

By Senator Oelrich

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1 A bill to be entitled
 2 An act relating to home-invasion robbery; amending s.
 3 812.135, F.S.; providing that if the victim of a home-
 4 invasion robbery is an elderly person or disabled
 5 adult, the perpetrator commits a felony of the first
 6 degree; providing criminal penalties; amending s.
 7 921.0022, F.S.; adding the offense to the offense
 8 severity ranking chart of the Criminal Punishment
 9 Code; providing an effective date.

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

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13 Section 1. Subsection (3) is added to section 812.135,
 14 Florida Statutes, to read:

15 812.135 Home-invasion robbery.—

16 (3) If the victim of a home-invasion robbery is an elderly
 17 person or disabled adult as defined in s. 825.101, the person
 18 commits a felony of the first degree, punishable as provided in
 19 s. 775.082, s. 775.083, or s. 775.084.

20 Section 2. Paragraph (i) of subsection (3) of section
 21 921.0022, Florida Statutes, is amended to read:

22 921.0022 Criminal Punishment Code; offense severity ranking
 23 chart.—

24 (3) OFFENSE SEVERITY RANKING CHART

25 (i) LEVEL 9

Florida	Felony	
Statute	Degree	Description
316.193(3)(c)3.b.	1st	DUI manslaughter; failing to render aid

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or give information.

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

499.0051(9) 1st Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.

560.123(8)(b)3. 1st Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.

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

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

775.0844 1st Aggravated white collar crime.

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,

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burglary, and other specified felonies.

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

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

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

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

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

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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.

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790.161 1st Attempted capital destructive device
offense.

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790.166(2) 1st,PBL Possessing, selling, using, or

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attempting to use a weapon of mass
destruction.

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

794.011(2) Life Sexual battery; offender younger than 18
years and commits sexual battery on a
person less than 12 years.

794.011(4) 1st Sexual battery; victim 12 years or
older, certain circumstances.

794.011(8)(b) 1st Sexual battery; engage in sexual conduct
with minor 12 to 18 years by person in
familial or custodial authority.

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 18 years or
older.

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

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

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

812.135 (3) 1st Home-invasion robbery of elderly person or disabled adult.

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.

827.03 (2) 1st Aggravated child abuse.

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

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

859.01 1st Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.

893.135 1st Attempted capital trafficking offense.

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

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10,000 lbs.

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

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

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

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

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

893.135 (1) (h) 1.c. 1st Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.

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

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

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

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

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Section 3. This act shall take effect July 1, 2009.