-03562A-08

20082478__

children regularly congregate.

747

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

748

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

749

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

750

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

751

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

752

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

753

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

7-03562A-08

20082478__

weapon.

754

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

755

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

756

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

757

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

758

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

759

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

760

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

761

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

762

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

763

7-03562A-08

20082478__

764	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
765	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
766	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
767	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
768	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
769	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
770	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.

7-03562A-08

20082478__

771	796.03	<u>1st</u> 2nd	Procuring any <u>minor</u> person under 16 years for prostitution.
772	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
773	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.
774	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
775	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
776	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
777	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
778	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by

7-03562A-08

20082478__

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

779

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

780

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

781

812.014 (2) (b) 4. 2nd Property stolen, law enforcement equipment from authorized emergency vehicle.

782

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

783

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

784

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

785

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

786

817.234 (8) (a) 2nd Solicitation of motor vehicle

7-03562A-08

20082478__

accident victims with intent to defraud.

787	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
788	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
789	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.
790	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
791	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.
792	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.

7-03562A-08

20082478__

793	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
794	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
795	838.015	2nd	Bribery.
796	838.016	2nd	Unlawful compensation or reward for official behavior.
797	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
798	838.22	2nd	Bid tampering.
799	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
800	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
801	872.06	2nd	Abuse of a dead human body.
802	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited

7-03562A-08

20082478__

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.

803

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.

804

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).

805

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

806

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

807

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

808

7-03562A-08

20082478__

809	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
810	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
811	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
812	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
813	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
814	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
815	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
816	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade

7-03562A-08

20082478__

reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

817 943.0435(4)(c) 2nd Sexual offender vacating permanent residence; failure to comply with reporting requirements.

818 943.0435(8) 2nd Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

819 943.0435(9)(a) 3rd Sexual offender; failure to comply with reporting requirements.

820 943.0435(13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

821 943.0435(14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

822 944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

823 944.607(10)(a) 3rd Sexual offender; failure to submit

7-03562A-08

20082478__

to the taking of a digitized
 photograph.

824

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

825

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

826

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

827

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

828

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

829

830 (h) LEVEL 8

831

Florida	Felony	Description
Statute	Degree	

832

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

7-03562A-08

20082478__

833	316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
834	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
835	499.0051 (7)	1st	Forgery of prescription or legend drug labels.
836	499.0052	1st	Trafficking in contraband legend drugs.
837	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.
838	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.
839	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
840			

7-03562A-08

20082478__

841	777.03 (2) (a)	1st	Accessory after the fact, capital felony.
842	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.
843	782.051 (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).
844	782.071 (1) (b)	1st	Committing vehicular homicide and failing to render aid or give information.
845	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
846	790.161 (3)	1st	Discharging a destructive device which results in bodily harm or property damage.
	794.011 (5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical

7-03562A-08

20082478__

force likely to cause serious injury.

847

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

848

796.045 (1) (a) 1st Sex trafficking.

849

800.04 (4) 2nd Lewd or lascivious battery.

850

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

851

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

852

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

853

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

854

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

855

7-03562A-08

20082478__

856	812.13 (2) (b)	1st	Robbery with a weapon.
857	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
858	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
859	825.102 (2)	2nd	Aggravated abuse of an elderly person or disabled adult.
860	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
861	825.103 (2) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.
862	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
863	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 path of railroad vehicle

7-03562A-08

20082478__

resulting in great bodily harm.

864

860.16 1st Aircraft piracy.

865

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).

866

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

867

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

868

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

869

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

870

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

871

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

872

893.135(1)(e)1.b. 1st Trafficking in methaqualone, more

7-03562A-08

20082478__

than 5 kilograms, less than 25 kilograms.

873

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

874

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

875

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

876

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

877

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

878

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

879

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

880

895.03(3) 1st Conduct or participate in any

7-03562A-08

20082478__

enterprise through pattern of racketeering activity.

881

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

882

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.

883

884 (i) LEVEL 9

885

Florida Statute	Felony Degree	Description
-----------------	---------------	-------------

886

316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
----------------------	-----	--

887

327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
---------------------	-----	--

888

499.00535	1st	Sale or purchase of contraband legend drugs resulting in great bodily harm.
-----------	-----	---

889

560.123 (8) (b) 3.	1st	Failure to report currency or
--------------------	-----	-------------------------------

7-03562A-08

20082478__

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

890

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

891

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

892

775.0844 1st Aggravated white collar crime.

893

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

894

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

895

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

896

782.07 (2) 1st Aggravated manslaughter of an

7-03562A-08

20082478__

elderly person or disabled adult.

