

1 A bill to be entitled
 2 An act relating to protection of ocean lifeguards;
 3 amending s. 784.07, F.S.; providing a definition;
 4 providing enhanced penalties for an assault or battery on
 5 an ocean lifeguard while he or she is engaged in the
 6 lawful performance of his or her duties; amending ss.
 7 435.04, 901.15, 943.051, and 985.11, F.S.; conforming
 8 provisions; amending s. 921.0022, F.S., and reenacting
 9 paragraph (3) (d), relating the offense severity ranking
 10 chart, to conform; providing an effective date.

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

13
 14 Section 1. Paragraph (e) is added to subsection (1) of
 15 section 784.07, Florida Statutes, subsection (2) of that section
 16 is amended, and subsection (3) of that section is reenacted, to
 17 read:

18 784.07 Assault or battery of law enforcement officers,
 19 firefighters, emergency medical care providers, public transit
 20 employees or agents, or other specified officers;
 21 reclassification of offenses; minimum sentences.--

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

23 (e) "Ocean lifeguard" means a lifeguard employed along the
 24 coastal or intracoastal beaches and shores of the state to help
 25 prevent injury or drowning of persons.

26 (2) Whenever any person is charged with knowingly
 27 committing an assault or battery upon a law enforcement officer,
 28 a firefighter, an emergency medical care provider, a traffic

29 | accident investigation officer as described in s. 316.640, a
 30 | nonsworn law enforcement agency employee who is certified as an
 31 | agency inspector, blood alcohol analyst, or a breath test
 32 | operator while such employee is in uniform and engaged in
 33 | processing, testing, evaluating, analyzing, or transporting a
 34 | person who is detained or under arrest for DUI, a traffic
 35 | infraction enforcement officer as described in s. 316.640, a
 36 | parking enforcement specialist as defined in s. 316.640, a
 37 | person licensed as a security officer as defined in s. 493.6101
 38 | and wearing a uniform that bears at least one patch or emblem
 39 | that is visible at all times that clearly identifies the
 40 | employing agency and that clearly identifies the person as a
 41 | licensed security officer, ~~or~~ a security officer employed by the
 42 | board of trustees of a community college, or an ocean lifeguard
 43 | while the officer, firefighter, emergency medical care provider,
 44 | intake officer, traffic accident investigation officer, traffic
 45 | infraction enforcement officer, inspector, analyst, operator,
 46 | parking enforcement specialist, public transit employee or
 47 | agent, ~~or~~ security officer, or ocean lifeguard is engaged in the
 48 | lawful performance of his or her duties, the offense for which
 49 | the person is charged shall be reclassified as follows:

50 | (a) In the case of assault, from a misdemeanor of the
 51 | second degree to a misdemeanor of the first degree.

52 | (b) In the case of battery, from a misdemeanor of the
 53 | first degree to a felony of the third degree.

54 | (c) In the case of aggravated assault, from a felony of
 55 | the third degree to a felony of the second degree.

56 | Notwithstanding any other provision of law, any person convicted

57 of aggravated assault upon a law enforcement officer shall be
 58 sentenced to a minimum term of imprisonment of 3 years.

59 (d) In the case of aggravated battery, from a felony of
 60 the second degree to a felony of the first degree.

61 Notwithstanding any other provision of law, any person convicted
 62 of aggravated battery of a law enforcement officer shall be
 63 sentenced to a minimum term of imprisonment of 5 years.

64 (3) Any person who is convicted of a battery under
 65 paragraph (2)(b) and, during the commission of the offense, such
 66 person possessed:

67 (a) A "firearm" or "destructive device" as those terms are
 68 defined in s. 790.001, shall be sentenced to a minimum term of
 69 imprisonment of 3 years.

70 (b) A semiautomatic firearm and its high-capacity
 71 detachable box magazine, as defined in s. 775.087(3), or a
 72 machine gun as defined in s. 790.001, shall be sentenced to a
 73 minimum term of imprisonment of 8 years.

74
 75 Notwithstanding s. 948.01, adjudication of guilt or imposition
 76 of sentence shall not be suspended, deferred, or withheld, and
 77 the defendant is not eligible for statutory gain-time under s.
 78 944.275 or any form of discretionary early release, other than
 79 pardon or executive clemency, or conditional medical release
 80 under s. 947.149, prior to serving the minimum sentence.

