

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

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29 volunteers of hospitals as defined in chapter 395, who are  
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

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57 Fish and Wildlife Conservation Commission, the Department of  
58 Environmental Protection, or the Department of Law Enforcement.

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)(1).

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  
 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  
 95 first degree to a felony of the third degree.

96 (c) In the case of aggravated assault, from a felony of  
 97 the third degree to a felony of the second degree.

98 Notwithstanding any other provision of law, any person convicted  
 99 of aggravated assault upon a law enforcement officer shall be  
 100 sentenced to a minimum term of imprisonment of 3 years.

101 (d) In the case of aggravated battery, from a felony of  
 102 the second degree to a felony of the first degree.

103 Notwithstanding any other provision of law, any person convicted  
 104 of aggravated battery of a law enforcement officer shall be  
 105 sentenced to a 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

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

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

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141 921.0022 Criminal Punishment Code; offense severity  
 142 ranking chart.—  
 143 (3) OFFENSE SEVERITY RANKING CHART  
 144 (d) LEVEL 4  
 145

Florida Statute	Felony Degree	Description
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.
499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
499.0051(2)	3rd	Failure to authenticate pedigree papers.
499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
784.074(1)(c)	3rd	Battery of sexually violent predators

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			facility staff.
152	784.075	3rd	Battery on detention or commitment facility staff.
153	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
154	784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
155	784.081(3)	3rd	Battery on specified official or employee.
156	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
157	784.083(3)	3rd	Battery on code inspector.
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.
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161	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
162	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
163	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
164	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
165	790.115 (2) (c)	3rd	Possessing firearm on school property.
166	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
167	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no



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			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.
171	812.014 (2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, 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

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177			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.
185	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).

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186	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
187	874.05(1)	3rd	Encouraging or recruiting another to join a criminal gang.
188	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).
189	914.14(2)	3rd	Witnesses accepting bribes.
190	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
191	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
192	918.12	3rd	Tampering with jurors.
193	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
194	(f)	LEVEL 6	
195	Florida	Felony	
196	Statute	Degree	Description

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197	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
198	499.0051 (3)	2nd	Knowing forgery of pedigree papers.
199	499.0051 (4)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
200	499.0051 (5)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
201	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
202	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
203	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
204	784.041	3rd	Felony battery; domestic battery by strangulation.
205	784.048 (3)	3rd	Aggravated stalking; credible threat.
206	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.

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216	790.164(1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
217	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
218	794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
219	794.05(1)	2nd	Unlawful sexual activity with specified minor.
220	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.
221	800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
222	806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
223	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

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			less than \$100,000, grand theft in 2nd degree.
224	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
225	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
226	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
227	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
228	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
229	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
230	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
231	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
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233	825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
234	825.103(2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
235	827.03(1)	3rd	Abuse of a child.
236	827.03(3)(c)	3rd	Neglect of a child.
237	827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
238	836.05	2nd	Threats; extortion.
239	836.10	2nd	Written threats to kill or do bodily injury.
240	843.12	3rd	Aids or assists person to escape.
241	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



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242			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.
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	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
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	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.
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	944.40	2nd	Escapes.
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	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
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	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
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	951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
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250	(g) LEVEL 7		
251	Florida	Felony	
252	Statute	Degree	Description
253	316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
254	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
255	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.
256	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
257	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
258	409.920	3rd	Medicaid provider fraud; \$10,000 or

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258	(2) (b) 1.a.		less.
	409.920	2nd	Medicaid provider fraud; more than
259	(2) (b) 1.b.		\$10,000, but less than \$50,000.
	456.065 (2)	3rd	Practicing a health care profession
260			without a license.
	456.065 (2)	2nd	Practicing a health care profession
261			without a license which results in
			serious bodily injury.
262	458.327 (1)	3rd	Practicing medicine without a license.
	459.013 (1)	3rd	Practicing osteopathic medicine without
263			a license.
	460.411 (1)	3rd	Practicing chiropractic medicine
264			without a license.
	461.012 (1)	3rd	Practicing podiatric medicine without a
265			license.
	462.17	3rd	Practicing naturopathy without a
266			license.
	463.015 (1)	3rd	Practicing optometry without a license.
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268	464.016 (1)	3rd	Practicing nursing without a license.
269	465.015 (2)	3rd	Practicing pharmacy without a license.
270	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
271	467.201	3rd	Practicing midwifery without a license.
272	468.366	3rd	Delivering respiratory care services without a license.
273	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
274	483.901 (9)	3rd	Practicing medical physics without a license.
275	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
276	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.

