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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/07/2011	.	
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The Committee on Environmental Preservation and Conservation
(Dean) recommended the following:

Senate Amendment (with title amendment)

Between lines 35 and 36
insert:

Section 3. Paragraph (e) of subsection (3) of section
921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking
chart.-

(3) OFFENSE SEVERITY RANKING CHART

(e) LEVEL 5

Florida Statute	Felony Degree	Description
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11	316.027(1)(a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
12	316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
13	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
14	327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
15	<u>379.367(4)</u>	<u>3rd</u>	<u>Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.</u>
16	<u>379.3671(2)(c)3.</u>	<u>3rd</u>	<u>Willful molestation or unauthorized possession or removal of a commercial harvester's spiny lobster trap contents or trap gear.</u>
17	381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
18	440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
19	440.105(5)	2nd	Unlawful solicitation for the purpose of



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making workers' compensation claims.

440.381(2) 2nd Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.

624.401(4)(b)2. 2nd Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

626.902(1)(c) 2nd Representing an unauthorized insurer; repeat offender.

790.01(2) 3rd Carrying a concealed firearm.

790.162 2nd Threat to throw or discharge destructive device.

790.163(1) 2nd False report of deadly explosive or weapon of mass destruction.

790.221(1) 2nd Possession of short-barreled shotgun or machine gun.

790.23 2nd Felons in possession of firearms, ammunition, or electronic weapons or devices.



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28	800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years.
29	800.04(7)(b)	2nd	Lewd or lascivious exhibition; offender 18 years or older.
30	806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
31	812.0145(2)(b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
32	812.015(8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
33	812.019(1)	2nd	Stolen property; dealing in or trafficking in.
34	812.131(2)(b)	3rd	Robbery by sudden snatching.
35	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
36	817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.



37	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
38	817.2341 (1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
39	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.
40	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
41	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
42	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.



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43	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
44	839.13 (2) (b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
45	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
46	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
47	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
48	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
49	874.05 (2)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
50	893.13 (1) (a) 1.	2nd	Sell, manufacture, or deliver 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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893.13(1) (c) 2. 2nd Sell, manufacture, or deliver cannabis
(or other 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) 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) (d) 1. 1st Sell, manufacture, or deliver cocaine
(or other s. 893.03(1) (a), (1) (b),
(1) (d), (2) (a), (2) (b), or (2) (c) 4.
drugs) within 1,000 feet of university.

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893.13(1) (e) 2. 2nd Sell, manufacture, or deliver cannabis
or other drug prohibited under 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) within
1,000 feet of property used for
religious services or a specified
business site.

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893.13(1) (f) 1. 1st Sell, manufacture, or deliver cocaine
(or other s. 893.03(1) (a), (1) (b),



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(1) (d), or (2) (a), (2) (b), or (2) (c) 4.
drugs) within 1,000 feet of public
housing facility.

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893.13(4) (b) 2nd Deliver to minor cannabis (or other 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).

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893.1351(1) 3rd Ownership, lease, or rental for
trafficking in or manufacturing of
controlled substance.

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59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete line 7

62 and insert:

63 crab endorsements; amending s. 921.0022, F.S.; adding
64 to the offense severity ranking chart, to be used with
65 the Criminal Punishment Code for sentence score,
66 willful molestation of a commercial harvester's spiny
67 lobster trap, line, or buoy or the unauthorized
68 possession or removal of trap contents or trap gear;
69 providing effective dates.