81 Section 2. Paragraph (a) of subsection (3) of section
 82 435.04, Florida Statutes, is amended to read:

83 435.04 Level 2 screening standards.--

84 (3) The security background investigations conducted under
 85 this section for employees of the Department of Juvenile Justice
 86 must ensure that no persons subject to the provisions of this
 87 section have been found guilty of, regardless of adjudication,
 88 or entered a plea of nolo contendere or guilty to, any offense
 89 prohibited under any of the following provisions of the Florida
 90 Statutes or under any similar statute of another jurisdiction:

91 (a) Section 784.07, relating to assault or battery of law
 92 enforcement officers, firefighters, emergency medical care
 93 providers, public transit employees or agents, or other
 94 specified persons ~~officers~~.

95
 96 The Department of Juvenile Justice may not remove a
 97 disqualification from employment or grant an exemption to any
 98 person who is disqualified under this section for any offense
 99 disposed of during the most recent 7-year period.

100 Section 3. Subsection (15) of section 901.15, Florida
 101 Statutes, is amended to read:

102 901.15 When arrest by officer without warrant is
 103 lawful.--A law enforcement officer may arrest a person without a
 104 warrant when:

105 (15) There is probable cause to believe that the person
 106 has committed assault upon a law enforcement officer, a
 107 firefighter, an emergency medical care provider, public transit
 108 employee ~~employees~~ or agent ~~agents~~, or other specified person
 109 ~~officers~~ as set forth in s. 784.07 or has committed assault or
 110 battery upon any employee of a receiving facility as defined in

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111 s. 394.455 who is engaged in the lawful performance of his or
 112 her duties.

113 Section 4. For the purpose of incorporating the amendment
 114 made by this act to section 784.07, Florida Statutes, in a
 115 reference thereto, paragraphs (d) of subsection (3) of section
 116 921.0022, Florida Statutes, is reenacted, and paragraphs (f) and
 117 (g) of that subsection are amended to read:

118 921.0022 Criminal Punishment Code; offense severity
 119 ranking chart.--

120 (3) OFFENSE SEVERITY RANKING CHART

121 (d) LEVEL 4

122

Florida	Felony	Description
Statute	Degree	

123

316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
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124

499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
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125

499.0051(2)	3rd	Failure to authenticate pedigree papers.
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126

499.0051(6)	2nd	Sale or delivery, or possession with intent to sell, contraband legend drugs.
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127	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
128	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
129	784.075	3rd	Battery on detention or commitment facility staff.
130	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
131	784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
132	784.081(3)	3rd	Battery on specified official or employee.
133	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
134	784.083(3)	3rd	Battery on code inspector.
135	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.

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136	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
137	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
138	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
139	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
140	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
141	790.115 (2) (c)	3rd	Possessing firearm on school property.
142	800.04 (7) (d)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
143	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.

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144	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
145	810.06	3rd	Burglary; possession of tools.
146	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
147	812.014(2)(c)3	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
148	812.014(2)(c)4	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
149	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
150	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
151	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
152	817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.

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153	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
154	837.02 (1)	3rd	Perjury in official proceedings.
155	837.021 (1)	3rd	Make contradictory statements in official proceedings.
156	838.022	3rd	Official misconduct.
157	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
158	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Family Services.
159	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
160	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
161	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).

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162

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

163

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).

164

914.14 (2) 3rd Witnesses accepting bribes.

165

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

166

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

167

918.12 3rd Tampering with jurors.

168

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

169

170 (f) LEVEL 6

171

Florida	Felon	Description
Statute	y	
	Degree	
	e	

172

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173	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
174	499.0051 (3)	2nd	Forgery of pedigree papers.
175	499.0051 (4)	2nd	Purchase or receipt of legend drug from unauthorized person.
176	499.0051 (5)	2nd	Sale of legend drug to unauthorized person.
177	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
178	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
179	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
180	784.041	3rd	Felony battery; domestic battery by strangulation.
181	784.048 (3)	3rd	Aggravated stalking; credible threat.
182	784.048 (5)	3rd	Aggravated stalking of person under 16.
	784.07 (2) (c)	2nd	Aggravated assault on law enforcement

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officer, firefighter, intake officer,
etc.

183

784.074 (1) (b) 2nd Aggravated assault on sexually violent predators facility staff.

184

784.08 (2) (b) 2nd Aggravated assault on a person 65 years of age or older.

185

784.081 (2) 2nd Aggravated assault on specified official or employee.

186

784.082 (2) 2nd Aggravated assault by detained person on visitor or other detainee.