897

787.01(1)(a)1. 1st,PBL Kidnapping; hold for ransom or
reward or as a shield or hostage.

898

787.01(1)(a)2. 1st,PBL Kidnapping with intent to commit or
facilitate commission of any felony.

899

787.01(1)(a)4. 1st,PBL Kidnapping with intent to interfere
with performance of any governmental
or political function.

900

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.

901

790.161 1st Attempted capital destructive device
offense.

902

790.166(2) 1st,PBL Possessing, selling, using, or
attempting to use a weapon of mass
destruction.

903

794.011(2) 1st Attempted sexual battery; victim
less than 12 years of age.

904

7-03562A-08

20082478__

905	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
906	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
907	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
908	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
909	<u>796.045 (1) (b)</u>	<u>Life</u>	<u>Sex trafficking involving a minor or resulting in death.</u>
910	<u>796.045 (2)</u>	<u>Life</u>	<u>Selling or buying of minors into sex trafficking or prostitution.</u>
911	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
912	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.

7-03562A-08

20082478__

913	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.
914	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
915	817.568 (7)	2nd, PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
916	827.03 (2)	1st	Aggravated child abuse.
917	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
918	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
919	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.
920	893.135	1st	Attempted capital trafficking offense.

7-03562A-08

20082478__

921	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
922	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
923	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
924	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
925	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
926	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
927	893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
928	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
929	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
	896.101 (5) (c)	1st	Money laundering, financial

7-03562A-08

20082478__

instruments totaling or exceeding
\$100,000.

930

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

931

932 Section 16. Subsection (7) of section 322.28, Florida
933 Statutes, is amended to read:

934 322.28 Period of suspension or revocation.--

935 (7) Following a second or subsequent violation of s.
936 796.07(1)(e) ~~(2)(f)~~ which involves a motor vehicle and which
937 results in any judicial disposition other than acquittal or
938 dismissal, in addition to any other sentence imposed, the court
939 shall revoke the person's driver's license or driving privilege,
940 effective upon the date of the disposition, for a period of not
941 less than 1 year. A person sentenced under this subsection may
942 request a hearing under s. 322.271.

943 Section 17. Paragraph (a) of subsection (1) of section
944 943.0435, Florida Statutes, is amended to read:

945 943.0435 Sexual offenders required to register with the
946 department; penalty.--

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

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

951 a.(I) Has been convicted of committing, or attempting,
952 soliciting, or conspiring to commit, any of the criminal offenses

7-03562A-08

20082478__

953 proscribed in the following statutes in this state or similar
954 offenses in another jurisdiction: s. 787.01, s. 787.02, or s.
955 787.025(2)(c), where the victim is a minor and the defendant is
956 not the victim's parent or guardian; s. 794.011, excluding s.
957 794.011(10); s. 794.05; s. 796.03; former s. 796.035; s.
958 796.045(2); s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.
959 847.0135, excluding s. 847.0135(4); s. 847.0137; s. 847.0138; s.
960 847.0145; or s. 985.701(1); or any similar offense committed in
961 this state which has been redesignated from a former statute
962 number to one of those listed in this sub-sub-subparagraph; and

963 (II) Has been released on or after October 1, 1997, from
964 the sanction imposed for any conviction of an offense described
965 in sub-sub-subparagraph (I). For purposes of sub-sub-subparagraph
966 (I), a sanction imposed in this state or in any other
967 jurisdiction includes, but is not limited to, a fine, probation,
968 community control, parole, conditional release, control release,
969 or incarceration in a state prison, federal prison, private
970 correctional facility, or local detention facility;

971 b. Establishes or maintains a residence in this state and
972 who has not been designated as a sexual predator by a court of
973 this state but who has been designated as a sexual predator, as a
974 sexually violent predator, or by another sexual offender
975 designation in another state or jurisdiction and was, as a result
976 of such designation, subjected to registration or community or
977 public notification, or both, or would be if the person were a
978 resident of that state or jurisdiction, without regard to whether
979 the person otherwise meets the criteria for registration as a
980 sexual offender;

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

7-03562A-08

20082478__

982 is in the custody or control of, or under the supervision of, any
983 other state or jurisdiction as a result of a conviction for
984 committing, or attempting, soliciting, or conspiring to commit,
985 any of the criminal offenses proscribed in the following statutes
986 or similar offense in another jurisdiction: s. 787.01, s. 787.02,
987 or s. 787.025(2)(c), where the victim is a minor and the
988 defendant is not the victim's parent or guardian; s. 794.011,
989 excluding s. 794.011(10); s. 794.05; s. 796.03; former s.
990 796.035; s. 796.045(2); s. 800.04; s. 825.1025; s. 827.071; s.
991 847.0133; s. 847.0135, excluding s. 847.0135(4); s. 847.0137; s.
992 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense
993 committed in this state which has been redesignated from a former
994 statute number to one of those listed in this sub-subparagraph;
995 or

