

HB 641

2010

1 A bill to be entitled
 2 An act relating to schemes to defraud; amending s.
 3 921.0022, F.S.; reclassifying certain offenses relating to
 4 schemes to defraud on the Offense Severity Ranking chart
 5 for purposes of the Criminal Punishment Code; providing an
 6 effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Paragraphs (c), (d), (e), (f), and (g) of
 11 subsection (3) of section 921.0022, Florida Statutes, are
 12 amended to read:

13 921.0022 Criminal Punishment Code; offense severity
 14 ranking chart.—

15 (3) OFFENSE SEVERITY RANKING CHART

16 (c) LEVEL 3

17

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066(6)(b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.

18

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21	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
22	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
23	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
24	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
25	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
26	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
27	327.35 (2) (b)	3rd	Felony BUI.
	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or

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			fraudulent titles or bills of sale of vessels.
28	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
29	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
30	379.2431(1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
31	379.2431(1)(e)6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
32	400.9935(4)	3rd	Operating a clinic without a

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33	440.1051(3)	3rd	license or filing false license application or other required information.
34	501.001(2)(b)	2nd	False report of workers' compensation fraud or retaliation for making such a report.
35	624.401(4)(a)	3rd	Tampers with a consumer product or the container using materially false/misleading information.
36	624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority.
37	626.902(1)(a) & (b)	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
38	697.08	3rd	Representing an unauthorized insurer.
39			Equity skimming.

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40	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
41	796.05 (1)	3rd	Live on earnings of a prostitute.
42	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
43	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
44	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
45	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
46	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.

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47	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
48	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
49	817.233	3rd	Burning to defraud insurer.
50	817.234 (8) (b) - (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
51	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
52	817.236	3rd	Filing a false motor vehicle insurance application.
53	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
54	817.413 (2)	3rd	Sale of used goods as new.

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55	817.505 (4)	3rd	Patient brokering.
56	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
57	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
58	831.29	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.
59	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
60	843.19	3rd	Injure, disable, or kill police dog or horse.
61	860.15 (3)	3rd	Overcharging for repairs and parts.
62	870.01 (2)	3rd	Riot; inciting or encouraging.

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63	893.13(1)(a)2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
64	893.13(1)(d)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of university.
65	893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of public housing facility.
66	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.

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- 72 893.13(8)(a)2. 3rd Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
- 73 893.13(8)(a)3. 3rd Knowingly write a prescription for a controlled substance for a fictitious person.
- 893.13(8)(a)4. 3rd Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
- 74 918.13(1)(a) 3rd Alter, destroy, or conceal investigation evidence.
- 75 944.47(1)(a)1.- 3rd Introduce contraband to
2. correctional facility.
- 76 944.47(1)(c) 2nd Possess contraband while upon the grounds of a correctional

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77			institution.
	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
78			
79	(d)	LEVEL 4	
80			
	Florida Statute	Felony Degree	Description
81			
	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.
82			
	499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
83			
	499.0051 (2)	3rd	Failure to authenticate pedigree papers.
84			
	499.0051 (6)	2nd	Knowing sale or delivery, or possession with intent to sell,

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85			contraband prescription drugs.
	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
86			
	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
87			
	784.075	3rd	Battery on detention or commitment facility staff.
88			
	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
89			
	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
90			
	784.081 (3)	3rd	Battery on specified official or employee.
91			
	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
92			
	784.083 (3)	3rd	Battery on code inspector.
93			

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94	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
95	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
96	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
97	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
98	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
99	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.

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100	790.115 (2) (c)	3rd	Possessing firearm on school property.
101	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
102	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
103	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
104	810.06	3rd	Burglary; possession of tools.
105	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
106	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
	812.014 (2) (c) 4.- 10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle,

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livestock, etc.

107

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

108

817.034 (4) (a) 3. 3rd Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.

109

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

110

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

111

817.625 (2) (a) 3rd Fraudulent use of scanning device or reencoder.

112

828.125 (1) 2nd Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.

113

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114	837.02 (1)	3rd	Perjury in official proceedings.
115	837.021 (1)	3rd	Make contradictory statements in official proceedings.
116	838.022	3rd	Official misconduct.
117	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
118	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Family Services.
119	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
120	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

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bond jumping).

121

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

122

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

123

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).

