

By Senator Margolis

35-00057-12

2012184__

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

35-00057-12

2012184

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.

35-00057-12

2012184

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

35-00057-12

2012184

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

35-00057-12

2012184

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

35-00057-12

2012184__

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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35-00057-12

2012184__

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

35-00057-12 2012184__

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,

35-00057-12 2012184__

- 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.

35-00057-12 2012184__

- 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.

35-00057-12 2012184__

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

35-00057-12

2012184__

201

without intent to kill.

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.

35-00057-12

2012184__

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

35-00057-12

2012184__

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

35-00057-12

2012184__

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) & (3) 2nd Use or induce a child in a sexual 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.

35-00057-12

2012184__

239
240
241
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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

35-00057-12

2012184__

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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35-00057-12

2012184__

permanent disability, or death.

256

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

257

409.920 2nd Medicaid provider fraud; more than
(2) (b) 1.b. \$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

35-00057-12 2012184__

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

35-00057-12

2012184__

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

35-00057-12

2012184__

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

35-00057-12 2012184__

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

35-00057-12

2012184__

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

35-00057-12

2012184__

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

35-00057-12

2012184__

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

35-00057-12

2012184__

\$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.

35-00057-12

2012184__

331

838.016 2nd Unlawful compensation or reward for
official behavior.

332

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

333

838.22 2nd Bid tampering.

334

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

335

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

336

872.06 2nd Abuse of a dead human body.

337

874.10 1st,PBL Knowingly initiates, organizes, plans,
finances, directs, manages, or
supervises criminal gang-related
activity.

338

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.

35-00057-12

2012184__

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.

35-00057-12 2012184__

347	893.135	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
	(1) (g) 1.a.		
348	893.135	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
	(1) (h) 1.a.		
349	893.135	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
	(1) (j) 1.a.		
350	893.135	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
	(1) (k) 2.a.		
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

35-00057-12

2012184__

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

35-00057-12

2012184__

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.

35-00057-12

2012184__

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

35-00057-12

2012184

- 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

35-00057-12

2012184__

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 July 1, 2012.