

1 A bill to be entitled
 2 An act relating to the 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 a
 12 provision; 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. 812.13-812.135.--As used in ss.
 19 812.13-812.135, 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

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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

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

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77	499.0051 (5)	2nd	Knowing sale or transfer of prescription 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.
86	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.

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87	784.081 (2)	2nd	Aggravated assault on specified official or employee.
88	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
89	784.083 (2)	2nd	Aggravated assault on code inspector.
90	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
91	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
92	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
93	790.164 (1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
94	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
95	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.

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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.
103	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or

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104			more; coordination of others.
	812.13(2)(c)	2nd	Robbery, no firearm, <u>deadly weapon</u> , or other weapon, <u>or hoax firearm</u> (strong- arm robbery).
105			
	817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
106			
	817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
107			
	825.102(1)	3rd	Abuse of an elderly person or disabled adult.
108			
	825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
109			
	825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
110			
	825.103(2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
111			
	827.03(1)	3rd	Abuse of a child.
112			

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113	827.03(3)(c)	3rd	Neglect of a child.
114	827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
115	836.05	2nd	Threats; extortion.
116	836.10	2nd	Written threats to kill or do bodily injury.
117	843.12	3rd	Aids or assists person to escape.
118	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
119	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
120	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
121	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.

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122

944.35 (3) (a) 2. 3rd Committing malicious battery upon or
inflicting cruel or inhuman treatment on
an inmate or offender on community
supervision, resulting in great bodily
harm.

123

944.40 2nd Escapes.

124

944.46 3rd Harboring, concealing, aiding escaped
prisoners.

125

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

126

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

127

(g) LEVEL 7

128

Florida	Felony	Description
Statute	Degree	

129

316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
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130

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

131

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.

132

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

133

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

134

409.920 (2) 3rd Medicaid provider fraud.

135

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

136

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

137

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138	458.327 (1)	3rd	Practicing medicine without a license.
139	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
140	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
141	461.012 (1)	3rd	Practicing podiatric medicine without a license.
142	462.17	3rd	Practicing naturopathy without a license.
143	463.015 (1)	3rd	Practicing optometry without a license.
144	464.016 (1)	3rd	Practicing nursing without a license.
145	465.015 (2)	3rd	Practicing pharmacy without a license.
146	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
	467.201	3rd	Practicing midwifery without a

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license.

147

468.366 3rd Delivering respiratory care services without a license.

148

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

149

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

150

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

151

484.053 3rd Dispensing hearing aids without a license.

152

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.

153

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

154

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155	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
156	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
157	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
158	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
159	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
160	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

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161	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
162	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
163	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
164	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
165	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
166	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
167	784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
	784.048(7)	3rd	Aggravated stalking; violation of

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court order.

168

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

169

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

170

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

171

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

172

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

173

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

174

790.07(4) 1st Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).

175

790.16(1) 1st Discharge of a machine gun under specified circumstances.

176

790.165(2) 2nd Manufacture, sell, possess, or

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deliver hoax bomb.

177

790.165 (3)

2nd

Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.

178

790.166 (3)

2nd

Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

179

790.166 (4)

2nd

Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

180

790.23

1st, PBL

Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

181

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.

182

796.03

2nd

Procuring any person under 16 years

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for prostitution.

183

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

184

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.

185

806.01 (2) 2nd Maliciously damage structure by fire
or explosive.

186

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

187

810.02 (3) (b) 2nd Burglary of unoccupied dwelling;
unarmed; no assault or battery.

188

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

189

810.02 (3) (e) 2nd Burglary of authorized emergency
vehicle.

190

812.014 (2) (a) 1. 1st Property stolen, valued at \$100,000

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or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.

191 812.014 (2) (b) 2. 2nd Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

192 812.014 (2) (b) 3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.

193 812.014 (2) (b) 4. 2nd Property stolen, law enforcement equipment from authorized emergency vehicle.

194 812.0145 (2) (a) 1st Theft from person 65 years of age or older; \$50,000 or more.

195 812.019 (2) 1st Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

196 812.131 (2) (a) 2nd Robbery by sudden snatching.

197 812.133 (2) (b) 1st Carjacking; no firearm, deadly

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weapon, ~~or~~ other weapon, or hoax
firearm.

198

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

199

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

200

817.234 (11) (c) 1st Insurance fraud; property value
\$100,000 or more.

201

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

202

825.102 (3) (b) 2nd Neglecting an elderly person or
disabled adult causing great bodily
harm, disability, or disfigurement.

203

825.103 (2) (b) 2nd Exploiting an elderly person or
disabled adult and property is valued

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at \$20,000 or more, but less than \$100,000.

204

827.03 (3) (b) 2nd Neglect of a child causing great bodily harm, disability, or disfigurement.

