

1 A bill to be entitled
 2 An act relating to false and fraudulent insurance claims;
 3 amending s. 817.234, F.S.; providing penalties for
 4 specified insurance fraud violations involving personal
 5 injury protection insurance; providing for professional
 6 license suspensions for certain health care practitioners
 7 convicted of such violations; amending s. 921.0022, F.S.;
 8 conforming the offense severity ranking chart of the
 9 Criminal Punishment Code; providing an effective date.

10

11 Be It Enacted by the Legislature of the State of Florida:

12

13 Section 1. Subsections (2), (11), and (12) of section
 14 817.234, Florida Statutes, are amended to read:

15 817.234 False and fraudulent insurance claims.--

16 (2) (a) Any physician licensed under chapter 458,
 17 osteopathic physician licensed under chapter 459, chiropractic
 18 physician licensed under chapter 460, or other practitioner
 19 licensed under the laws of this state who knowingly and
 20 willfully assists, conspires with, or urges any insured party to
 21 fraudulently violate any of the provisions of this section or
 22 part XI of chapter 627, or any person who, due to such
 23 assistance, conspiracy, or urging by said physician, osteopathic
 24 physician, chiropractic physician, or practitioner, knowingly
 25 and willfully benefits from the proceeds derived from the use of
 26 such fraud, commits insurance fraud, punishable as provided in
 27 subsection (11). In the event that a physician, osteopathic
 28 physician, chiropractic physician, or practitioner is

29 adjudicated guilty of a violation of this section, the Board of
 30 Medicine as set forth in chapter 458, the Board of Osteopathic
 31 Medicine as set forth in chapter 459, the Board of Chiropractic
 32 Medicine as set forth in chapter 460, or other appropriate
 33 licensing authority shall hold an administrative hearing to
 34 consider the imposition of administrative sanctions as provided
 35 by law against said physician, osteopathic physician,
 36 chiropractic physician, or practitioner.

37 (b) In the event that a physician licensed under chapter
 38 458, an osteopathic physician licensed under chapter 459, a
 39 chiropractic physician licensed under chapter 460, or other
 40 practitioner licensed under the laws of this state is convicted
 41 of insurance fraud that involves a claim for personal injury
 42 protection benefits as required by s. 627.736, the Board of
 43 Medicine as set forth in chapter 458, the Board of Osteopathic
 44 Medicine as set forth in chapter 459, the Board of Chiropractic
 45 Medicine as set forth in chapter 460, or other appropriate
 46 licensing authority shall, in addition to any other punishment
 47 less than revocation or relinquishment of the license, suspend
 48 the license of such physician, osteopathic physician,
 49 chiropractic physician, or practitioner for 12 months.

50 (c) ~~(b)~~ In addition to any other provision of law,
 51 systematic upcoding by a provider, as defined in s. 641.19(14),
 52 with the intent to obtain reimbursement otherwise not due from
 53 an insurer is punishable as provided in s. 641.52(5).

54 (11) (a) If the value of any property involved in a
 55 violation of this section:

56 1.~~(a)~~ Is less than \$20,000, the offender commits a felony
 57 of the third degree, punishable as provided in s. 775.082, s.
 58 775.083, or s. 775.084.

59 2.~~(b)~~ Is \$20,000 or more, but less than \$100,000, the
 60 offender commits a felony of the second degree, punishable as
 61 provided in s. 775.082, s. 775.083, or s. 775.084.

62 3.~~(e)~~ Is \$100,000 or more, the offender commits a felony
 63 of the first degree, punishable as provided in s. 775.082, s.
 64 775.083, or s. 775.084.

65 (b) Notwithstanding any other provision of law, any person
 66 who is convicted of insurance fraud that involves a claim for
 67 personal injury protection benefits as required by s. 627.736:

68 1. Commits a felony of the second degree, punishable as
 69 provided by s. 775.082 and by a fine of \$200,000.

70 2. A second or subsequent time commits a felony of the
 71 second degree, punishable as provided by s. 755.082 and by a
 72 fine of \$500,000.

