



504458

LEGISLATIVE ACTION

Senate	.	House
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The Committee on Environmental Preservation and Conservation (Rich) recommended the following:

1           **Senate Amendment to Amendment (252812) (with title**  
2 **amendment)**

3  
4           Delete line 86

5 and insert:

6           Section 2. Section 784.07, Florida Statutes, is amended to  
7 read:

8           784.07 Assault or battery of law enforcement officers,  
9 firefighters, emergency medical care providers, public transit  
10 employees or agents, or other specified persons ~~officers~~;  
11 reclassification of offenses; minimum sentences.-

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



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13           (a) "Law enforcement officer" includes a law enforcement  
14 officer, a correctional officer, a correctional probation  
15 officer, a part-time law enforcement officer, a part-time  
16 correctional officer, an auxiliary law enforcement officer, and  
17 an auxiliary correctional officer, as those terms are  
18 respectively defined in s. 943.10, and any county probation  
19 officer; an employee or agent of the Department of Corrections  
20 who supervises or provides services to inmates; an officer of  
21 the Parole Commission; a federal law enforcement officer as  
22 defined in s. 901.1505; and law enforcement personnel of the  
23 Fish and Wildlife Conservation Commission, the Department of  
24 Environmental Protection, or the Department of Law Enforcement.

25           (b) "Firefighter" means any person employed by any public  
26 employer of this state whose duty it is to extinguish fires; to  
27 protect life or property; or to enforce municipal, county, and  
28 state fire prevention codes, as well as any law pertaining to  
29 the prevention and control of fires.

30           (c) "Emergency medical care provider" means an ambulance  
31 driver, emergency medical technician, paramedic, registered  
32 nurse, physician as defined in s. 401.23, medical director as  
33 defined in s. 401.23, or any person authorized by an emergency  
34 medical service licensed under chapter 401 who is engaged in the  
35 performance of his or her duties. The term "emergency medical  
36 care provider" also includes physicians, employees, agents, or  
37 volunteers of hospitals as defined in chapter 395, who are  
38 employed, under contract, or otherwise authorized by a hospital  
39 to perform duties directly associated with the care and  
40 treatment rendered by the hospital's emergency department or the  
41 security thereof.



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42           (d) Ocean lifeguard means a lifeguard employed along the  
43 coastal or intracoastal beaches and shores of the state to help  
44 prevent injury or drowning of persons.

45           (e)~~(d)~~ "Public transit employees or agents" means bus  
46 operators, train operators, revenue collectors, security  
47 personnel, equipment maintenance personnel, or field  
48 supervisors, who are employees or agents of a transit agency as  
49 described in s. 812.015(1)(l).

50           (2) Whenever any person is charged with knowingly  
51 committing an assault or battery upon a law enforcement officer,  
52 a firefighter, an emergency medical care provider, a traffic  
53 accident investigation officer as described in s. 316.640, a  
54 nonsworn law enforcement agency employee who is certified as an  
55 agency inspector, blood alcohol analyst, or a breath test  
56 operator while such employee is in uniform and engaged in  
57 processing, testing, evaluating, analyzing, or transporting a  
58 person who is detained or under arrest for DUI, a traffic  
59 infraction enforcement officer as described in s. 316.640, a  
60 parking enforcement specialist as defined in s. 316.640, a  
61 person licensed as a security officer as defined in s. 493.6101  
62 and wearing a uniform that bears at least one patch or emblem  
63 that is visible at all times that clearly identifies the  
64 employing agency and that clearly identifies the person as a  
65 licensed security officer, ~~or~~ a security officer employed by the  
66 board of trustees of a community college, or an ocean lifeguard,  
67 while the officer, firefighter, emergency medical care provider,  
68 intake officer, traffic accident investigation officer, traffic  
69 infraction enforcement officer, inspector, analyst, operator,  
70 parking enforcement specialist, public transit employee or



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71 agent, ~~or~~ security officer, or ocean lifeguard is engaged in the  
72 lawful performance of his or her duties, the offense for which  
73 the person is charged shall be reclassified as follows:

74 (a) In the case of assault, from a misdemeanor of the  
75 second degree to a misdemeanor of the first degree.

76 (b) In the case of battery, from a misdemeanor of the first  
77 degree to a felony of the third degree.