124

914.14 (2) 3rd Witnesses accepting bribes.

125

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

126

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

127

918.12 3rd Tampering with jurors.

128

934.215 3rd Use of two-way communications

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device to facilitate commission
of a crime.

129

130 (e) LEVEL 5

131

Florida	Felony	
Statute	Degree	Description

132

316.027(1)(a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
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133

316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
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134

322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
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135

327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
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136

381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
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137

440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
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138

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139

440.105 (5) 2nd Unlawful solicitation for the purpose of making workers' compensation claims.

140

440.381 (2) 2nd Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.

141

624.401 (4) (b) 2. 2nd Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

142

626.902 (1) (c) 2nd Representing an unauthorized insurer; repeat offender.

143

790.01 (2) 3rd Carrying a concealed firearm.

144

790.162 2nd Threat to throw or discharge destructive device.

145

790.163 (1) 2nd False report of deadly explosive or weapon of mass destruction.

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146	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
147	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
148	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years.
149	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years or older.
150	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
151	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
152	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
	812.019 (1)	2nd	Stolen property; dealing in or

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trafficking in.

153

812.131 (2) (b) 3rd Robbery by sudden snatching.

154

812.16 (2) 3rd Owning, operating, or
conducting a chop shop.

155

~~817.034 (4) (a) 2.~~ 2nd ~~Communications fraud, value
\$20,000 to \$50,000.~~

156

817.234 (11) (b) 2nd Insurance fraud; property value
\$20,000 or more but less than
\$100,000.

157

817.2341 (1), 3rd Filing false financial
(2) (a) & (3) (a) statements, making false
entries of material fact or
false statements regarding
property values relating to the
solvency of an insuring entity.

158

817.568 (2) (b) 2nd Fraudulent use of personal
identification information;
value of benefit, services
received, payment avoided, or
amount of injury or fraud,
\$5,000 or more or use of

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personal identification
information of 10 or more
individuals.

159

817.625 (2) (b) 2nd Second or subsequent fraudulent
use of scanning device or
reencoder.

160

825.1025 (4) 3rd Lewd or lascivious exhibition
in the presence of an elderly
person or disabled adult.

161

827.071 (4) 2nd Possess with intent to promote
any photographic material,
motion picture, etc., which
includes sexual conduct by a
child.

162

827.071 (5) 3rd Possess any photographic
material, motion picture, etc.,
which includes sexual conduct
by a child.

163

839.13 (2) (b) 2nd Falsifying records of an
individual in the care and
custody of a state agency
involving great bodily harm or

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death.

164

843.01 3rd Resist officer with violence to person; resist arrest with violence.

165

847.0135(5)(b) 2nd Lewd or lascivious exhibition using computer; offender 18 years or older.

166

847.0137(2) & 3rd Transmission of pornography by (3) electronic device or equipment.

167

847.0138(2) & 3rd Transmission of material (3) harmful to minors to a minor by electronic device or equipment.

168

874.05(2) 2nd Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

169

893.13(1)(a)1. 2nd Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).

170

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171 893.13(1)(c)2. 2nd Sell, manufacture, or deliver
 cannabis (or other s.
 893.03(1)(c), (2)(c)1.,
 (2)(c)2., (2)(c)3., (2)(c)5.,
 (2)(c)6., (2)(c)7., (2)(c)8.,
 (2)(c)9., (3), or (4) drugs)
 within 1,000 feet of a child
 care facility, school, or
 state, county, or municipal
 park or publicly owned
 recreational facility or
 community center.

171 893.13(1)(d)1. 1st Sell, manufacture, or deliver
 cocaine (or other s.
 893.03(1)(a), (1)(b), (1)(d),
 (2)(a), (2)(b), or (2)(c)4.
 drugs) within 1,000 feet of
 university.

172 893.13(1)(e)2. 2nd Sell, manufacture, or deliver
 cannabis or other drug
 prohibited under s.
 893.03(1)(c), (2)(c)1.,
 (2)(c)2., (2)(c)3., (2)(c)5.,
 (2)(c)6., (2)(c)7., (2)(c)8.,
 (2)(c)9., (3), or (4) within

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1,000 feet of property used for religious services or a specified business site.

173

893.13(1)(f)1. 1st

Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of public housing facility.

174

893.13(4)(b) 2nd

Deliver to minor cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).