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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.

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

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

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

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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.

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284	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
285	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
286	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
287	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
288	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
289	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
290	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.

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

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300	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
301	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
302	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
303	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
304	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
305	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
306	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.



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307	796.03	2nd	Procuring any person under 16 years for prostitution.
308	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
309	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.
310	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
311	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
312	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
313	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
314	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or

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more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.

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

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

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

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

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

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

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

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323	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
324	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
325	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
326	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.
327	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
328	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.
329	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.

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330	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
331	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
332	838.015	2nd	Bribery.
333	838.016	2nd	Unlawful compensation or reward for official behavior.
334	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
335	838.22	2nd	Bid tampering.
336	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
337	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
338	872.06	2nd	Abuse of a dead human body.
	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or

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supervises criminal gang-related activity.

339

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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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.

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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).

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

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893.135                    1st    Trafficking in cocaine, more than 28

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344	(1) (b) 1.a.		grams, less than 200 grams.
345	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
346	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
347	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
348	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
349	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
350	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
351	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
352	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

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353	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
354	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
355	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
356	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
357	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
358	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
359	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

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360	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
361	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
362	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
363	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
364	944.607 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
365	985.4815 (10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
366	985.4815 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
	985.4815 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to



address verification.

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

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

(3)

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

1. Assault, as defined in s. 784.011.
2. Battery, as defined in s. 784.03.
3. Carrying a concealed weapon, as defined in s. 790.01(1).
4. Unlawful use of destructive devices or bombs, as defined in s. 790.1615(1).
5. Negligent treatment of children, as defined in former s. 827.05.
6. Assault or battery on a law enforcement officer, a firefighter, or other specified person ~~officers~~, as defined in s. 784.07(2)(a) and (b).
7. Open carrying of a weapon, as defined in s. 790.053.
8. Exposure of sexual organs, as defined in s. 800.03.
9. Unlawful possession of a firearm, as defined in s. 790.22(5).
10. Petit theft, as defined in s. 812.014(3).
11. Cruelty to animals, as defined in s. 828.12(1).
12. Arson, as defined in s. 806.031(1).

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

397 Section 5. Paragraph (b) of subsection (1) of section  
 398 985.11, Florida Statutes, is amended to read:

399 985.11 Fingerprinting and photographing.—

400 (1)

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

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

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

407 3. Carrying a concealed weapon, as defined in s.  
 408 790.01(1).

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

411 5. Negligent treatment of children, as defined in former  
 412 s. 827.05.

413 6. Assault on a law enforcement officer, a firefighter, or  
 414 other specified person ~~officers~~, as defined in s. 784.07(2)(a).

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

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

417 9. Unlawful possession of a firearm, as defined in s.  
 418 790.22(5).

419 10. Petit theft, as defined in s. 812.014.

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

421 12. Arson, resulting in bodily harm to a firefighter, as

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422 defined in s. 806.031(1).

423 13. Unlawful possession or discharge of a weapon or  
424 firearm at a school-sponsored event or on school property as  
425 defined in s. 790.115.

426  
427 A law enforcement agency may fingerprint and photograph a child  
428 taken into custody upon probable cause that such child has  
429 committed any other violation of law, as the agency deems  
430 appropriate. Such fingerprint records and photographs shall be  
431 retained by the law enforcement agency in a separate file, and  
432 these records and all copies thereof must be marked "Juvenile  
433 Confidential." These records are not available for public  
434 disclosure and inspection under s. 119.07(1) except as provided  
435 in ss. 943.053 and 985.04(2), but shall be available to other  
436 law enforcement agencies, criminal justice agencies, state  
437 attorneys, the courts, the child, the parents or legal  
438 custodians of the child, their attorneys, and any other person  
439 authorized by the court to have access to such records. In  
440 addition, such records may be submitted to the Department of Law  
441 Enforcement for inclusion in the state criminal history records  
442 and used by criminal justice agencies for criminal justice  
443 purposes. These records may, in the discretion of the court, be  
444 open to inspection by anyone upon a showing of cause. The  
445 fingerprint and photograph records shall be produced in the  
446 court whenever directed by the court. Any photograph taken  
447 pursuant to this section may be shown by a law enforcement  
448 officer to any victim or witness of a crime for the purpose of  
449 identifying the person who committed such crime.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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Section 6. This act shall take effect July 1, 2012.