

By Senator Margolis

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1                                   A bill to be entitled  
 2           An act relating to ocean lifeguards; amending s.  
 3           784.07, F.S.; providing a definition; providing  
 4           enhanced penalties for an assault or battery on an  
 5           ocean lifeguard; amending s. 901.15, F.S., relating to  
 6           arrest without warrant; conforming provisions;  
 7           amending s. 921.0022, F.S., and reenacting paragraph  
 8           (3) (d), F.S., relating to the offense severity ranking  
 9           chart, to conform; amending ss. 943.051 and 985.11,  
 10          F.S., relating to criminal justice information;  
 11          conforming provisions; providing an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

14  
 15           Section 1. Section 784.07, Florida Statutes, is amended to  
 16          read:

17           784.07 Assault or battery of law enforcement officers,  
 18          firefighters, emergency medical care providers, public transit  
 19          employees or agents, or other specified officers;  
 20          reclassification of offenses; minimum sentences.—

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

22           (a) "Emergency medical care provider" means an ambulance  
 23          driver, emergency medical technician, paramedic, registered  
 24          nurse, physician as defined in s. 401.23, medical director as  
 25          defined in s. 401.23, or any person authorized by an emergency  
 26          medical service licensed under chapter 401 who is engaged in the  
 27          performance of his or her duties. The term "emergency medical  
 28          care provider" also includes physicians, employees, agents, or  
 29          volunteers of hospitals as defined in chapter 395, who are

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30 employed, under contract, or otherwise authorized by a hospital  
31 to perform duties directly associated with the care and  
32 treatment rendered by the hospital's emergency department or the  
33 security thereof.

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

39 (c) "Law enforcement explorer" means any person who is a  
40 current member of a law enforcement agency's explorer program  
41 and who is performing functions other than those required to be  
42 performed by sworn law enforcement officers on behalf of a law  
43 enforcement agency while under the direct physical supervision  
44 of a sworn officer of that agency and wearing a uniform that  
45 bears at least one patch that clearly identifies the law  
46 enforcement agency that he or she represents.

47 (d) "Law enforcement officer" includes a law enforcement  
48 officer, a correctional officer, a correctional probation  
49 officer, a part-time law enforcement officer, a part-time  
50 correctional officer, an auxiliary law enforcement officer, and  
51 an auxiliary correctional officer, as those terms are  
52 respectively defined in s. 943.10, and any county probation  
53 officer; an employee or agent of the Department of Corrections  
54 who supervises or provides services to inmates; an officer of  
55 the Parole Commission; a federal law enforcement officer as  
56 defined in s. 901.1505; and law enforcement personnel of the  
57 Fish and Wildlife Conservation Commission, the Department of  
58 Environmental Protection, or the Department of Law Enforcement.

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59 (e) "Public transit employees or agents" means bus  
60 operators, train operators, revenue collectors, security  
61 personnel, equipment maintenance personnel, or field  
62 supervisors, who are employees or agents of a transit agency as  
63 described in s. 812.015(1)(l).

64 (f) "Ocean lifeguard" means a lifeguard employed along the  
65 coastal or intracoastal beaches and shores of the state to help  
66 prevent injury or drowning of persons.

67 (2) Whenever any person is charged with knowingly  
68 committing an assault or battery upon a law enforcement officer,  
69 a firefighter, an emergency medical care provider, a traffic  
70 accident investigation officer as described in s. 316.640, a  
71 nonsworn law enforcement agency employee who is certified as an  
72 agency inspector, a blood alcohol analyst, or a breath test  
73 operator while such employee is in uniform and engaged in  
74 processing, testing, evaluating, analyzing, or transporting a  
75 person who is detained or under arrest for DUI, a law  
76 enforcement explorer, a traffic infraction enforcement officer  
77 as described in s. 316.640, a parking enforcement specialist as  
78 defined in s. 316.640, a person licensed as a security officer  
79 as defined in s. 493.6101 and wearing a uniform that bears at  
80 least one patch or emblem that is visible at all times that  
81 clearly identifies the employing agency and that clearly  
82 identifies the person as a licensed security officer, ~~or~~ a  
83 security officer employed by the board of trustees of a  
84 community college, or an ocean lifeguard, while the officer,  
85 firefighter, emergency medical care provider, traffic accident  
86 investigation officer, traffic infraction enforcement officer,  
87 inspector, analyst, operator, law enforcement explorer, parking

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88 enforcement specialist, public transit employee or agent, ~~or~~  
89 security officer, or ocean lifeguard is engaged in the lawful  
90 performance of his or her duties, the offense for which the  
91 person is charged shall be reclassified as follows:

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

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

96 (c) In the case of aggravated assault, from a felony of the  
97 third degree to a felony of the second degree. Notwithstanding  
98 any other provision of law, any person convicted of aggravated  
99 assault upon a law enforcement officer shall be sentenced to a  
100 minimum term of imprisonment of 3 years.