187

784.083 (2) 2nd Aggravated assault on code inspector.

188

787.02 (2) 3rd False imprisonment; restraining with purpose other than those in s. 787.01.

189

790.115 (2) (d) 2nd Discharging firearm or weapon on school property.

190

790.161 (2) 2nd Make, possess, or throw destructive device with intent to do bodily harm or damage property.

191

790.164 (1) 2nd False report of deadly explosive, weapon

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of mass destruction, or act of arson or violence to state property.

192

790.19 2nd Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.

193

794.011(8)(a) 3rd Solicitation of minor to participate in sexual activity by custodial adult.

194

794.05(1) 2nd Unlawful sexual activity with specified minor.

195

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.

196

800.04(6)(b) 2nd Lewd or lascivious conduct; offender 18 years of age or older.

197

806.031(2) 2nd Arson resulting in great bodily harm to firefighter or any other person.

198

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

199

812.014(2)(b)1. 2nd Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.

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200	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
201	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
202	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
203	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
204	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
205	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
206	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
207	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
208	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.

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209	825.103 (2) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
210	827.03 (1)	3rd	Abuse of a child.
211	827.03 (3) (c)	3rd	Neglect of a child.
212	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
213	836.05	2nd	Threats; extortion.
214	836.10	2nd	Written threats to kill or do bodily injury.
215	843.12	3rd	Aids or assists person to escape.
216	847.0135 (2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
217	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
218	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.

219

944.40 2nd Escapes.

220

944.46 3rd Harboring, concealing, aiding escaped
 prisoners.

221

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

222

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

223

224 (g) LEVEL 7

225

Florida	Felon	Description
Statute	y	
	Degree	
	e	

226

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

227

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

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228	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.
229	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
230	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
231	409.920 (2)	3rd	Medicaid provider fraud.
232	456.065 (2)	3rd	Practicing a health care profession without a license.
233	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
234	458.327 (1)	3rd	Practicing medicine without a license.
235	459.013 (1)	3rd	Practicing osteopathic medicine without

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a license.

236

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

237

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

238

462.17 3rd Practicing naturopathy without a license.

239

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

240

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

241

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

242

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

243

467.201 3rd Practicing midwifery without a license.

244

468.366 3rd Delivering respiratory care services without a license.

245

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

246

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247	483.901(9)	3rd	Practicing medical physics without a license.
248	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
249	484.053	3rd	Dispensing hearing aids without a license.
250	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.
251	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
252	560.125(5)(a)	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
253	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

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254	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
255	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
256	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
257	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
258	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
259	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
260	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

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261

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

262

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

263

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

264

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

265

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

266

784.07 (2) (d) 1st Aggravated battery on law enforcement officer, firefighter, intake officer, etc.

267

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

268

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

269

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

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270	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
271	784.083 (1)	1st	Aggravated battery on code inspector.
272	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
273	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
274	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
275	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
276	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
277	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

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278	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.
279	796.03	2nd	Procuring any person under 16 years for prostitution.
280	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
281	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.
282	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
283	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
284	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
285	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.

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286	810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
287	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.
288	812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
289	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
290	812.014(2)(b)4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
291	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
292	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
293	812.131(2)(a)	2nd	Robbery by sudden snatching.

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294	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
295	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
296	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
297	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
298	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.
299	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
300	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.
	827.03 (3) (b)	2nd	Neglect of a child causing great bodily

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harm, disability, or disfigurement.

301

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

302

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

303

838.015 2nd Bribery.

304

838.016 2nd Unlawful compensation or reward for official behavior.

305

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

306

838.22 2nd Bid tampering.

307

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

308

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

309

872.06 2nd Abuse of a dead human body.

310

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.

311 893.13(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.

312 893.13(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).

313 893.135(1)(a)1. 1st Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

314 893.135(1)(b)1. 1st Trafficking in cocaine, more than 28 a. grams, less than 200 grams.

315 893.135(1)(c)1. 1st Trafficking in illegal drugs, more than a. 4 grams, less than 14 grams.

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317	893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
318	893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
319	893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
320	893.135(1)(g)1. a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
321	893.135(1)(h)1. a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
322	893.135(1)(j)1. a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
323	893.135(1)(k)2. a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
324	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 requirements, financial transactions exceeding \$300

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but less than \$20,000.

325

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

326

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

327

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

328

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

329

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

330

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

331

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

332

944.607(12) 3rd Failure to report or providing false

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information about a sexual offender;
harbor or conceal a sexual offender.

