

By Senator Ring

32-00458-12

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1 A bill to be entitled
2 An act relating to possession of weapons on school
3 property; amending s. 790.115, F.S.; prohibiting
4 possession of a common pocketknife, except as
5 authorized, at a school-sponsored event or on the
6 property of any school, school bus, or school bus
7 stop; providing criminal penalties; reenacting s.
8 921.0022(3)(d), F.S., relating to the offense severity
9 ranking chart of the Criminal Punishment Code, to
10 incorporate the amendments made to s. 790.115, F.S.,
11 in a reference thereto; providing an effective date.
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13 Be It Enacted by the Legislature of the State of Florida:
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15 Section 1. Paragraphs (a) and (b) of subsection (2) of
16 section 790.115, Florida Statutes, are amended to read:

17 790.115 Possessing or discharging weapons or firearms at a
18 school-sponsored event or on school property prohibited;
19 penalties; exceptions.—

20 (2) (a) A person shall not possess any firearm, electric
21 weapon or device, destructive device, or other weapon as defined
22 in s. 790.001(13), including a razor blade or box cutter or a
23 common pocketknife, except as authorized in support of school-
24 sanctioned activities, at a school-sponsored event or on the
25 property of any school, school bus, or school bus stop; however,
26 a person may carry a firearm:

27 1. In a case to a firearms program, class, or function
28 which has been approved in advance by the principal or chief
29 administrative officer of the school as a program or class to

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30 which firearms could be carried;

31 2. In a case to a career center having a firearms training
32 range; or

33 3. In a vehicle pursuant to s. 790.25(5), ~~+~~ except that
34 school districts may adopt written and published policies that
35 waive the exception in this subparagraph for purposes of student
36 and campus parking privileges.

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38 For the purposes of this section, "school" means any preschool,
39 elementary school, middle school, junior high school, secondary
40 school, career center, or postsecondary school, whether public
41 or nonpublic.

42 (b) A person who willfully and knowingly possesses any
43 electric weapon or device, destructive device, or other weapon
44 as defined in s. 790.001(13), including a razor blade or box
45 cutter or a common pocketknife, except as authorized in support
46 of school-sanctioned activities, in violation of this subsection
47 commits a felony of the third degree, punishable as provided in
48 s. 775.082, s. 775.083, or s. 775.084.

49 Section 2. For the purpose of incorporating the amendment
50 made by this act to section 790.115, Florida Statutes, in a
51 reference thereto, paragraph (d) of subsection (3) of section
52 921.0022, Florida Statutes, is reenacted to read:

53 921.0022 Criminal Punishment Code; offense severity ranking
54 chart.—

55 (3) OFFENSE SEVERITY RANKING CHART

56 (d) LEVEL 4

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	Florida Statute	Felony Degree	Description
58	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.
59	499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
60	499.0051(2)	3rd	Failure to authenticate pedigree papers.
61	499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
62	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
63	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
64	784.075	3rd	Battery on detention or commitment facility staff.
65	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain

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fluids or materials.

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

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

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

784.083 (3) 3rd Battery on code inspector.

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

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

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

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

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75	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
76	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
77	790.115(2)(c)	3rd	Possessing firearm on school property.
78	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
79	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
80	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
81	810.06	3rd	Burglary; possession of tools.
82	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
83	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
	812.014	3rd	Grand theft, 3rd degree, a will,

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84	(2) (c) 4.-10.		firearm, motor vehicle, livestock, etc.
85	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
86	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
87	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
88	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
89	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
90	837.02 (1)	3rd	Perjury in official proceedings.
91	837.021 (1)	3rd	Make contradictory statements in official proceedings.
92	838.022	3rd	Official misconduct.
93	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.

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94	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Family Services.
95	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
96	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
97	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
98	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
99	874.05(1)	3rd	Encouraging or recruiting another to join a criminal gang.
100	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).
101	914.14(2)	3rd	Witnesses accepting bribes.
102	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.

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

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918.12 3rd Tampering with jurors.

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

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Section 3. This act shall take effect July 1, 2012.