78 (c) In the case of aggravated assault, from a felony of the  
79 third degree to a felony of the second degree. Notwithstanding  
80 any other ~~provision of~~ law, any person convicted of aggravated  
81 assault upon a law enforcement officer shall be sentenced to a  
82 minimum term of imprisonment of 3 years.

83 (d) In the case of aggravated battery, from a felony of the  
84 second degree to a felony of the first degree. Notwithstanding  
85 any other ~~provision of~~ law, any person convicted of aggravated  
86 battery of a law enforcement officer shall be sentenced to a  
87 minimum term of imprisonment of 5 years.

88 (3) Any person who is convicted of a battery under  
89 paragraph (2)(b) and, during the commission of the offense, the  
90 ~~such~~ person possessed:

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

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

98  
99 Notwithstanding s. 948.01, adjudication of guilt or imposition



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100 of sentence shall not be suspended, deferred, or withheld, and  
101 the defendant is not eligible for statutory gain-time under s.  
102 944.275 or any form of discretionary early release, other than  
103 pardon or executive clemency, or conditional medical release  
104 under s. 947.149, prior to serving the minimum sentence.

105 Section 3. Paragraph (a) of subsection (3) of section  
106 435.04, Florida Statutes, is amended to read:

107 435.04 Level 2 screening standards.—

108 (3) The security background investigations conducted under  
109 this section for employees of the Department of Juvenile Justice  
110 must ensure that no persons subject to the provisions of this  
111 section have been found guilty of, regardless of adjudication,  
112 or entered a plea of nolo contendere or guilty to, any offense  
113 prohibited under any of the following provisions of the Florida  
114 Statutes or under any similar statute of another jurisdiction:

115 (a) Section 784.07, relating to assault or battery of law  
116 enforcement officers, firefighters, emergency medical care  
117 providers, public transit employees or agents, or other  
118 specified persons ~~officers~~.

119  
120 The Department of Juvenile Justice may not remove a  
121 disqualification from employment or grant an exemption to any  
122 person who is disqualified under this section for any offense  
123 disposed of during the most recent 7-year period.

124 Section 4. Subsection (15) of section 901.15, Florida  
125 Statutes, is amended to read:

126 901.15 When arrest by officer without warrant is lawful.—A  
127 law enforcement officer may arrest a person without a warrant  
128 when:



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129 (15) There is probable cause to believe that the person has  
130 committed assault upon a law enforcement officer, a firefighter,  
131 an emergency medical care provider, public transit employee  
132 ~~employees~~ or agent ~~agents~~, or other specified persons ~~officers~~  
133 as set forth in s. 784.07 or has committed assault or battery  
134 upon any employee of a receiving facility as defined in s.  
135 394.455 who is engaged in the lawful performance of his or her  
136 duties.

137 Section 5. For the purpose of incorporating the amendment  
138 made by this act to section 784.07, Florida Statutes, in a  
139 reference thereto, paragraph (d) of subsection (3) of section  
140 921.0022, Florida Statutes, is reenacted, and paragraphs (f) and  
141 (g) of that subsection are amended, to read:

142 921.0022 Criminal Punishment Code; offense severity ranking  
143 chart.—

144 (3) OFFENSE SEVERITY RANKING CHART

145 (d) LEVEL 4

Florida Statute	Felony Degree	Description
146 316.1935(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.
147 499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.

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149	499.0051(2)	3rd	Failure to authenticate pedigree papers.
150	499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
151	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
152	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
153	784.075	3rd	Battery on detention or commitment facility staff.
154	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
155	784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
156	784.081(3)	3rd	Battery on specified official or employee.
157	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
	784.083(3)	3rd	Battery on code inspector.



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158	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
159	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
160	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
161	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
162	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
163	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
164	790.115(2)(c)	3rd	Possessing firearm on school property.
165	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
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167 810.02(4)(a) 3rd Burglary, or attempted burglary, of an  
unoccupied structure; unarmed; no  
assault or battery.

168 810.02(4)(b) 3rd Burglary, or attempted burglary, of an  
unoccupied conveyance; unarmed; no  
assault or battery.

169 810.06 3rd Burglary; possession of tools.

170 810.08(2)(c) 3rd Trespass on property, armed with firearm  
or dangerous weapon.