175

893.1351(1) 3rd

Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.

176

177 (f) LEVEL 6

178

Florida	Felony	
Statute	Degree	Description

179

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180	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
181	499.0051 (3)	2nd	Knowing forgery of pedigree papers.
182	499.0051 (4)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
183	499.0051 (5)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
184	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
185	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
186	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
187	784.041	3rd	Felony battery; domestic battery by strangulation.
	784.048 (3)	3rd	Aggravated stalking; credible

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threat.

188

784.048 (5) 3rd Aggravated stalking of person under 16.

189

784.07 (2) (c) 2nd Aggravated assault on law enforcement officer.

190

784.074 (1) (b) 2nd Aggravated assault on sexually violent predators facility staff.

191

784.08 (2) (b) 2nd Aggravated assault on a person 65 years of age or older.

192

784.081 (2) 2nd Aggravated assault on specified official or employee.

193

784.082 (2) 2nd Aggravated assault by detained person on visitor or other detainee.

194

784.083 (2) 2nd Aggravated assault on code inspector.

195

787.02 (2) 3rd False imprisonment; restraining with purpose other than those

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in s. 787.01.

196

790.115 (2) (d) 2nd Discharging firearm or weapon
on school property.

197

790.161 (2) 2nd Make, possess, or throw
destructive device with intent
to do bodily harm or damage
property.

198

790.164 (1) 2nd False report of deadly
explosive, weapon of mass
destruction, or act of arson or
violence to state property.

199

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

200

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

201

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

202

800.04 (5) (d) 3rd Lewd or lascivious molestation;

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victim 12 years of age or older
but less than 16 years;
offender less than 18 years.

203

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

204

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

205

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

206

812.014 (2) (b) 1. 2nd Property stolen \$20,000 or
more, but less than \$100,000,
grand theft in 2nd degree.

207

812.014 (6) 2nd Theft; property stolen \$3,000
or more; coordination of
others.

208

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

209

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210	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
211	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
212	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
213	<u>817.034 (4) (a) 2.</u>	<u>2nd</u>	<u>Communications fraud, value \$20,000 to \$50,000.</u>
214	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
215	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
216	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
217	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.

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218	825.103(2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
219	827.03(1)	3rd	Abuse of a child.
220	827.03(3)(c)	3rd	Neglect of a child.
221	827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
222	836.05	2nd	Threats; extortion.
223	836.10	2nd	Written threats to kill or do bodily injury.
224	843.12	3rd	Aids or assists person to escape.
225	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
	847.012	3rd	Knowingly using a minor in the production of materials harmful

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to minors.

226

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

227

914.23 2nd Retaliation against a witness,
victim, or informant, with
bodily injury.

228

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.

229

944.40 2nd Escapes.

230

944.46 3rd Harboring, concealing, aiding
escaped prisoners.

231

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

232

951.22(1) 3rd Intoxicating drug, firearm, or

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weapon introduced into county
facility.

233

234 (g) LEVEL 7

235

Florida	Felony	
Statute	Degree	Description

236

316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
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237

316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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238

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.
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239

327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
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240

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

241

409.920 (2) (b) 1.a. 3rd Medicaid provider fraud;
 \$10,000 or less.

242

409.920 (2) (b) 1.b. 2nd Medicaid provider fraud; more
 than \$10,000, but less than
 \$50,000.

243

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

244

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

245

458.327 (1) 3rd Practicing medicine without a
 license.

246

459.013 (1) 3rd Practicing osteopathic medicine
 without a license.

247

460.411 (1) 3rd Practicing chiropractic

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medicine without a license.

248

461.012 (1) 3rd Practicing podiatric medicine
without a license.

249

462.17 3rd Practicing naturopathy without
a license.

250

463.015 (1) 3rd Practicing optometry without a
license.

251

464.016 (1) 3rd Practicing nursing without a
license.

252

465.015 (2) 3rd Practicing pharmacy without a
license.

253

466.026 (1) 3rd Practicing dentistry or dental
hygiene without a license.

254

467.201 3rd Practicing midwifery without a
license.

255

468.366 3rd Delivering respiratory care
services without a license.

256

483.828 (1) 3rd Practicing as clinical

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laboratory personnel without a
license.

257

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

258

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

259

484.053 3rd Dispensing hearing aids without
a license.

260

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.

261

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.

