

By Senator Wise

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1 A bill to be entitled
 2 An act relating to assault or battery on a utility
 3 worker; amending s. 784.07, F.S.; defining the term
 4 "utility worker"; providing for reclassification of
 5 certain offenses committed against a utility worker;
 6 amending ss. 901.15, 943.051, 985.11, and 985.644,
 7 F.S.; conforming provisions to changes made by the
 8 act; reenacting and amending s. 921.0022(3)(d), (f),
 9 and (g), F.S., relating to the offense severity
 10 ranking chart of the Criminal Punishment Code, to
 11 incorporate the amendment made to s. 784.07, F.S., in
 12 references thereto; providing an effective date.

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

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

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

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

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

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30 volunteers of hospitals as defined in chapter 395, who are
31 employed, under contract, or otherwise authorized by a hospital
32 to perform duties directly associated with the care and
33 treatment rendered by the hospital's emergency department or the
34 security thereof.

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

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

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

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59 Environmental Protection, or the Department of Law Enforcement.

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

65 (f) "Utility worker" means a person under contract with or
66 employed by an entity that owns, operates, leases, or controls a
67 plant, property, or facility for the generation, transmission,
68 manufacture, production, supply, distribution, sale, storage,
69 conveyance, delivery, or furnishing to or for the public of
70 electricity, natural or manufactured gas, water, steam, sewage,
71 telephone, or communications service, including two or more
72 utilities rendering joint service.

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

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88 identifies the person as a licensed security officer, ~~or~~ a
89 security officer employed by the board of trustees of a
90 community college, or a utility worker, while the officer,
91 firefighter, emergency medical care provider, traffic accident
92 investigation officer, traffic infraction enforcement officer,
93 inspector, analyst, operator, law enforcement explorer, parking
94 enforcement specialist, public transit employee or agent, ~~or~~
95 security officer, or utility worker is engaged in the lawful
96 performance of his or her duties, the offense for which the
97 person is charged shall be reclassified as follows:

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

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

102 (c) In the case of aggravated assault, from a felony of the
103 third degree to a felony of the second degree. Notwithstanding
104 any other provision of law, any person convicted of aggravated
105 assault upon a law enforcement officer shall be sentenced to a
106 minimum term of imprisonment of 3 years.

107 (d) In the case of aggravated battery, from a felony of the
108 second degree to a felony of the first degree. Notwithstanding
109 any other provision of law, any person convicted of aggravated
110 battery of a law enforcement officer shall be sentenced to a
111 minimum term of imprisonment of 5 years.

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

115 (a) A "firearm" or "destructive device" as those terms are
116 defined in s. 790.001, shall be sentenced to a minimum term of

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117 imprisonment of 3 years.

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

122

123 Notwithstanding s. 948.01, adjudication of guilt or imposition
124 of sentence shall not be suspended, deferred, or withheld, and
125 the defendant is not eligible for statutory gain-time under s.
126 944.275 or any form of discretionary early release, other than
127 pardon or executive clemency, or conditional medical release
128 under s. 947.149, prior to serving the minimum sentence.

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

131 901.15 When arrest by officer without warrant is lawful.—A
132 law enforcement officer may arrest a person without a warrant
133 when:

134 (15) There is probable cause to believe that the person has
135 committed assault upon a law enforcement officer, a firefighter,
136 an emergency medical care provider, public transit employees or
137 agents, or other specified persons ~~officers~~ as set forth in s.
138 784.07 or has committed assault or battery upon any employee of
139 a receiving facility as defined in s. 394.455 who is engaged in
140 the lawful performance of his or her duties.

141 Section 3. Paragraph (b) of subsection (3) of section
142 943.051, Florida Statutes, is amended to read:

143 943.051 Criminal justice information; collection and
144 storage; fingerprinting.—

145 (3)

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

- 149 1. Assault, as defined in s. 784.011.
- 150 2. Battery, as defined in s. 784.03.
- 151 3. Carrying a concealed weapon, as defined in s. 790.01(1).
- 152 4. Unlawful use of destructive devices or bombs, as defined
153 in s. 790.1615(1).
- 154 5. Negligent treatment of children, as defined in former s.
155 827.05.
- 156 6. Assault or battery on a law enforcement officer, a
157 firefighter, or other specified persons ~~officers~~, as defined in
158 s. 784.07(2)(a) and (b).
- 159 7. Open carrying of a weapon, as defined in s. 790.053.
- 160 8. Exposure of sexual organs, as defined in s. 800.03.
- 161 9. Unlawful possession of a firearm, as defined in s.
162 790.22(5).
- 163 10. Petit theft, as defined in s. 812.014(3).
- 164 11. Cruelty to animals, as defined in s. 828.12(1).
- 165 12. Arson, as defined in s. 806.031(1).
- 166 13. Unlawful possession or discharge of a weapon or firearm
167 at a school-sponsored event or on school property as defined in
168 s. 790.115.