73 (12) As used in this section:

74 (a) "Conviction" has the same meaning as provided in s.
 75 775.0837.

76 (b)~~(a)~~ "Property" means property as defined in s. 812.012.

77 (c)~~(b)~~ "Value" means value as defined in s. 812.012.

78 Section 2. Paragraphs (c), (e), (g), and (h) of subsection
 79 (3) of section 921.0022, Florida Statutes, are amended to read:

80 921.0022 Criminal Punishment Code; offense severity
 81 ranking chart.--

82 (3) OFFENSE SEVERITY RANKING CHART

83

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84 (c) LEVEL 3

85

Florida	Felony	Description
Statute	Degree	

86

119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
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87

316.066 (6) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
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88

316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
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89

316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
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90

319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
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91

319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
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92

319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
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94	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
95	327.35 (2) (b)	3rd	Felony BUI.
96	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
97	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
98	370.12 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
99	370.12 (1) (e) 6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.

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100	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
101	400.903 (3)	3rd	Operating a clinic without a license or filing false license application or other required information.
102	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
103	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
104	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
105	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
106	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
107	697.08	3rd	Equity skimming.

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108	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
109	796.05 (1)	3rd	Live on earnings of a prostitute.
110	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
111	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
112	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
113	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
114	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
115	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida

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Communications Fraud Act), property
valued at less than \$20,000.

116

817.233 3rd Burning to defraud insurer.

117

817.234 (8) (b) - (c) 3rd Unlawful solicitation of persons
involved in motor vehicle accidents.

118

817.234 (11) (a) 1. 3rd Insurance fraud; property value less
than \$20,000.

119

817.236 3rd Filing a false motor vehicle
insurance application.

120

817.2361 3rd Creating, marketing, or presenting a
false or fraudulent motor vehicle
insurance card.

121

817.413 (2) 3rd Sale of used goods as new.

122

817.505 (4) 3rd Patient brokering.

123

828.12 (2) 3rd Tortures any animal with intent to
inflict intense pain, serious
physical injury, or death.

124

831.28 (2) (a) 3rd Counterfeiting a payment instrument

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with intent to defraud or possessing
a counterfeit payment instrument.

125

831.29 2nd Possession of instruments for
counterfeiting drivers' licenses or
identification cards.

126

838.021(3)(b) 3rd Threatens unlawful harm to public
servant.

127

843.19 3rd Injure, disable, or kill police dog
or horse.

128

860.15(3) 3rd Overcharging for repairs and parts.

129

870.01(2) 3rd Riot; inciting or encouraging.

130

893.13(1)(a)2. 3rd Sell, manufacture, or deliver
cannabis (or other 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).

131

893.13(1)(d)2. 2nd Sell, manufacture, or deliver s.
893.03(1)(c), (2)(c)1., (2)(c)2.,
(2)(c)3., (2)(c)5., (2)(c)6.,

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(2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or
(4) drugs within 1,000 feet of
university.

132

893.13 (1) (f) 2. 2nd Sell, manufacture, or deliver 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 within 1,000 feet of public
housing facility.

133

893.13 (6) (a) 3rd Possession of any controlled
substance other than felony
possession of cannabis.

134

893.13 (7) (a) 8. 3rd Withhold information from
practitioner regarding previous
receipt of or prescription for a
controlled substance.

135

893.13 (7) (a) 9. 3rd Obtain or attempt to obtain
controlled substance by fraud,
forgery, misrepresentation, etc.

136

893.13 (7) (a) 10. 3rd Affix false or forged label to
package of controlled substance.

137

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- 138 893.13 (7) (a) 11. 3rd Furnish false or fraudulent material information on any document or record required by chapter 893.
- 139 893.13 (8) (a) 1. 3rd Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
- 140 893.13 (8) (a) 2. 3rd Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
- 141 893.13 (8) (a) 3. 3rd Knowingly write a prescription for a controlled substance for a fictitious person.
- 893.13 (8) (a) 4. 3rd Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the

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practitioner.

142

918.13 (1) (a) 3rd Alter, destroy, or conceal
investigation evidence.

