

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

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

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

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

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

26               812.13 Robbery.--

27               (2) (a) If in the course of committing the robbery the  
 28               offender carried a firearm or other deadly weapon or a hoax

29 firearm, then the robbery is a felony of the first degree,  
 30 punishable by imprisonment for a term of years not exceeding  
 31 life imprisonment or as provided in s. 775.082, s. 775.083, or  
 32 s. 775.084.

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

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

39 812.133 Carjacking.--

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

46 (b) If in the course of committing the carjacking the  
 47 offender carried no firearm, deadly weapon, ~~or~~ other weapon, or  
 48 hoax firearm, then the carjacking is a felony of the first  
 49 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 50 775.084.

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

53 812.135 Home-invasion robbery.--

54 (2)(a) If in the course of committing the home-invasion  
 55 robbery the person carries a firearm or other deadly weapon or a  
 56 hoax firearm, the person commits a felony of the first degree,

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57 punishable by imprisonment for a term of years not exceeding  
 58 life imprisonment as provided in s. 775.082, s. 775.083, or s.  
 59 775.084.

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

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

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

70 (3) OFFENSE SEVERITY RANKING CHART

71 (f) LEVEL 6

72

Florida Statute	Felony Degree	Description
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
499.0051(3)	2nd	Forgery of pedigree papers.
499.0051(4)	2nd	Purchase or receipt of legend drug from unauthorized person.

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77	499.0051 (5)	2nd	Sale of legend drug to unauthorized person.
78	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
79	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
80	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
81	784.041	3rd	Felony battery; domestic battery by strangulation.
82	784.048 (3)	3rd	Aggravated stalking; credible threat.
83	784.048 (5)	3rd	Aggravated stalking of person under 16.
84	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
85	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
	784.08 (2) (b)	2nd	Aggravated assault on a person 65

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			years of age or older.
86	784.081(2)	2nd	Aggravated assault on specified official or employee.
87	784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
88	784.083(2)	2nd	Aggravated assault on code inspector.
89	787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
90	790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
91	790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
92	790.164(1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
93	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
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95	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
96	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
97	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
98	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
99	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
100	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
101	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
102	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.

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103	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
104	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
105	812.13 (2) (c)	2nd	Robbery, no firearm, <del>or</del> <u>other weapon, or hoax weapon</u> (strong-arm robbery).
106	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
107	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
108	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
109	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
110	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
	825.103 (2) (c)	3rd	Exploiting an elderly person or

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disabled adult and property is valued  
at less than \$20,000.

111

827.03 (1) 3rd Abuse of a child.

112

827.03 (3) (c) 3rd Neglect of a child.

113

827.071 (2) & (3) 2nd Use or induce a child in a sexual  
performance, or promote or direct  
such performance.

114

836.05 2nd Threats; extortion.

115

836.10 2nd Written threats to kill or do bodily  
injury.

116

843.12 3rd Aids or assists person to escape.

117

847.0135 (2) 3rd Facilitates sexual conduct of or with  
a minor or the visual depiction of  
such conduct.

118

914.23 2nd Retaliation against a witness,  
victim, or informant, with bodily  
injury.

119

944.35 (3) (a) 2. 3rd Committing malicious battery upon or



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inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.

120

944.40                      2nd              Escapes.

121

944.46                      3rd              Harboring, concealing, aiding escaped prisoners.

122

944.47(1)(a)5.              2nd              Introduction of contraband (firearm, weapon, or explosive) into correctional facility.

123

951.22(1)                      3rd              Intoxicating drug, firearm, or weapon introduced into county facility.

124

125                      (g)      LEVEL 7

126

Florida	Felony	Description
Statute	Degree	

127

316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
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128

316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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133  
134  
135  
136

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.

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

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

409.920(2) 3rd Medicaid provider fraud.

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

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

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

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137	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
138	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
139	461.012 (1)	3rd	Practicing podiatric medicine without a license.
140	462.17	3rd	Practicing naturopathy without a license.
141	463.015 (1)	3rd	Practicing optometry without a license.
142	464.016 (1)	3rd	Practicing nursing without a license.
143	465.015 (2)	3rd	Practicing pharmacy without a license.
144	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
145	467.201	3rd	Practicing midwifery without a license.
	468.366	3rd	Delivering respiratory care services

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without a license.

146

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

147

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

148

484.013 (1) (c) 3rd Preparing or dispensing optical devices without a prescription.

149

484.053 3rd Dispensing hearing aids without a license.

150

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.

151

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

152

560.125 (5) (a) 3rd Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300

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but less than \$20,000.

153

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

154

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

155

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

156

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

157

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

158

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

159

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160	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
161	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
162	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
163	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
164	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
165	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
166	784.048 (7)	3rd	Aggravated stalking; violation of court order.
167	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.

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168	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
169	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
170	784.081 (1)	1st	Aggravated battery on specified official or employee.
171	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
172	784.083 (1)	1st	Aggravated battery on code inspector.
173	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
174	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
175	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to

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commit a felony.

176

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

177

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

178

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.

179

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

180

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

181

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.

182



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183	806.01(2)	2nd	Maliciously damage structure by fire or explosive.
184	810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
185	810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
186	810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
187	810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
188	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.
189	812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
190	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.

