

1                                   A bill to be entitled  
 2       An act relating to home-invasion robbery; providing a  
 3       short title; amending s. 812.135, F.S.; providing  
 4       penalties for a home-invasion robbery in which a victim is  
 5       an elderly person; amending s. 921.0022, F.S.; ranking the  
 6       offense of home-invasion robbery with an elderly victim on  
 7       the offense severity ranking chart of the Criminal  
 8       Punishment Code; providing an effective date.

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

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 12           Section 1.   This act may be cited as the "Safe at Home  
 13   Act."

14           Section 2.   Section 812.135, Florida Statutes, is amended  
 15   to read:

16           812.135   Home-invasion robbery.--

17           (1)   "Home-invasion robbery" means any robbery that occurs  
 18   when the offender enters a dwelling with the intent to commit a  
 19   robbery, and does commit a robbery of the occupants therein.

20           (2) (a)   If in the course of committing the home-invasion  
 21   robbery the person carries a firearm or other deadly weapon, the  
 22   person commits a felony of the first degree, punishable by  
 23   imprisonment for a term of years not exceeding life imprisonment  
 24   as provided in s. 775.082, s. 775.083, or s. 775.084.

25           (b)   If in the course of committing the home-invasion  
 26   robbery the person carries a weapon, the person commits a felony  
 27   of the first degree, punishable as provided in s. 775.082, s.  
 28   775.083, or s. 775.084.

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29 (c) If in the course of committing the home-invasion  
 30 robbery the person carries no firearm, deadly weapon, or other  
 31 weapon, the person commits a felony of the first degree,  
 32 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

33 (d) If a victim of the home-invasion robbery is an elderly  
 34 person as defined in s. 825.101, the person commits a felony of  
 35 the first degree, punishable as provided in s. 775.082, s.  
 36 775.083, or s. 775.084.

37 Section 3. Paragraph (i) of subsection (3) of section  
 38 921.0022, Florida Statutes, is amended to read:

39 921.0022 Criminal Punishment Code; offense severity  
 40 ranking chart.--

41 (3) OFFENSE SEVERITY RANKING CHART

42 (i) LEVEL 9

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

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48	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
49	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
50	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
51	775.0844	1st	Aggravated white collar crime.
52	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
53	782.04 (3)	1st, PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
54	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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55	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
56	787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
57	787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
58	787.01(1)(a)4.	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
59	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.
60	790.161	1st	Attempted capital destructive device offense.
61	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.

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62	794.011 (2)	1st	Attempted sexual battery; victim less than 12 years of age.
63	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
64	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
65	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
66	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
67	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
68	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
69	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.

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70	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
71	<u>812.135 (2) (d)</u>	<u>1st</u>	<u>Home-invasion robbery with elderly victim.</u>
72	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.
73	827.03 (2)	1st	Aggravated child abuse.
74	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
75	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
76	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

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77	893.135 (1) (a) 3.	1st	offense.
78	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
79	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
80	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
81	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
82	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
83	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
84	893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
85	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.

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

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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 4. This act shall take effect July 1, 2009.