143

944.47 (1) (a) 1.-2. 3rd Introduce contraband to correctional
facility.

144

944.47 (1) (c) 2nd Possess contraband while upon the
grounds of a correctional
institution.

145

985.721 3rd Escapes from a juvenile facility
(secure detention or residential
commitment facility).

146

147 (e) LEVEL 5

148

Florida	Felony	Description
Statute	Degree	

149

316.027 (1) (a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
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150

316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
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152	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
153	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
154	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
155	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
156	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
157	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
158	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

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159	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
160	790.01 (2)	3rd	Carrying a concealed firearm.
161	790.162	2nd	Threat to throw or discharge destructive device.
162	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
163	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
164	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
165	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years.
166	800.04 (7) (c)	2nd	Lewd or lascivious exhibition; offender 18 years or older.
167	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.

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168	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
169	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
170	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
171	812.131 (2) (b)	3rd	Robbery by sudden snatching.
172	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
173	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
174	817.234 (11) <u>(a) 2.</u> (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
	817.2341 (1), (2) (a)) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the

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solvency of an insuring entity.

175

817.568 (2) (b) 2nd Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.

176

817.625 (2) (b) 2nd Second or subsequent fraudulent use of scanning device or reencoder.

177

825.1025 (4) 3rd Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

178

827.071 (4) 2nd Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.

179

827.071 (5) 3rd Possess any photographic material, motion picture, etc., which includes sexual conduct by a child.

180

839.13 (2) (b) 2nd Falsifying records of an individual

in the care and custody of a state agency involving great bodily harm or death.

181

843.01 3rd Resist officer with violence to person; resist arrest with violence.

182

847.0137(2)&(3) 3rd Transmission of pornography by electronic device or equipment.

183

847.0138(2)&(3) 3rd Transmission of material harmful to minors to a minor by electronic device or equipment.

184

874.05(2) 2nd Encouraging or recruiting another to join a criminal street gang; second or subsequent offense.

185

893.13(1)(a)1. 2nd Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).

186

893.13(1)(c)2. 2nd Sell, manufacture, or deliver cannabis (or other 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) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

187

893.13(1)(d)1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of university.

188

893.13(1)(e)2. 2nd Sell, manufacture, or deliver cannabis or other drug prohibited under 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) within 1,000 feet of property used for religious services or a specified business site.

189

893.13(1)(f)1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of

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public housing facility.

190

893.13 (4) (b) 2nd Deliver to minor cannabis (or other
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).

191

192

193 (g) LEVEL 7

194

Florida	Felony	Description
Statute	Degree	

195

316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
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196

316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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197

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.
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199	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
200	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
201	409.920 (2)	3rd	Medicaid provider fraud.
202	456.065 (2)	3rd	Practicing a health care profession without a license.
203	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
204	458.327 (1)	3rd	Practicing medicine without a license.
205	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
206	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
	461.012 (1)	3rd	Practicing podiatric medicine without

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a license.

207

462.17 3rd Practicing naturopathy without a license.

208

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

209

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

210

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

211

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

212

467.201 3rd Practicing midwifery without a license.

213

468.366 3rd Delivering respiratory care services without a license.

214

483.828 (1) 3rd Practicing as clinical laboratory personnel without a license.

215

483.901 (9) 3rd Practicing medical physics without a license.

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217	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
218	484.053	3rd	Dispensing hearing aids without a license.
219	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.
220	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
221	560.125 (5) (a)	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
222	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
	775.21 (10) (a)	3rd	Sexual predator; failure to register;

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failure to renew driver's license or
 identification card; other
 registration violations.

223

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

224

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

225

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

226

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

227

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

228

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

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manner (vessel homicide).

229

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

230

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

231

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

232

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

233

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

234

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

235

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

236

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

237

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238	784.081 (1)	1st	Aggravated battery on specified official or employee.
239	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
240	784.083 (1)	1st	Aggravated battery on code inspector.
241	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
242	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
243	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
244	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
245	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

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246	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
247	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.
248	796.03	2nd	Procuring any person under 16 years for prostitution.
249	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
250	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.
251	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
252	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.