169 Section 4. Paragraph (b) of subsection (1) of section
170 985.11, Florida Statutes, is amended to read:

171 985.11 Fingerprinting and photographing.—

172 (1)

173 (b) A child who is charged with or found to have committed
174 one of the following offenses shall be fingerprinted, and the

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175 fingerprints shall be submitted to the Department of Law
176 Enforcement as provided in s. 943.051(3)(b):

- 177 1. Assault, as defined in s. 784.011.
- 178 2. Battery, as defined in s. 784.03.
- 179 3. Carrying a concealed weapon, as defined in s. 790.01(1).
- 180 4. Unlawful use of destructive devices or bombs, as defined
181 in s. 790.1615(1).
- 182 5. Negligent treatment of children, as defined in former s.
183 827.05.
- 184 6. Assault on a law enforcement officer, a firefighter, or
185 other specified persons ~~officers~~, as defined in s. 784.07(2)(a).
- 186 7. Open carrying of a weapon, as defined in s. 790.053.
- 187 8. Exposure of sexual organs, as defined in s. 800.03.
- 188 9. Unlawful possession of a firearm, as defined in s.
189 790.22(5).
- 190 10. Petit theft, as defined in s. 812.014.
- 191 11. Cruelty to animals, as defined in s. 828.12(1).
- 192 12. Arson, resulting in bodily harm to a firefighter, as
193 defined in s. 806.031(1).
- 194 13. Unlawful possession or discharge of a weapon or firearm
195 at a school-sponsored event or on school property as defined in
196 s. 790.115.

197

198 A law enforcement agency may fingerprint and photograph a child
199 taken into custody upon probable cause that such child has
200 committed any other violation of law, as the agency deems
201 appropriate. Such fingerprint records and photographs shall be
202 retained by the law enforcement agency in a separate file, and
203 these records and all copies thereof must be marked "Juvenile

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204 Confidential." These records are not available for public
205 disclosure and inspection under s. 119.07(1) except as provided
206 in ss. 943.053 and 985.04(2), but shall be available to other
207 law enforcement agencies, criminal justice agencies, state
208 attorneys, the courts, the child, the parents or legal
209 custodians of the child, their attorneys, and any other person
210 authorized by the court to have access to such records. In
211 addition, such records may be submitted to the Department of Law
212 Enforcement for inclusion in the state criminal history records
213 and used by criminal justice agencies for criminal justice
214 purposes. These records may, in the discretion of the court, be
215 open to inspection by anyone upon a showing of cause. The
216 fingerprint and photograph records shall be produced in the
217 court whenever directed by the court. Any photograph taken
218 pursuant to this section may be shown by a law enforcement
219 officer to any victim or witness of a crime for the purpose of
220 identifying the person who committed such crime.

221 Section 5. Paragraph (a) of subsection (3) of section
222 985.644, Florida Statutes, is amended to read:

223 985.644 Departmental contracting powers; personnel
224 standards and screening.—

225 (3) (a) All employees of the department and all personnel of
226 contract providers for any program for children, including all
227 owners, operators, employees, persons who have access to
228 confidential juvenile records, and volunteers, must complete:

229 1. A level 2 employment screening pursuant to chapter 435
230 before employment. The security background investigation
231 conducted under this section must ensure that, in addition to
232 the disqualifying offenses listed in s. 435.04, no person

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233 subject to the background screening provisions of this section
 234 has an arrest awaiting final disposition for, been found guilty
 235 of, regardless of adjudication, or entered a plea of nolo
 236 contendere or guilty to, or been adjudicated delinquent and the
 237 record has not been sealed or expunged for, any offense
 238 prohibited under the following provisions of state law or
 239 similar laws of another jurisdiction:

240 a. Section 784.07, relating to assault or battery of law
 241 enforcement officers, firefighters, emergency medical care
 242 providers, public transit employees or agents, or other
 243 specified persons ~~officers~~.

244 b. Section 817.568, relating to criminal use of personal
 245 identification information.

