Bill No. HB 777 (2012)

Amendment No.

CHAMBER ACTION

Senate House

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Representative Eisnaugle offered the following:

1 2

Amendment (with title amendment)

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3

Remove everything after the enacting clause and insert: Section 1. Paragraphs (b) and (d) of subsection (3) of

section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

8

10

- (3) OFFENSE SEVERITY RANKING CHART
- (b) LEVEL 2

Florida

Felony

Statute

Degree

Description

11

379.2431 3rd Possession of 11 or fewer marine turtle

(1) (e) 3.

eggs in violation of the Marine Turtle

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	Amendment No.		Protection Act.
12			
	379.2431	3rd	Possession of more than 11 marine turtle
	(1) (e) 4.		eggs in violation of the Marine Turtle
			Protection Act.
13			
	403.413(5)(c)	3rd	Dumps waste litter exceeding 500 lbs. in
			weight or 100 cubic feet in volume or
			any quantity for commercial purposes, or
			hazardous waste.
14			
	517.07(2)	3rd	Failure to furnish a prospectus meeting
	517.07		requirements. Registration of securities
			and furnishing of prospectus required.
15			
	590.28(1)	3rd	Intentional burning of lands.
16			
	784.05(3)	3rd	Storing or leaving a loaded firearm
			within reach of minor who uses it to
			inflict injury or death.
17			
	787.04(1)	3rd	In violation of court order, take,
			entice, etc., minor beyond state limits.
18			
	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more
			to public communication or any other
			public service.
19			
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2.0	Amendment No. 810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
20	810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
22	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
22	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
23	812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
24	817.234(1)(a)2.	3rd	False statement in support of insurance claim.
20	817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
26	817.52(3)	3rd	Failure to redeliver hired vehicle.

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	Amendment No.		
	817.54	3rd	With intent to defraud, obtain mortgage
			note, etc., by false representation.
28			
	817.60(5)	3rd	Dealing in credit cards of another.
29			
	817.60(6)(a)	3rd	Forgery; purchase goods, services with
			false card.
30			
	817.61	3rd	Fraudulent use of credit cards over \$100
			or more within 6 months.
31			
	826.04	3rd	Knowingly marries or has sexual
			intercourse with person to whom related.
32			
	831.01	3rd	Forgery.
33			
	831.02	3rd	Uttering forged instrument; utters or
			publishes alteration with intent to
			defraud.
34			
	831.07	3rd	Forging bank bills, checks, drafts, or
			promissory notes.
35			1 2
	831.08	3rd	Possessing 10 or more forged notes,
			bills, checks, or drafts.
36			, , -
	831.09	3rd	Uttering forged notes, bills, checks,
		014	cooling rouged needs, siril, encous,
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ľ	Amendment No.		
37			drafts, or promissory notes.
57	831.11	3rd	Bringing into the state forged bank
			bills, checks, drafts, or notes.
38			
	832.05(3)(a)	3rd	Cashing or depositing item with intent
			to defraud.
39			
40	843.08	3rd	Falsely impersonating an officer.
40	893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c),
			(2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5.,
			(2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9.,
			(3), or (4) drugs other than cannabis.
41			
	893.147(2)	3rd	Manufacture or delivery of drug
4.0			paraphernalia.
42	(d) LEVEL	Δ	
15	Florida	Felony	
	Statute	Degree	Description
44			
	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
45			siren and lights activated.
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	Amendment No. 499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
46			rupo101
4.7	499.0051(2)	3rd	Failure to authenticate pedigree papers.
47	499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
48			
	517.07(1)	<u>3rd</u>	Failure to register securities.
49	517.12(1)	<u>3rd</u>	Failure of dealer, associated person, or issuer of securities to register.
50			issuer of securities to register.
	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
51			
	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
52			
	784.075	3rd	Battery on detention or commitment facility staff.
53			
	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
54			

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	Amendment No. 784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
55			
	784.081(3)	3rd	Battery on specified official or employee.
56			
	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
57			
	784.083(3)	3rd	Battery on code inspector.
58			
	784.085	3rd	Battery of child by throwing, tossing,
			projecting, or expelling certain fluids
			or materials.
59			
	787.03(1)	3rd	Interference with custody; wrongly takes
6.0			minor from appointed guardian.
60	707 04/2)	21	
	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent
			pending custody proceedings.
61			penaling custody proceedings.
01	787.04(3)	3rd	Carrying child beyond state lines with
	, ,		criminal intent to avoid producing child
			at custody hearing or delivering to
			designated person.
62			

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63	Amendment No. 790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
64	790.115(2)(c)	3rd	Possessing firearm on school property.
65	, , ,		
	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
66			
	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
67			
	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
68			
	810.06	3rd	Burglary; possession of tools.
69	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
70			
71	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
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Bill No. HB 777 (2012)

	Amendment No. 812.014	3rd	Grand theft, 3rd degree, a will,
72	(2) (c) 410.		firearm, motor vehicle, livestock, etc.
	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
73			incernet, property scoren 3300 or more.
	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon,
74			excluding s. 893.03(5) drugs.
	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
75			
	817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
76	828.125(1)	2nd	Kill, maim, or cause great bodily harm
	020.123(1)	2110	or permanent breeding disability to any
77			registered horse or cattle.
	837.02(1)	3rd	Perjury in official proceedings.
78	837.021(1)	3rd	Make contradictory statements in
79			official proceedings.
	838.022	3rd	Official misconduct.
80			

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	Amendment No. 839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
81	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Family Services.
82			Children and ramily services.
	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
83	843.025	3rd	Deprive law enforcement, correctional,
	010.020	314	or correctional probation officer of
84			means of protection or communication.
	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond
0.5			jumping).
85	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using
86			computer; offender less than 18 years.
	874.05(1)	3rd	Encouraging or recruiting another to
87			join a criminal gang.
	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a),
88			(2)(b), or (2)(c)4. drugs).

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	914.14(2)	3rd	Witnesses accepting bribes.	
89				
	914.22(1)	3rd	Force, threaten, etc., witness, victim,	
			or informant.	
90				
	914.23(2)	3rd	Retaliation against a witness, victim,	
			or informant, no bodily injury.	
91				
	918.12	3rd	Tampering with jurors.	
92				
	934.215	3rd	Use of two-way communications device to	
0.0			facilitate commission of a crime.	
93		m1 '		
94	Section 2.	This a	act shall take effect July 1, 2012.	
95 96				
97				
98		ΤI	TLE AMENDMENT	
99	Remove the		title and insert:	
100		Z	A bill to be entitled	
101	An act rela	iting to	o criminal penalties for violations	
102	of securiti	es laws	s; amending s. 921.0022, F.S.;	
103	increasing	the of	fense severity ranking for failing to	
104	register securities with the Office of Financial			
105	Regulation;	specia	fying the offense severity ranking	
106	for the fai	lure of	f a dealer, associated person, or	
107	issuer of s	ecuriti	ies to register with the Office of	
108	Financial R	Regulati	ion; providing an effective date.	
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