101 (d) In the case of aggravated battery, from a felony of the  
102 second degree to a felony of the first degree. Notwithstanding  
103 any other provision of law, any person convicted of aggravated  
104 battery of a law enforcement officer shall be sentenced to a  
105 minimum term of imprisonment of 5 years.

106 (3) Any person who is convicted of a battery under  
107 paragraph (2)(b) and, during the commission of the offense, such  
108 person possessed:

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

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

116

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117 Notwithstanding s. 948.01, adjudication of guilt or imposition  
118 of sentence shall not be suspended, deferred, or withheld, and  
119 the defendant is not eligible for statutory gain-time under s.  
120 944.275 or any form of discretionary early release, other than  
121 pardon or executive clemency, or conditional medical release  
122 under s. 947.149, prior to serving the minimum sentence.

123 Section 2. Subsection (15) of section 901.15, Florida  
124 Statutes, is amended to read:

125 901.15 When arrest by officer without warrant is lawful.—A  
126 law enforcement officer may arrest a person without a warrant  
127 when:

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

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

140 921.0022 Criminal Punishment Code; offense severity ranking  
141 chart.—

142 (3) OFFENSE SEVERITY RANKING CHART

143 (d) LEVEL 4

144

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Florida	Felony	
Statute	Degree	Description

145

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.
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146

499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
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147

499.0051(2)	3rd	Failure to authenticate pedigree papers.
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148

499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
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149

784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
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150

784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
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151

784.075	3rd	Battery on detention or commitment facility staff.
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152

784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain
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fluids or materials.

153

784.08 (2) (c) 3rd Battery on a person 65 years of age or older.

154

784.081 (3) 3rd Battery on specified official or employee.

155

784.082 (3) 3rd Battery by detained person on visitor or other detainee.

156

784.083 (3) 3rd Battery on code inspector.

157

784.085 3rd Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.

158

787.03 (1) 3rd Interference with custody; wrongly takes minor from appointed guardian.

159

787.04 (2) 3rd Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.

160

787.04 (3) 3rd Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.

161

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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.
166	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
167	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
168	810.06	3rd	Burglary; possession of tools.
169	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
170	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
	812.014	3rd	Grand theft, 3rd degree, a will,



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- 171 (2) (c) 4.-10. firearm, motor vehicle, livestock, etc.
- 172 812.0195 (2) 3rd Dealing in stolen property by use of the  
Internet; property stolen \$300 or more.
- 173 817.563 (1) 3rd Sell or deliver substance other than  
controlled substance agreed upon,  
excluding s. 893.03 (5) drugs.
- 174 817.568 (2) (a) 3rd Fraudulent use of personal  
identification information.
- 175 817.625 (2) (a) 3rd Fraudulent use of scanning device or  
reencoder.
- 176 828.125 (1) 2nd Kill, maim, or cause great bodily harm  
or permanent breeding disability to any  
registered horse or cattle.
- 177 837.02 (1) 3rd Perjury in official proceedings.
- 178 837.021 (1) 3rd Make contradictory statements in  
official proceedings.
- 179 838.022 3rd Official misconduct.
- 180 839.13 (2) (a) 3rd Falsifying records of an individual in  
the care and custody of a state agency.

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181	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Family Services.
182	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
183	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
184	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
185	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
186	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).
188	914.14(2)	3rd	Witnesses accepting bribes.
189	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.

190

918.12 3rd Tampering with jurors.

191

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

192

193 (f) LEVEL 6

194

Florida	Felony	
Statute	Degree	Description

195

316.193(2)(b) 3rd Felony DUI, 4th or subsequent  
conviction.

196

499.0051(3) 2nd Knowing forgery of pedigree papers.

197

499.0051(4) 2nd Knowing purchase or receipt of  
prescription drug from unauthorized  
person.

198

499.0051(5) 2nd Knowing sale or transfer of prescription  
drug to unauthorized person.