246 2. A national criminal records check by the Federal Bureau
 247 of Investigation every 5 years following the date of the
 248 person's employment.

249 Section 6. For the purpose of incorporating the amendments
 250 made by this act to section 784.07, Florida Statutes, in a
 251 references thereto, paragraphs (d), (f), and (g) of subsection
 252 (3) of section 921.0022, Florida Statutes, are reenacted and
 253 amended to read:

254 921.0022 Criminal Punishment Code; offense severity ranking
 255 chart.—

256 (3) OFFENSE SEVERITY RANKING CHART

257 (d) LEVEL 4

258

Florida	Felony	
Statute	Degree	Description

259

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260 316.1935(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.

261 499.0051(1) 3rd Failure to maintain or deliver pedigree
papers.

262 499.0051(2) 3rd Failure to authenticate pedigree papers.

263 499.0051(6) 2nd Knowing sale or delivery, or possession
with intent to sell, contraband
prescription drugs.

264 784.07(2)(b) 3rd Battery of law enforcement officer,
firefighter, etc.

265 784.074(1)(c) 3rd Battery of sexually violent predators
facility staff.

266 784.075 3rd Battery on detention or commitment
facility staff.

267 784.078 3rd Battery of facility employee by
throwing, tossing, or expelling certain
fluids or materials.

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

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older.

268

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

269

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

270

784.083 (3) 3rd Battery on code inspector.

271

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

272

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

273

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

274

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

275

790.115 (1) 3rd Exhibiting firearm or weapon within 1,000 feet of a school.

276

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277	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
278	790.115(2)(c)	3rd	Possessing firearm on school property.
279	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
280	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
281	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
282	810.06	3rd	Burglary; possession of tools.
283	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
284	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
285	812.014 (2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
	812.0195(2)	3rd	Dealing in stolen property by use of the

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Internet; property stolen \$300 or more.

286

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

287

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

288

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

289

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

290

837.02 (1) 3rd Perjury in official proceedings.

291

837.021 (1) 3rd Make contradictory statements in official proceedings.

292

838.022 3rd Official misconduct.

293

839.13 (2) (a) 3rd Falsifying records of an individual in the care and custody of a state agency.

294

839.13 (2) (c) 3rd Falsifying records of the Department of Children and Family Services.

295

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296	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
297	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
298	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
299	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
300	874.05(1)	3rd	Encouraging or recruiting another to join a criminal gang.
301	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).
302	914.14(2)	3rd	Witnesses accepting bribes.
303	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
304	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.

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305 918.12 3rd Tampering with jurors.

306 934.215 3rd Use of two-way communications device to
facilitate commission of a crime.

307 (f) LEVEL 6

308

Florida Statute	Felony Degree	Description
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309 316.193 (2) (b) 3rd Felony DUI, 4th or subsequent
conviction.

310 499.0051 (3) 2nd Knowing forgery of pedigree papers.

311 499.0051 (4) 2nd Knowing purchase or receipt of
prescription drug from unauthorized
person.

312 499.0051 (5) 2nd Knowing sale or transfer of prescription
drug to unauthorized person.

313 775.0875 (1) 3rd Taking firearm from law enforcement
officer.

314 784.021 (1) (a) 3rd Aggravated assault; deadly weapon
without intent to kill.

315 784.021 (1) (b) 3rd Aggravated assault; intent to commit

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felony.

316

784.041 3rd Felony battery; domestic battery by strangulation.

317

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

318

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

319

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

320

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

321

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

322

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

323

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

324

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

325

787.02 (2) 3rd False imprisonment; restraining with purpose other than those in s. 787.01.

326

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327	790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
328	790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
329	790.164(1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
330	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
331	794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
332	794.05(1)	2nd	Unlawful sexual activity with specified minor.
333	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.
334	800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
	806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.

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335

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

336

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

337

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

338

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

339

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

340

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

341

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

342

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

343

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

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344

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

345

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

346

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

347

827.03 (1) 3rd Abuse of a child.

348

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

349

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

350

836.05 2nd Threats; extortion.

351

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

352

843.12 3rd Aids or assists person to escape.

353

847.011 3rd Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.

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354

847.012 3rd Knowingly using a minor in the
production of materials harmful to
minors.

355

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

356

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

357

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.

358

944.40 2nd Escapes.

359

944.46 3rd Harboring, concealing, aiding escaped
prisoners.