205

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

206

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

207

838.015 2nd Bribery.

208

838.016 2nd Unlawful compensation or reward for official behavior.

209

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

210

838.22 2nd Bid tampering.

211

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

212

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213	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
214	872.06	2nd	Abuse of a dead human body.
215	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
216	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.
217	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.

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218	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).
219	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
220	893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
221	893.135(1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
222	893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
223	893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
224	893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
225	893.135(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
	893.135(1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric

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acid (GHB), 1 kilogram or more, less than 5 kilograms.

226

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

227

893.135(1)(k)2.a. 1st Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

228

893.1351(2) 2nd Possession of place for trafficking in or manufacturing of controlled substance.

229

896.101(5)(a) 3rd Money laundering, financial transactions exceeding \$300 but less than \$20,000.

230

896.104(4)(a)1. 3rd Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

231

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

232

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233	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
234	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
235	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
236	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
237	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
238	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
239	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
	944.607 (13)	3rd	Sexual offender; failure to report

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and reregister; failure to respond to address verification.

240

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

241

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

242

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

243

244 (h) LEVEL 8

245

Florida	Felony	Description
Statute	Degree	

246

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

247

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

248

327.35(3)(c)3. 2nd Vessel BUI manslaughter.

249

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250	499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
251	499.0051 (8)	1st	Knowing forgery of prescription labels or prescription drug labels.
252	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.
253	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.
254	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
255	777.03 (2) (a)	1st	Accessory after the fact, capital felony.
	782.04 (4)	2nd	Killing of human without design when engaged in act or attempt of any

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felony other than arson, sexual battery, robbery, burglary, kidnapping, aircraft piracy, or unlawfully discharging bomb.

256

782.051 (2) 1st Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).

257

782.071 (1) (b) 1st Committing vehicular homicide and failing to render aid or give information.

258

782.072 (2) 1st Committing vessel homicide and failing to render aid or give information.

259

790.161 (3) 1st Discharging a destructive device which results in bodily harm or property damage.

260

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

261

794.08 (3) 2nd Female genital mutilation, removal of

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a victim younger than 18 years of age
from this state.

262

800.04 (4) 2nd Lewd or lascivious battery.

263

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

264

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

265

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

266

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

267

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

268

812.13 (2) (b) 1st Robbery with a weapon.

269

812.135 (2) (c) 1st Home-invasion robbery, no firearm,
deadly weapon, ~~or~~ other weapon, or
hoax firearm.

270

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271	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
272	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
273	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
274	825.103 (2) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.
275	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
276	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
277	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
278	860.16	1st	Aircraft piracy.

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279	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).
280	893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
281	893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
282	893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
283	893.135(1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
284	893.135(1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
285	893.135(1)(d)1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
286	893.135(1)(e)1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.

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287	893.135(1)(f)1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
288	893.135(1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
289	893.135(1)(h)1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
290	893.135(1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
291	893.135(1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
292	893.1351(3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
293	895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
	895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real

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property.

294

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

295

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

296

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.

297

298 (i) LEVEL 9

299

Florida	Felony	Description
Statute	Degree	

300

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

301

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

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303	499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
304	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
305	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
306	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
307	775.0844	1st	Aggravated white collar crime.
308	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
309	782.04 (3)	1st, PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.

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310	782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
311	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
312	787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
313	787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
314	787.01(1)(a)4.	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
315	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.
316	790.161	1st	Attempted capital destructive device offense.

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317	790.166 (2)	1st, PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
318	794.011 (2)	1st	Attempted sexual battery; victim less than 12 years of age.
319	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
320	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
321	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
322	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
323	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

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weapon or hoax firearm.

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

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

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.

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332	893.135	1st	Attempted capital trafficking offense.
333	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
334	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
335	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
336	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
337	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
338	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
339	893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
340	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.

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341	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
342	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
343	896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
344	(j)	LEVEL 10	
345	Florida Statute	Felony Degree	Description
346	499.0051 (10)	1st	Knowing sale or purchase of contraband prescription drugs resulting in death.
347	782.04 (2)	1st, PBL	Unlawful killing of human; act is homicide, unpremeditated.
348	787.01 (1) (a) 3.	1st, PBL	Kidnapping; inflict bodily harm upon or terrorize victim.
349	787.01 (3) (a)	Life	Kidnapping; child under age 13,

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perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.

350

782.07(3) 1st Aggravated manslaughter of a child.

351

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.

352

812.135(2)(a) 1st,PBL Home-invasion robbery with firearm or other deadly weapon or hoax firearm.

353

876.32 1st Treason against the state.

354

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

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

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

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

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Section 7. This act shall take effect October 1, 2009.