996 d. On or after July 1, 2007, has been adjudicated
997 delinquent for committing, or attempting, soliciting, or
998 conspiring to commit, any of the criminal offenses proscribed in
999 the following statutes in this state or similar offenses in
1000 another jurisdiction when the juvenile was 14 years of age or
1001 older at the time of the offense:

1002 (I) Section 794.011, excluding s. 794.011(10);

1003 (II) Section 800.04(4)(b) where the victim is under 12
1004 years of age or where the court finds sexual activity by the use
1005 of force or coercion;

1006 (III) Section 800.04(5)(c)1. where the court finds
1007 molestation involving unclothed genitals; or

1008 (IV) Section 800.04(5)(d) where the court finds the use of
1009 force or coercion and unclothed genitals.

1010 2. For all qualifying offenses listed in sub-subparagraph

7-03562A-08

20082478__

1011 (1) (a) 1.d., the court shall make a written finding of the age of
1012 the offender at the time of the offense.

1013

1014 For each violation of a qualifying offense listed in this
1015 subsection, the court shall make a written finding of the age of
1016 the victim at the time of the offense. For a violation of s.
1017 800.04(4), the court shall additionally make a written finding
1018 indicating that the offense did or did not involve sexual
1019 activity and indicating that the offense did or did not involve
1020 force or coercion. For a violation of s. 800.04(5), the court
1021 shall additionally make a written finding that the offense did or
1022 did not involve unclothed genitals or genital area and that the
1023 offense did or did not involve the use of force or coercion.

1024 Section 18. Paragraph (b) of subsection (1) of section
1025 944.606, Florida Statutes, is amended to read:

1026 944.606 Sexual offenders; notification upon release.--

1027 (1) As used in this section:

1028 (b) "Sexual offender" means a person who has been convicted
1029 of committing, or attempting, soliciting, or conspiring to
1030 commit, any of the criminal offenses proscribed in the following
1031 statutes in this state or similar offenses in another
1032 jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where
1033 the victim is a minor and the defendant is not the victim's
1034 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
1035 794.05; s. 796.03; former s. 796.035; s. 796.045(2); s. 800.04;
1036 s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
1037 847.0135(4); s. 847.0137; s. 847.0138; s. 847.0145; or s.
1038 985.701(1); or any similar offense committed in this state which
1039 has been redesignated from a former statute number to one of

7-03562A-08

20082478__

1040 those listed in this subsection, when the department has received
1041 verified information regarding such conviction; an offender's
1042 computerized criminal history record is not, in and of itself,
1043 verified information.

1044 Section 19. Paragraph (a) of subsection (1) of section
1045 944.607, Florida Statutes, is amended to read:

1046 944.607 Notification to Department of Law Enforcement of
1047 information on sexual offenders.--

1048 (1) As used in this section, the term:

1049 (a) "Sexual offender" means a person who is in the custody
1050 or control of, or under the supervision of, the department or is
1051 in the custody of a private correctional facility:

1052 1. On or after October 1, 1997, as a result of a conviction
1053 for committing, or attempting, soliciting, or conspiring to
1054 commit, any of the criminal offenses proscribed in the following
1055 statutes in this state or similar offenses in another
1056 jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where
1057 the victim is a minor and the defendant is not the victim's
1058 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
1059 794.05; s. 796.03; former s. 796.035; s. 796.045(2); s. 800.04;
1060 s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
1061 847.0135(4); s. 847.0137; s. 847.0138; s. 847.0145; or s.
1062 985.701(1); or any similar offense committed in this state which
1063 has been redesignated from a former statute number to one of
1064 those listed in this paragraph; or

1065 2. Who establishes or maintains a residence in this state
1066 and who has not been designated as a sexual predator by a court
1067 of this state but who has been designated as a sexual predator,
1068 as a sexually violent predator, or by another sexual offender

7-03562A-08

20082478__

1069 designation in another state or jurisdiction and was, as a result
1070 of such designation, subjected to registration or community or
1071 public notification, or both, or would be if the person were a
1072 resident of that state or jurisdiction, without regard as to
1073 whether the person otherwise meets the criteria for registration
1074 as a sexual offender.

1075 Section 20. This act shall take effect July 1, 2008.