199

775.0875(1) 3rd Taking firearm from law enforcement  
officer.

200

784.021(1)(a) 3rd Aggravated assault; deadly weapon

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without intent to kill.

201

784.021 (1) (b) 3rd Aggravated assault; intent to commit felony.

202

784.041 3rd Felony battery; domestic battery by strangulation.

203

784.048 (3) 3rd Aggravated stalking; credible threat.

204

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

205

784.07 (2) (c) 2nd Aggravated assault on law enforcement officer, firefighter, intake officer, etc.

206

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

207

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

208

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

209

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

210

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

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211	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
212	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
213	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
214	790.164 (1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
215	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
216	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
217	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
218	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.
219	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18

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years of age or older.

220

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

221

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

222

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

223

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

224

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

225

812.015 (9) (b) 2nd Retail theft; property stolen \$3,000 or more; coordination of others.

226

812.13 (2) (c) 2nd Robbery, no firearm or other weapon (strong-arm robbery).

227

817.034 (4) (a) 1. 1st Communications fraud, value greater than \$50,000.

228

817.4821 (5) 2nd Possess cloning paraphernalia with intent to create cloned cellular

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telephones.

229

825.102 (1) 3rd Abuse of an elderly person or disabled adult.

230

825.102 (3) (c) 3rd Neglect of an elderly person or disabled adult.

231

825.1025 (3) 3rd Lewd or lascivious molestation of an elderly person or disabled adult.

232

825.103 (2) (c) 3rd Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.

233

827.03 (1) 3rd Abuse of a child.

234

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

235

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

236

836.05 2nd Threats; extortion.

237

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

238

843.12 3rd Aids or assists person to escape.

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239  
240  
241  
242  
243  
244  
245  
246

- 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 to minors.
- 847.0135(2)                3rd    Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
- 914.23                      2nd    Retaliation against a witness, victim, or informant, with bodily injury.
- 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.
- 944.40                      2nd    Escapes.
- 944.46                      3rd    Harboring, concealing, aiding escaped prisoners.
- 944.47(1)(a)5.            2nd    Introduction of contraband (firearm, weapon, or explosive) into correctional



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facility.

247

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

248

249 (g) LEVEL 7

250

Florida Statute	Felony Degree	Description
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251

316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
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252

316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
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253

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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254

327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
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255

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

256

409.920  
(2) (b) 1.a.

3rd Medicaid provider fraud; \$10,000 or less.

257

409.920  
(2) (b) 1.b.

2nd Medicaid provider fraud; more than \$10,000, but less than \$50,000.

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

459.013 (1)

3rd Practicing osteopathic medicine without a license.

262

460.411 (1)

3rd Practicing chiropractic medicine without a license.

263

461.012 (1)

3rd Practicing podiatric medicine without a license.

264

462.17

3rd Practicing naturopathy without a license.

265

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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.
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.
	494.0018 (2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained

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exceeded \$50,000 and there were five or more victims.

276

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.

277

560.125 (5) (a) 3rd Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

278

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

279

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

280

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

281

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

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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.

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

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291	784.048 (7)	3rd	Aggravated stalking; violation of court order.
292	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer, <u>firefighter, intake officer, etc.</u>
293	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
294	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
295	784.081 (1)	1st	Aggravated battery on specified official or employee.
296	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
297	784.083 (1)	1st	Aggravated battery on code inspector.
298	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2).
299	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
	790.165 (2)	2nd	Manufacture, sell, possess, or deliver

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

305

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

306

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

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less than 18 years.

307

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.

308

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

309

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.

312

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

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



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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.

321

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

322

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

323

817.234 (11) (c)      1st      Insurance fraud; property value

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\$100,000 or more.

324

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.

325

825.102 (3) (b)

2nd

Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

326

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.

327

827.03 (3) (b)

2nd

Neglect of a child causing great bodily harm, disability, or disfigurement.

328

827.04 (3)

3rd

Impregnation of a child under 16 years of age by person 21 years of age or older.

329

837.05 (2)

3rd

Giving false information about alleged capital felony to a law enforcement officer.

330

838.015

2nd

Bribery.

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331  
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838.016	2nd	Unlawful compensation or reward for official behavior.
838.021 (3) (a)	2nd	Unlawful harm to a public servant.
838.22	2nd	Bid tampering.
847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
872.06	2nd	Abuse of a dead human body.
874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
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.