171 812.014(2)(c)3. 3rd Grand theft, 3rd degree \$10,000 or more  
but less than \$20,000.

172 812.014(2)(c)4.- 3rd Grand theft, 3rd degree, a will,  
10. firearm, motor vehicle, livestock, etc.

173 812.0195(2) 3rd Dealing in stolen property by use of the  
Internet; property stolen \$300 or more.

174 817.563(1) 3rd Sell or deliver substance other than  
controlled substance agreed upon,  
excluding s. 893.03(5) drugs.

175 817.568(2)(a) 3rd Fraudulent use of personal  
identification information.



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176	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
177	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
178	837.02 (1)	3rd	Perjury in official proceedings.
179	837.021 (1)	3rd	Make contradictory statements in official proceedings.
180	838.022	3rd	Official misconduct.
181	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
182	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Family Services.
183	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
184	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond



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jumping).

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847.0135(5)(c) 3rd Lewd or lascivious exhibition using  
computer; offender less than 18 years.

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

187

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).

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914.14(2) 3rd Witnesses accepting bribes.

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

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

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918.12 3rd Tampering with jurors.

192

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

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195 (f) LEVEL 6

Florida Felony  
Statute Degree

Description



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196	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
197	499.0051 (3)	2nd	Knowing forgery of pedigree papers.
198	499.0051 (4)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
199	499.0051 (5)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
200	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
201	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
202	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
203	784.041	3rd	Felony battery; domestic battery by strangulation.
204	784.048 (3)	3rd	Aggravated stalking; credible threat.
205	784.048 (5)	3rd	Aggravated stalking of person under 16.
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207	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer, <u>firefighter, intake officer, etc.</u>
208	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
209	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
210	784.081 (2)	2nd	Aggravated assault on specified official or employee.
211	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
212	784.083 (2)	2nd	Aggravated assault on code inspector.
213	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
214	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
215	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
	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.

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

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

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

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.

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

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

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

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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225	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
226	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
227	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
228	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
229	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
230	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
231	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
232	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
233	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 disabled



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

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827.03(1) 3rd Abuse of a child.

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

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

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836.05 2nd Threats; extortion.

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

239

843.12 3rd Aids or assists person to escape.

240

847.011 3rd Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.

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847.012 3rd Knowingly using a minor in the production of materials harmful to minors.

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





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243	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
244	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.
245	944.40	2nd	Escapes.
246	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
247	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
248	951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
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251	(g) LEVEL 7		
	Florida	Felony	
	Statute	Degree	Description
252	316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.



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253 316.193 (3) (c) 2. 3rd DUI resulting in serious bodily injury.  
254 316.1935 (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.  
255 327.35 (3) (c) 2. 3rd Vessel BUI resulting in serious bodily  
injury.  
256 402.319 (2) 2nd Misrepresentation and negligence or  
intentional act resulting in great  
bodily harm, permanent disfiguration,  
permanent disability, or death.  
257 409.920 (2) 3rd Medicaid provider fraud.  
258 456.065 (2) 3rd Practicing a health care profession  
without a license.  
259 456.065 (2) 2nd Practicing a health care profession  
without a license which results in  
serious bodily injury.  
260 458.327 (1) 3rd Practicing medicine without a license.  
261



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262	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
263	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
264	461.012 (1)	3rd	Practicing podiatric medicine without a license.
265	462.17	3rd	Practicing naturopathy without a license.
266	463.015 (1)	3rd	Practicing optometry without a license.
267	464.016 (1)	3rd	Practicing nursing without a license.
268	465.015 (2)	3rd	Practicing pharmacy without a license.
269	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
270	467.201	3rd	Practicing midwifery without a license.
271	468.366	3rd	Delivering respiratory care services without a license.
272	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.



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273	483.901(9)	3rd	Practicing medical physics without a license.
274	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
275	484.053	3rd	Dispensing hearing aids without a license.
276	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.
277	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.
278	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
279	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver's license or



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identification card; other registration violations.

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

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

282

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

283

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

284

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

285

782.072 2nd Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

286

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



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287	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
288	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
289	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
290	784.048 (7)	3rd	Aggravated stalking; violation of court order.
291	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer, <u>firefighter, intake officer,</u> <u>etc.</u>
292	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
293	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
294	784.081 (1)	1st	Aggravated battery on specified official or employee.
295	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
296	784.083 (1)	1st	Aggravated battery on code inspector.