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191	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
192	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
193	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
194	812.131 (2) (a)	2nd	Robbery by sudden snatching.
195	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, <del>or</del> other weapon, <u>or hoax firearm</u> .
196	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
197	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
	817.234 (11) (c)	1st	Insurance fraud; property value

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\$100,000 or more.

198

817.2341(2)(b)&(3) 1st  
) (b)

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.

199

825.102(3)(b) 2nd

Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

200

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.

201

827.03(3)(b) 2nd

Neglect of a child causing great bodily harm, disability, or disfigurement.

202

827.04(3) 3rd

Impregnation of a child under 16 years of age by person 21 years of age or older.

203

837.05(2) 3rd

Giving false information about

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alleged capital felony to a law enforcement officer.

204

838.015 2nd Bribery.

205

838.016 2nd Unlawful compensation or reward for official behavior.

206

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

207

838.22 2nd Bid tampering.

208

847.0135(3) 3rd Solicitation of a child, via a computer service, to commit an unlawful sex act.

209

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

210

872.06 2nd Abuse of a dead human body.

211

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

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municipal park or publicly owned recreational facility or community center.

212

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.

213

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).

214

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

215

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

216

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

217

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

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219	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
220	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
221	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
222	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
223	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
224	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
225	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 reporting or registration

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

226

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

227

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

228

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

229

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

230

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

231

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

232

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

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the taking of a digitized photograph.

233

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

234

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

235

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

236

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

237

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

238

239 (h) LEVEL 8

240

Florida	Felony	Description
Statute	Degree	

241

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

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243	316.1935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
244	327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
245	499.0051(7)	1st	Forgery of prescription or legend drug labels.
246	499.0052	1st	Trafficking in contraband legend drugs.
247	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.
248	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.
249	655.50(10)(b)2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.

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250	777.03 (2) (a)	1st	Accessory after the fact, capital felony.
251	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.
252	782.051 (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).
253	782.071 (1) (b)	1st	Committing vehicular homicide and failing to render aid or give information.
254	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
255	790.161 (3)	1st	Discharging a destructive device which results in bodily harm or property damage.

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256

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

257

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

258

800.04(4) 2nd Lewd or lascivious battery.

259

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

260

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

261

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

262

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

263

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

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264	812.13 (2) (b)	1st	Robbery with a weapon.
265	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, <del>or</del> other weapon, <u>or</u> <u>hoax firearm</u> .
266	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
267	825.102 (2)	2nd	Aggravated abuse of an elderly person or disabled adult.
268	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
269	825.103 (2) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.
270	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
271	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.

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272	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
273	860.16	1st	Aircraft piracy.
274	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).
275	893.13 (2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
276	893.13 (6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
277	893.135 (1) (a) 2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
278	893.135 (1) (b) 1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
279	893.135 (1) (c) 1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.

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

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288 895.03 (2) 1st Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.

289 895.03 (3) 1st Conduct or participate in any enterprise through pattern of racketeering activity.

290 896.101 (5) (b) 2nd Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.

291 896.104 (4) (a) 2. 2nd Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.

292 (i) LEVEL 9

293 Florida Felony Description  
Statute Degree

294 316.193 (3) (c) 3.b. 1st DUI manslaughter; failing to render aid or give information.

295

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296	327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
297	499.00535	1st	Sale or purchase of contraband legend drugs resulting in great bodily harm.
298	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
299	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
300	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
301	775.0844	1st	Aggravated white collar crime.
302	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
	782.04 (3)	1st, PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified



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felonies.

303

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

304

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

305

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

306

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

307

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

308

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.

309

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310	790.161	1st	Attempted capital destructive device offense.
311	790.166 (2)	1st, PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
312	794.011 (2)	1st	Attempted sexual battery; victim less than 12 years of age.
313	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
314	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
315	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
316	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender

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18 years or older.

317

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

318

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

319

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

320

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.

321

827.03 (2) 1st Aggravated child abuse.

322

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

323

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

324

859.01 1st Poisoning or introducing bacteria,  
 radioactive materials, viruses, or

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chemical compounds into food, drink,  
 medicine, or water with intent to  
 kill or injure another person.

325

893.135 1st Attempted capital trafficking  
 offense.

326

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

327

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

328

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

329

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

330

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

331

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

332

893.135 (1) (h) 1.c. 1st Trafficking in gamma-hydroxybutyric

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acid (GHB), 10 kilograms or more.

333

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

334

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

335

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

336

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

337

338 (j) LEVEL 10

339

Florida	Felony	Description
Statute	Degree	

340

499.00545	1st	Sale or purchase of contraband legend drugs resulting in death.
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341

782.04 (2)	1st, PBL	Unlawful killing of human; act is homicide, unpremeditated.
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342

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343	787.01(1)(a)3.	1st,PBL	Kidnapping; inflict bodily harm upon or terrorize victim.
344	787.01(3)(a)	Life	Kidnapping; child under age 13, perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
345	782.07(3)	1st	Aggravated manslaughter of a child.
346	794.011(3)	Life	Sexual battery; victim 12 years or older, offender uses or threatens to use deadly weapon or physical force to cause serious injury.
347	812.135(2)(a)	1st,PBL	Home-invasion robbery with firearm or other deadly weapon <u>or hoax firearm</u> .
348	876.32	1st	Treason against the state.

349 Section 6. Paragraph (g) of subsection (1) of section  
 350 948.062, Florida Statutes, is amended to read:

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

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

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

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