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253	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
254	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
255	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
256	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.
257	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
258	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
259	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
	812.0145 (2) (a)	1st	Theft from person 65 years of age or

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older; \$50,000 or more.

260

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

261

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

262

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

263

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

264

817.234 (9) 2nd Organizing, planning, or participating in an intentional motor vehicle collision.

265

817.234 (11) (a) 3. 1st Insurance fraud; property value
~~(e)~~ \$100,000 or more.

266

817.234 (11) (b) 1. 2nd Insurance fraud involving a claim for personal injury protection benefits.

267

817.2341 (2) (b) & 1st Making false entries of material fact

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268	(3) (b)		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.
269	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
270	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.
271	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
272	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
273	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.

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274	838.015	2nd	Bribery.
275	838.016	2nd	Unlawful compensation or reward for official behavior.
276	838.021(3)(a)	2nd	Unlawful harm to a public servant.
277	838.22	2nd	Bid tampering.
278	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
279	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
280	872.06	2nd	Abuse of a dead human body.
281	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.

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282	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.
283	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).
284	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
285	893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
286	893.135(1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
287	893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
288	893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.

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289	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
290	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
291	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
292	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
293	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
294	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
295	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
	943.0435 (4) (c)	2nd	Sexual offender vacating permanent

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residence; failure to comply with reporting requirements.

296

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

297

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

298

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

299

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

300

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

301

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

302

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

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harbor or conceal a sexual offender.

303

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

304

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

305

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

306

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

307

308 (h) LEVEL 8

309

Florida	Felony	Description
Statute	Degree	

310

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

311

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

312

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313	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
314	499.0051 (7)	1st	Forgery of prescription or legend drug labels.
315	499.0052	1st	Trafficking in contraband legend drugs.
316	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.
317	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.
318	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
319	777.03 (2) (a)	1st	Accessory after the fact, capital felony.

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320	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.
321	782.051 (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).
322	782.071 (1) (b)	1st	Committing vehicular homicide and failing to render aid or give information.
323	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
324	790.161 (3)	1st	Discharging a destructive device which results in bodily harm or property damage.
325	794.011 (5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.

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326	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
327	800.04 (4)	2nd	Lewd or lascivious battery.
328	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
329	810.02 (2) (a)	1st, PB L	Burglary with assault or battery.
330	810.02 (2) (b)	1st, PB L	Burglary; armed with explosives or dangerous weapon.
331	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
332	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
333	812.13 (2) (b)	1st	Robbery with a weapon.
	812.135 (2) (c)	1st	Home-invasion robbery, no firearm,

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deadly weapon, or other weapon.

334

817.234 (11) (b) 2. 2nd

Insurance fraud involving a claim for
personal injury protection benefits;
second or subsequent offense.

335

817.568 (6) 2nd

Fraudulent use of personal
identification information of an
individual under the age of 18.

336

825.102 (2) 2nd

Aggravated abuse of an elderly person
or disabled adult.

337

825.1025 (2) 2nd

Lewd or lascivious battery upon an
elderly person or disabled adult.

338

825.103 (2) (a) 1st

Exploiting an elderly person or
disabled adult and property is valued
at \$100,000 or more.

339

837.02 (2) 2nd

Perjury in official proceedings
relating to prosecution of a capital
felony.

340

837.021 (2) 2nd

Making contradictory statements in
official proceedings relating to
prosecution of a capital felony.

341

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342	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
343	860.16	1st	Aircraft piracy.
344	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).
345	893.13 (2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03 (1) (a) or (b).
346	893.13 (6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03 (1) (a) or (b).
347	893.135 (1) (a) 2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
348	893.135 (1) (b) 1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
349	893.135 (1) (c) 1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.

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350	893.135(1)(d)1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
351	893.135(1)(e)1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
352	893.135(1)(f)1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
353	893.135(1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
354	893.135(1)(h)1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
355	893.135(1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
356	893.135(1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
357	895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.

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

358

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

359

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

360

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.

361

362 Section 3. This act shall take effect October 1, 2008.