333

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

334

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

335

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

336

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

337

338 Section 5. Paragraph (b) of subsection (3) of section
339 943.051, Florida Statutes, is amended to read:

340 943.051 Criminal justice information; collection and
341 storage; fingerprinting.--

342 (3)

343 (b) A minor who is charged with or found to have committed
344 the following offenses shall be fingerprinted and the
345 fingerprints shall be submitted to the department:

346 1. Assault, as defined in s. 784.011.

347 2. Battery, as defined in s. 784.03.

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- 348 3. Carrying a concealed weapon, as defined in s.
- 349 790.01(1).
- 350 4. Unlawful use of destructive devices or bombs, as
- 351 defined in s. 790.1615(1).
- 352 5. Negligent treatment of children, as defined in s.
- 353 827.05.
- 354 6. Assault or battery on a law enforcement officer, a
- 355 firefighter, or other specified person ~~officers~~, as defined in
- 356 s. 784.07(2)(a) and (b).
- 357 7. Open carrying of a weapon, as defined in s. 790.053.
- 358 8. Exposure of sexual organs, as defined in s. 800.03.
- 359 9. Unlawful possession of a firearm, as defined in s.
- 360 790.22(5).
- 361 10. Petit theft, as defined in s. 812.014(3).
- 362 11. Cruelty to animals, as defined in s. 828.12(1).
- 363 12. Arson, as defined in s. 806.031(1).
- 364 13. Unlawful possession or discharge of a weapon or
- 365 firearm at a school-sponsored event or on school property as
- 366 defined in s. 790.115.

367 Section 6. Paragraph (b) of subsection (1) of section
 368 985.11, Florida Statutes, is amended to read:

369 985.11 Fingerprinting and photographing.--

370 (1)

371 (b) A child who is charged with or found to have committed
 372 one of the following offenses shall be fingerprinted, and the
 373 fingerprints shall be submitted to the Department of Law
 374 Enforcement as provided in s. 943.051(3)(b):

- 375 1. Assault, as defined in s. 784.011.

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- 376 2. Battery, as defined in s. 784.03.
- 377 3. Carrying a concealed weapon, as defined in s.
- 378 790.01(1).
- 379 4. Unlawful use of destructive devices or bombs, as
- 380 defined in s. 790.1615(1).
- 381 5. Negligent treatment of children, as defined in former
- 382 s. 827.05.
- 383 6. Assault on a law enforcement officer, a firefighter, or
- 384 other specified person ~~officers~~, as defined in s. 784.07(2)(a).
- 385 7. Open carrying of a weapon, as defined in s. 790.053.
- 386 8. Exposure of sexual organs, as defined in s. 800.03.
- 387 9. Unlawful possession of a firearm, as defined in s.
- 388 790.22(5).
- 389 10. Petit theft, as defined in s. 812.014.
- 390 11. Cruelty to animals, as defined in s. 828.12(1).
- 391 12. Arson, resulting in bodily harm to a firefighter, as
- 392 defined in s. 806.031(1).
- 393 13. Unlawful possession or discharge of a weapon or
- 394 firearm at a school-sponsored event or on school property as
- 395 defined in s. 790.115.

396

397 A law enforcement agency may fingerprint and photograph a child

398 taken into custody upon probable cause that such child has

399 committed any other violation of law, as the agency deems

400 appropriate. Such fingerprint records and photographs shall be

401 retained by the law enforcement agency in a separate file, and

402 these records and all copies thereof must be marked "Juvenile

403 Confidential." These records are not available for public

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404 disclosure and inspection under s. 119.07(1) except as provided
405 in ss. 943.053 and 985.04(2), but shall be available to other
406 law enforcement agencies, criminal justice agencies, state
407 attorneys, the courts, the child, the parents or legal
408 custodians of the child, their attorneys, and any other person
409 authorized by the court to have access to such records. In
410 addition, such records may be submitted to the Department of Law
411 Enforcement for inclusion in the state criminal history records
412 and used by criminal justice agencies for criminal justice
413 purposes. These records may, in the discretion of the court, be
414 open to inspection by anyone upon a showing of cause. The
415 fingerprint and photograph records shall be produced in the
416 court whenever directed by the court. Any photograph taken
417 pursuant to this section may be shown by a law enforcement
418 officer to any victim or witness of a crime for the purpose of
419 identifying the person who committed such crime.

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