

By Senator Smith

29-01596-10

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1 A bill to be entitled
 2 An act relating to offenses committed on the grounds
 3 of a religious institution; creating s. 775.0865,
 4 F.S.; providing for the reclassification of the felony
 5 degree for a violation of the offense of burglary or
 6 theft when committed on the grounds of a religious
 7 institution; providing an effective date.

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

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11 Section 1. Section 775.0865, Florida Statutes, is created
12 to read:

13 775.0865 Offenses committed on the grounds of a religious
14 institution; reclassification.-

15 (1) For purposes of this section, the term "religious
16 institution" has the same meaning as provided in s. 496.404.

- 17 (2) The felony degree of any violation of:
 18 1. Section 810.02, relating to burglary; or
 19 2. Section 812.014, relating to theft,

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21 shall be reclassified as provided in this section if the offense
22 is committed on the grounds of a religious institution.

23 (3) (a) In the case of a felony of the third degree, the
24 offense is reclassified to a felony of the second degree.

25 (b) In the case of a felony of the second degree, the
26 offense is reclassified to a felony of the first degree.

27 (c) In the case of a felony of the first degree, the
28 offense is reclassified to a life felony.

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30 For purposes of sentencing under chapter 921 and determining
31 incentive gain-time eligibility under chapter 944, a felony
32 offense that is reclassified under this subsection is ranked one
33 level above the ranking under s. 921.0022 or s. 921.0023 of the
34 offense committed.

35 Section 2. This act shall take effect October 1, 2010.