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297	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
298	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
299	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
300	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
301	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
302	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
303	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
304	794.08(4)	3rd	Female genital mutilation; consent by a



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parent, guardian, or a person in  
custodial authority to a victim younger  
than 18 years of age.

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

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

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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.

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

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

310

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

311

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

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





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313 812.014(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.

314 812.014(2)(b)2. 2nd Property stolen, cargo valued at less  
than \$50,000, grand theft in 2nd degree.

315 812.014(2)(b)3. 2nd Property stolen, emergency medical  
equipment; 2nd degree grand theft.

316 812.014(2)(b)4. 2nd Property stolen, law enforcement  
equipment from authorized emergency  
vehicle.

317 812.0145(2)(a) 1st Theft from person 65 years of age or  
older; \$50,000 or more.

318 812.019(2) 1st Stolen property; initiates, organizes,  
plans, etc., the theft of property and  
traffics in stolen property.

319 812.131(2)(a) 2nd Robbery by sudden snatching.

320 812.133(2)(b) 1st Carjacking; no firearm, deadly weapon,  
or other weapon.

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

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

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

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817.2341 (2) (b) 1st Making false entries of material fact or & (3) (b) false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.

326

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

327

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.

328

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

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



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older.

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

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838.015 2nd Bribery.

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838.016 2nd Unlawful compensation or reward for official behavior.

332

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

333

838.22 2nd Bid tampering.

334

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

335

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

336

872.06 2nd Abuse of a dead human body.

337

874.10 1st,PBL Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

338

893.13(1)(c)1. 1st Sell, manufacture, or deliver cocaine



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(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.

339

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.

340

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).

341

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

342

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

343

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

344

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



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28 grams, less than 200 grams.

345

893.135(1)(e)1. 1st Trafficking in methaqualone, more than  
200 grams, less than 5 kilograms.

346

893.135(1)(f)1. 1st Trafficking in amphetamine, more than 14  
grams, less than 28 grams.

347

893.135(1)(g)1.a. 1st Trafficking in flunitrazepam, 4 grams  
or more, less than 14 grams.

348

893.135(1)(h)1.a. 1st Trafficking in gamma-hydroxybutyric  
acid (GHB), 1 kilogram or more, less  
than 5 kilograms.

349

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

350

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

351

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

352

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

353



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- 354 896.104(4)(a)1. 3rd Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
- 355 943.0435(4)(c) 2nd Sexual offender vacating permanent residence; failure to comply with reporting requirements.
- 356 943.0435(8) 2nd Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
- 357 943.0435(9)(a) 3rd Sexual offender; failure to comply with reporting requirements.
- 358 943.0435(13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
- 359 943.0435(14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.
- 360 944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.
- 944.607(10)(a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.



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- 361 944.607(12) 3rd Failure to report or providing false  
information about a sexual offender;  
harbor or conceal a sexual offender.
- 362 944.607(13) 3rd Sexual offender; failure to report and  
reregister; failure to respond to  
address verification.
- 363 985.4815(10) 3rd Sexual offender; failure to submit to  
the taking of a digitized photograph.
- 364 985.4815(12) 3rd Failure to report or providing false  
information about a sexual offender;  
harbor or conceal a sexual offender.
- 365 985.4815(13) 3rd Sexual offender; failure to report and  
reregister; failure to respond to  
address verification.

366  
367  
368 Section 6. Paragraph (b) of subsection (3) of section  
369 943.051, Florida Statutes, is amended to read:

370 943.051 Criminal justice information; collection and  
371 storage; fingerprinting.-

372 (3)