262

560.125 (5) (a) 3rd Money services business by
unauthorized person, currency
or payment instruments

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exceeding \$300 but less than
\$20,000.

263

655.50(10)(b)1. 3rd Failure to report financial
transactions exceeding \$300 but
less than \$20,000 by financial
institution.

264

775.21(10)(a) 3rd Sexual predator; failure to
register; failure to renew
driver's license or
identification card; other
registration violations.

265

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

266

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

267

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

268

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269	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
270	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
271	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
272	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
273	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
274	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
	784.048(4)	3rd	Aggravated stalking; violation

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of injunction or court order.

275

784.048 (7) 3rd Aggravated stalking; violation of court order.

276

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

277

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

278

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

279

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

280

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

281

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

282

790.07 (4) 1st Specified weapons violation subsequent to previous

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conviction of s. 790.07(1) or
(2).

283

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

284

790.165(2) 2nd Manufacture, sell, possess, or
deliver hoax bomb.

285

790.165(3) 2nd Possessing, displaying, or
threatening to use any hoax
bomb while committing or
attempting to commit a felony.

286

790.166(3) 2nd Possessing, selling, using, or
attempting to use a hoax weapon
of mass destruction.

287

790.166(4) 2nd Possessing, displaying, or
threatening to use a hoax
weapon of mass destruction
while committing or attempting
to commit a felony.

288

790.23 1st, PBL Possession of a firearm by a
person who qualifies for the
penalty enhancements provided

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for in s. 874.04.

289

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.

290

796.03

2nd

Procuring any person under 16
years for prostitution.

291

800.04 (5) (c) 1.

2nd

Lewd or lascivious molestation;
victim less than 12 years of
age; offender less than 18
years.

292

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.

293

806.01 (2)

2nd

Maliciously damage structure by
fire or explosive.

294

810.02 (3) (a)

2nd

Burglary of occupied dwelling;
unarmed; no assault or battery.

295

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- 296 810.02 (3) (b) 2nd Burglary of unoccupied dwelling; unarmed; no assault or battery.
- 297 810.02 (3) (d) 2nd Burglary of occupied conveyance; unarmed; no assault or battery.
- 298 810.02 (3) (e) 2nd Burglary of authorized emergency vehicle.
- 299 812.014 (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.
- 300 812.014 (2) (b) 2. 2nd Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
- 301 812.014 (2) (b) 3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.

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302	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
303	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
304	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
305	812.131 (2) (a)	2nd	Robbery by sudden snatching.
306	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
307	<u>817.034 (4) (a) 1.</u>	<u>1st</u>	<u>Communications fraud, value greater than \$50,000.</u>
308	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
309	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.

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310	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
311	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact 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.
312	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
313	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.
314	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

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years of age or older.

315 837.05 (2) 3rd Giving false information about
alleged capital felony to a law
enforcement officer.

316 838.015 2nd Bribery.

317 838.016 2nd Unlawful compensation or reward
for official behavior.

318 838.021 (3) (a) 2nd Unlawful harm to a public
servant.

319 838.22 2nd Bid tampering.

320 847.0135 (3) 3rd Solicitation of a child, via a
computer service, to commit an
unlawful sex act.

321 847.0135 (4) 2nd Traveling to meet a minor to
commit an unlawful sex act.

322 872.06 2nd Abuse of a dead human body.

323 874.10 1st, PBL Knowingly initiates, organizes,
plans, finances, directs,

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manages, or supervises criminal gang-related activity.

324

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.

325

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.

326

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

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(2) (c) 4. drugs).

327	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
328	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
329	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
330	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
331	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
332	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
333	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4

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grams or more, less than 14
grams.

334

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

335

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

336

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

337

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

338

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

339

896.104(4)(a)1. 3rd Structuring transactions to
evade reporting or registration
requirements, financial

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transactions exceeding \$300 but
less than \$20,000.

340

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

341

943.0435(8) 2nd Sexual offender; remains in
state after indicating intent
to leave; failure to comply
with reporting requirements.

342

943.0435(9)(a) 3rd Sexual offender; failure to
comply with reporting
requirements.

343

943.0435(13) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

344

943.0435(14) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification.

345

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346	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
347	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
348	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
349	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
350	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
351	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

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

352

353

Section 2. This act shall take effect July 1, 2010.