



943938

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/07/2013	.	
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The Committee on Judiciary (Latvala) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 817.535, Florida Statutes, is created to  
read:

817.535 Unlawful filing of false documents or records  
against real or personal property.-

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

(a) "File" means to present an instrument for recording in  
an official record or to cause an instrument to be presented for  
recording in an official record.



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14           (b) "Filer" means the person who presents an instrument for  
15 recording in an official record, or causes an instrument to be  
16 presented for recording in an official record.

17           (c) "Instrument" means any judgment, mortgage, assignment,  
18 pledge, lien, financing statement, encumbrance, deed, lease,  
19 bill of sale, agreement, mortgage, notice of claim of lien,  
20 notice of levy, promissory note, mortgage note, release, partial  
21 release or satisfaction of any of the foregoing, or any other  
22 document that relates to or attempts to restrict the ownership,  
23 transfer, encumbrance of or claim against real or personal  
24 property, or any interest in real or personal property.

25           (d) "Official record" means the series of instruments,  
26 regardless of how they are maintained, which a clerk of the  
27 circuit court, or any person or entity designated by general  
28 law, special law, or county charter, is required or authorized  
29 by law to record. The term also includes a series of instruments  
30 pertaining to the Uniform Commercial Code filed with the  
31 Secretary of State or with any entity under contract with the  
32 Secretary of State to maintain Uniform Commercial Code records  
33 and a database of judgment liens maintained by the Secretary of  
34 State.

35           (e) "Public officer or employee" means, but is not limited  
36 to:

37           1. A person elected or appointed to a state or federal  
38 office, including any person serving on an advisory body, board,  
39 commission, committee, council, or authority;

40           2. An employee of a state, county, municipal, political  
41 subdivision, school district, educational institution, or  
42 special district agency or entity, including all judges,



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43 attorneys, law enforcement officers, deputy clerks of court, and  
44 marshals;

45 3. A state or federal executive, legislative, or judicial  
46 officer, employee, or volunteer authorized to perform actions or  
47 services for any executive, legislative, or judicial office,  
48 agency, officer, or employee;

49 4. A person who acts as a general or special magistrate,  
50 auditor, arbitrator, umpire, referee hearing officer, or  
51 consultant to any state or local governmental entity; and

52 5. A person who is a candidate for public office or  
53 judicial position.

54 (2) (a) A person who files or directs a filer to file, with  
55 the intent to defraud or harass another, any instrument  
56 containing a materially false, fictitious, or fraudulent  
57 statement or representation that purports to affect the owner's  
58 interest in the property described in the instrument commits a  
59 felony of the third degree, punishable as provided in s.  
60 775.082, s. 775.083, or s. 775.084.

61 (b) A person who violates paragraph (a) a second or  
62 subsequent time commits a felony of the second degree,  
63 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

64 (3) If the owner of the property subject to the false  
65 instrument is a public officer or employee, such offense shall  
66 be reclassified as follows:

67 (a) In the case of a felony of the third degree, to a  
68 felony of the second degree, punishable as provided in s.  
69 775.082, s. 775.083, or s. 775.084.

70 (b) In the case of a felony of the second degree, to a  
71 felony of the first degree, punishable as provided in s.



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72 775.082, s. 775.083, or s. 775.084.

73 (4) If a person is convicted of violating subsection (2)  
74 while incarcerated in a jail or correctional institution or  
75 while participating in a pretrial diversion program under any  
76 form of pretrial release or bond, on probation or parole, or  
77 under any postrelease supervision, the offense for which the  
78 person is convicted shall be reclassified as follows:

79 (a) In the case of a felony of the third degree, to a  
80 felony of the second degree, punishable as provided in s.  
81 775.082, s. 775.083, or s. 775.084.

82 (b) In the case of a felony of the second degree, to a  
83 felony of the first degree, punishable as provided in s.  
84 775.082, s. 775.083, or s. 775.084.

85  
86 Any person convicted of violating this subsection while  
87 incarcerated in a jail or correctional institution shall forfeit  
88 all gain-time or any early release credits accumulated before  
89 the date of the violation.

90 (5) If the owner of the property covered by the false  
91 instrument incurs financial loss as a result of the instrument  
92 being recorded in the official record, including costs and  
93 attorney fees incurred in correcting, sealing, or removing the  
94 false instrument from the official record as described herein,  
95 such an offense shall be reclassified as follows:

96 (a) In the case of a felony of the third degree, to a  
97 felony of the second degree, punishable as provided in s.  
98 775.082, s. 775.083, or s. 775.084.

99 (b) In the case of a felony of the second degree, to a  
100 felony of the first degree, punishable as provided in s.



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101 775.082, s. 775.083, or s. 775.084.

102 (6) A person who fraudulently records a claim of lien in  
103 the official records pursuant to part I of chapter 713 is  
104 subject to the fraud provisions of s. 713.31 and not this  
105 section.

106 (7) If a person is convicted of violating this section, the  
107 court shall issue an order declaring the instrument forming the  
108 basis of the conviction null and void and may enjoin the person  
109 from filing any instrument in an official record absent prior  
110 review and approval by a circuit or county court judge. The  
111 court may also order the instrument forming the basis of the  
112 conviction sealed from the official record and removed from any  
113 applicable electronic database used for recording instruments in  
114 the official record.

115 (8) (a) Any person adversely affected by an instrument filed  
116 in the official record which contains a materially false,  
117 fictitious, or fraudulent statement or representation has a  
118 civil cause of action under this section without regard to  
119 whether criminal charges are pursued under subsection (2). A  
120 notice of lis pendens in accord with s. 48.23 shall be filed  
121 which specifically describes the instrument under challenge and  
122 the real or personal property affected by the instrument.