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



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- 376 1. Assault, as defined in s. 784.011.  
377 2. Battery, as defined in s. 784.03.  
378 3. Carrying a concealed weapon, as defined in s. 790.01(1).  
379 4. Unlawful use of destructive devices or bombs, as defined  
380 in s. 790.1615(1).  
381 5. Negligent treatment of children, as defined in s.  
382 827.05.  
383 6. Assault or battery on a law enforcement officer, a  
384 firefighter, or other specified person ~~officers~~, as defined in  
385 s. 784.07(2)(a) and (b).  
386 7. Open carrying of a weapon, as defined in s. 790.053.  
387 8. Exposure of sexual organs, as defined in s. 800.03.  
388 9. Unlawful possession of a firearm, as defined in s.  
389 790.22(5).  
390 10. Petit theft, as defined in s. 812.014(3).  
391 11. Cruelty to animals, as defined in s. 828.12(1).  
392 12. Arson, as defined in s. 806.031(1).  
393 13. Unlawful possession or discharge of a weapon or firearm  
394 at a school-sponsored event or on school property as defined in  
395 s. 790.115.  
396 Section 7. Paragraph (b) of subsection (1) of section  
397 985.11, Florida Statutes, is amended to read:  
398 985.11 Fingerprinting and photographing.—  
399 (1)  
400 (b) A child who is charged with or found to have committed  
401 one of the following offenses shall be fingerprinted, and the  
402 fingerprints shall be submitted to the Department of Law  
403 Enforcement as provided in s. 943.051(3)(b):  
404 1. Assault, as defined in s. 784.011.





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- 405           2. Battery, as defined in s. 784.03.
- 406           3. Carrying a concealed weapon, as defined in s. 790.01(1).
- 407           4. Unlawful use of destructive devices or bombs, as defined
- 408 in s. 790.1615(1).
- 409           5. Negligent treatment of children, as defined in former s.
- 410 827.05.
- 411           6. Assault on a law enforcement officer, a firefighter, or
- 412 other specified person ~~officers~~, as defined in s. 784.07(2)(a).
- 413           7. Open carrying of a weapon, as defined in s. 790.053.
- 414           8. Exposure of sexual organs, as defined in s. 800.03.
- 415           9. Unlawful possession of a firearm, as defined in s.
- 416 790.22(5).
- 417           10. Petit theft, as defined in s. 812.014.
- 418           11. Cruelty to animals, as defined in s. 828.12(1).
- 419           12. Arson, resulting in bodily harm to a firefighter, as
- 420 defined in s. 806.031(1).
- 421           13. Unlawful possession or discharge of a weapon or firearm
- 422 at a school-sponsored event or on school property as defined in
- 423 s. 790.115.
- 424
- 425 A law enforcement agency may fingerprint and photograph a child
- 426 taken into custody upon probable cause that the ~~such~~ child has
- 427 committed any other violation of law, as the agency deems
- 428 appropriate. Such fingerprint records and photographs shall be
- 429 retained by the law enforcement agency in a separate file, and
- 430 these records and all copies thereof must be marked "Juvenile
- 431 Confidential." These records are not available for public
- 432 disclosure and inspection under s. 119.07(1) except as provided
- 433 in ss. 943.053 and 985.04(2), but shall be available to other



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434 law enforcement agencies, criminal justice agencies, state  
435 attorneys, the courts, the child, the parents or legal  
436 custodians of the child, their attorneys, and any other person  
437 authorized by the court to have access to such records. In  
438 addition, such records may be submitted to the Department of Law  
439 Enforcement for inclusion in the state criminal history records  
440 and used by criminal justice agencies for criminal justice  
441 purposes. These records may, in the discretion of the court, be  
442 open to inspection by anyone upon a showing of cause. The  
443 fingerprint and photograph records shall be produced in the  
444 court whenever directed by the court. Any photograph taken  
445 pursuant to this section may be shown by a law enforcement  
446 officer to any victim or witness of a crime for the purpose of  
447 identifying the person who committed such crime.

448 Section 8. This act shall take effect July 1, 2009.

449  
450 ===== T I T L E A M E N D M E N T =====

451 And the title is amended as follows:

452  
453 Delete line 97

454 and insert:

455  
456 amending s. 784.07, F.S.; defining an "ocean  
457 lifeguard;"; providing enhanced penalties for an  
458 assault or battery on an ocean lifeguard while he or  
459 she is engaged in the lawful performance of his or her  
460 duties; amending ss. 435.04, 901.15, 943.051, and  
461 985.11, F.S.; conforming provisions; amending s.  
462 921.0022, F.S., and reenacting paragraph (3)(d),



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463 relating to the offense severity ranking chart, to  
464 incorporate the amendments made to s. 784.07, F.S., in  
465 a reference thereto; providing an effective date.