360

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

361

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

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(g) LEVEL 7

Florida Statute	Felony Degree	Description
316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
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.
327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.
409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.

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371

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

372

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

373

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

374

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

375

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

376

460.411 (1) 3rd Practicing chiropractic medicine
 without a license.

377

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

378

462.17 3rd Practicing naturopathy without a
 license.

379

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

380

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

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382	465.015 (2)	3rd	Practicing pharmacy without a license.
383	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
384	467.201	3rd	Practicing midwifery without a license.
385	468.366	3rd	Delivering respiratory care services without a license.
386	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
387	483.901 (9)	3rd	Practicing medical physics without a license.
388	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
389	484.053	3rd	Dispensing hearing aids without a license.
390	494.0018 (2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
	560.123 (8) (b) 1.	3rd	Failure to report currency or payment

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instruments exceeding \$300 but less than \$20,000 by a money services business.

391

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

392

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

393

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

394

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

395

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

396

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

397

782.07 (1) 2nd Killing of a human being by the act,

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procurement, or culpable negligence of another (manslaughter).

398

782.071 2nd Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).

399

782.072 2nd Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

400

784.045 (1) (a) 1. 2nd Aggravated battery; intentionally causing great bodily harm or disfigurement.

401

784.045 (1) (a) 2. 2nd Aggravated battery; using deadly weapon.

402

784.045 (1) (b) 2nd Aggravated battery; perpetrator aware victim pregnant.

403

784.048 (4) 3rd Aggravated stalking; violation of injunction or court order.

404

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

405

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

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officer, firefighter, etc.

406

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

407

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

408

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

409

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

410

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

411

790.07 (4) 1st Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).

412

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

413

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

414

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

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415

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

416

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

417

790.23 1st,PBL Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

418

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.

419

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

420

800.04 (5) (c) 1. 2nd Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.

421

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.

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422

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

423

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

424

810.02(3)(b) 2nd Burglary of unoccupied dwelling; unarmed; no assault or battery.

425

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

426

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

427

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.

428

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

429

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

430

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431	812.014(2)(b)4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
432	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
433	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
434	812.131(2)(a)	2nd	Robbery by sudden snatching.
435	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
436	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
437	817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
438	817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.
	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

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insuring entity which are a significant cause of the insolvency of that entity.

439

825.102 (3) (b) 2nd Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

440

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.

441

827.03 (3) (b) 2nd Neglect of a child causing great bodily harm, disability, or disfigurement.

442

827.04 (3) 3rd Impregnation of a child under 16 years of age by person 21 years of age or older.

443

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

444

838.015 2nd Bribery.

445

838.016 2nd Unlawful compensation or reward for official behavior.

446

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

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447

838.22 2nd Bid tampering.

448

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

449

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

450

872.06 2nd Abuse of a dead human body.

451

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

452

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.

453

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

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of property used for religious services
or a specified business site.

454

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).

455

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

456

893.135 1st Trafficking in cocaine, more than 28
(1)(b)1.a. grams, less than 200 grams.

457

893.135 1st Trafficking in illegal drugs, more than
(1)(c)1.a. 4 grams, less than 14 grams.

458

893.135(1)(d)1. 1st Trafficking in phencyclidine, more than
28 grams, less than 200 grams.

459

893.135(1)(e)1. 1st Trafficking in methaqualone, more than
200 grams, less than 5 kilograms.

460

893.135(1)(f)1. 1st Trafficking in amphetamine, more than
14 grams, less than 28 grams.

461

893.135 1st Trafficking in flunitrazepam, 4 grams
(1)(g)1.a. or more, less than 14 grams.

462

893.135 1st Trafficking in gamma-hydroxybutyric

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(1) (h) 1.a. acid (GHB), 1 kilogram or more, less than 5 kilograms.

463

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

(1) (j) 1.a.

464

893.135 1st Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

(1) (k) 2.a.

465

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

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

896.101 (5) (a)

466

896.104 (4) (a) 1. 3rd Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

896.104 (4) (a) 1.

467

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

943.0435 (4) (c)

468

943.0435 (8) 2nd Sexual offender; remains in state after indicating intent to leave; failure to

943.0435 (8)

469

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comply with reporting requirements.

470

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

471

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

472

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

473

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

474

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

475

944.607 (12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

476

944.607 (13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

477

985.4815 (10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

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478

985.4815(12) 3rd Failure to report or providing false
information about a sexual offender;
harbor or conceal a sexual offender.

479

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

480

481

Section 7. This act shall take effect July 1, 2012.