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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 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.

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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	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
354	943.0435 (4) (c)	2nd	Sexual offender vacating permanent

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residence; failure to comply with reporting requirements.

355

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

356

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

357

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

358

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

359

944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

360

944.607(10)(a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

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

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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 Section 4. Paragraph (b) of subsection (3) of section  
368 943.051, Florida Statutes, is amended to read:

369 943.051 Criminal justice information; collection and  
370 storage; fingerprinting.—

371 (3)

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

375 1. Assault, as defined in s. 784.011.

376 2. Battery, as defined in s. 784.03.

377 3. Carrying a concealed weapon, as defined in s. 790.01(1).

378 4. Unlawful use of destructive devices or bombs, as defined  
379 in s. 790.1615(1).

380 5. Negligent treatment of children, as defined in former s.  
381 827.05.

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382           6. Assault or battery on a law enforcement officer, a  
383 firefighter, or other specified person ~~officers~~, as defined in  
384 s. 784.07(2) (a) and (b).

385           7. Open carrying of a weapon, as defined in s. 790.053.

386           8. Exposure of sexual organs, as defined in s. 800.03.

387           9. Unlawful possession of a firearm, as defined in s.  
388 790.22(5).

389           10. Petit theft, as defined in s. 812.014(3).

390           11. Cruelty to animals, as defined in s. 828.12(1).

391           12. Arson, as defined in s. 806.031(1).

392           13. Unlawful possession or discharge of a weapon or firearm  
393 at a school-sponsored event or on school property as defined in  
394 s. 790.115.

395           Section 5. Paragraph (b) of subsection (1) of section  
396 985.11, Florida Statutes, is amended to read:

397           985.11 Fingerprinting and photographing.—

398           (1)

399           (b) A child who is charged with or found to have committed  
400 one of the following offenses shall be fingerprinted, and the  
401 fingerprints shall be submitted to the Department of Law  
402 Enforcement as provided in s. 943.051(3) (b):

403           1. Assault, as defined in s. 784.011.

404           2. Battery, as defined in s. 784.03.

405           3. Carrying a concealed weapon, as defined in s. 790.01(1).

406           4. Unlawful use of destructive devices or bombs, as defined  
407 in s. 790.1615(1).

408           5. Negligent treatment of children, as defined in former s.  
409 827.05.

410           6. Assault on a law enforcement officer, a firefighter, or



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- 411 other specified person ~~officers~~, as defined in s. 784.07(2)(a).  
412 7. Open carrying of a weapon, as defined in s. 790.053.  
413 8. Exposure of sexual organs, as defined in s. 800.03.  
414 9. Unlawful possession of a firearm, as defined in s.  
415 790.22(5).  
416 10. Petit theft, as defined in s. 812.014.  
417 11. Cruelty to animals, as defined in s. 828.12(1).  
418 12. Arson, resulting in bodily harm to a firefighter, as  
419 defined in s. 806.031(1).  
420 13. Unlawful possession or discharge of a weapon or firearm  
421 at a school-sponsored event or on school property as defined in  
422 s. 790.115.

423

424 A law enforcement agency may fingerprint and photograph a child  
425 taken into custody upon probable cause that such child has  
426 committed any other violation of law, as the agency deems  
427 appropriate. Such fingerprint records and photographs shall be  
428 retained by the law enforcement agency in a separate file, and  
429 these records and all copies thereof must be marked "Juvenile  
430 Confidential." These records are not available for public  
431 disclosure and inspection under s. 119.07(1) except as provided  
432 in ss. 943.053 and 985.04(2), but shall be available to other  
433 law enforcement agencies, criminal justice agencies, state  
434 attorneys, the courts, the child, the parents or legal  
435 custodians of the child, their attorneys, and any other person  
436 authorized by the court to have access to such records. In  
437 addition, such records may be submitted to the Department of Law  
438 Enforcement for inclusion in the state criminal history records  
439 and used by criminal justice agencies for criminal justice

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440 purposes. These records may, in the discretion of the court, be  
441 open to inspection by anyone upon a showing of cause. The  
442 fingerprint and photograph records shall be produced in the  
443 court whenever directed by the court. Any photograph taken  
444 pursuant to this section may be shown by a law enforcement  
445 officer to any victim or witness of a crime for the purpose of  
446 identifying the person who committed such crime.

447 Section 6. This act shall take effect October 1, 2011.