123 (b) Upon a finding that the instrument contains a  
124 materially false, fictitious, or fraudulent statement or  
125 representation such that the instrument does not establish a  
126 legitimate property or lien interest in favor of another person,  
127 the court shall enter judgment:

128 1. Determining whether the entire instrument or certain  
129 parts thereof are null and void ab initio. If the court finds



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130 the instrument void in its entirety, it may order the instrument  
131 sealed from the official record and removed from any electronic  
132 database used for indexing or locating instruments in the  
133 official record.

134 2. Awarding actual damages and punitive damages upon a  
135 finding of an intent to defraud or harass, awarding the person  
136 adversely affected by the instrument a civil penalty of \$2,500  
137 for each instrument determined to be in violation of subsection  
138 (2).

139 3. Enjoining the defendant who filed the instrument,  
140 permanently or for a period of time, from filing any other  
141 instrument in the official records without prior review and  
142 approval for filing by a circuit or county court judge, provided  
143 that as to third parties who may have given value for an  
144 interest described or granted by any instrument filed in  
145 violation of the injunction, the instrument shall be deemed  
146 validly filed and provides constructive notice, notwithstanding  
147 any failure to comply with the terms of the injunction.

148 4. Granting such other relief or remedy that the court  
149 determines is just and proper within its sound judicial  
150 discretion.

151 (c) The prevailing party in such a suit is entitled to  
152 recover costs and reasonable attorney fees.

153 (d) The custodian of any official record shall, upon  
154 payment of appropriate fees, provide a certified copy of the  
155 sealed instrument to the party seeking relief under this section  
156 for use in subsequent court proceedings, in addressing or  
157 correcting adverse effects upon the person's credit or property  
158 rights, or reporting the matter for investigation and



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159 prosecution; or in response to a subpoena seeking the instrument  
160 for criminal investigative or prosecution purposes.

161 (e) Upon request, the custodian of any official record  
162 shall, upon payment of appropriate fees, provide a certified  
163 copy of the sealed instrument to any federal state or local law  
164 enforcement agency.

165 (f) If feasible, the custodian of the official record where  
166 the instrument is recorded shall record any court order finding  
167 that the instrument is null and void in its entirety or in  
168 certain parts thereof.

169 (g) An instrument removed from an electronic database used  
170 for recording instruments in the public record pursuant to this  
171 section shall be maintained in a manner in which the instrument  
172 can be reduced to paper form.

173 (9) A government agency may provide legal representation to  
174 a public officer or employee if the instrument at issue appears  
175 to have been filed to defraud or harass the public officer or  
176 employee on account of the performance in that officer's or  
177 employee's official duties. If the public officer or employee is  
178 the prevailing party, the award of reasonable attorney fees  
179 shall be paid to the government agency that provided the legal  
180 representation.

181 (10) This section does not apply to the procedures for  
182 sealing or expunging criminal history records as provided in ss.  
183 943.0585 and 943.059.

184 Section 2. Section 843.0855, Florida Statutes, is amended  
185 to read:

186 843.0855 Criminal actions under color of law or through use  
187 of simulated legal process.-



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188 (1) As used in this section:

189 (a) The term "legal process" means a document or order  
190 issued by a court or filed or recorded with an official court of  
191 this state or the United States or with any official  
192 governmental entity of this state or the United States for the  
193 purpose of exercising jurisdiction or representing a claim  
194 against a person or property, or for the purpose of directing a  
195 person to appear before a court or tribunal, or to perform or  
196 refrain from performing a specified act. "Legal process"  
197 includes, but is not limited to, a summons, lien, complaint,  
198 warrant, injunction, writ, notice, pleading, subpoena, or order.

199 (b) The term "person" means an individual, public or  
200 private group incorporated or otherwise, legitimate or  
201 illegitimate legal tribunal or entity, informal organization,  
202 official or unofficial agency or body, or any group of  
203 individuals associated in fact, whether a legal entity or not  
204 assemblage of individuals.

205 (c) The term "public officer or employee" includes, but is  
206 not limited to:

207 1. A person elected or appointed to a state or federal  
208 office, including a person serving on an advisory body, board,  
209 commission, committee, council, or authority;

210 2. An employee of a state, county, municipal, political  
211 subdivision, school district, educational institution, or  
212 special district agency or entity, including all judges,  
213 attorneys, law enforcement officers, deputy clerks of court, or  
214 marshals;

215 3. A state or federal executive, legislative, or judicial  
216 officer, employee, or volunteer authorized to perform actions or





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217 services for any executive, legislative, or judicial office,  
218 agency, officer, or employee;

219 4. A person who acts as a general or special magistrate,  
220 auditor, arbitrator, umpire, referee hearing officer, or  
221 consultant to any state or local governmental entity; and

222 5. A person who is a candidate for public office or  
223 judicial position

224 ~~(c) The term "public officer" means a public officer as~~  
225 ~~defined by s. 112.061.~~

226 ~~(d) The term "public employee" means a public employee as~~  
227 ~~defined by s. 112.061.~~

228 (2) A ~~Any~~ person who deliberately impersonates or falsely  
229 acts as a public officer or ~~employee~~ tribunal, ~~public employee~~  
230 ~~or utility employee, including, but not limited to, marshals,~~  
231 ~~judges, prosecutors, sheriffs, deputies, court personnel, or any~~  
232 ~~law enforcement authority~~ in connection with or relating to any  
233 legal process affecting persons and property, or otherwise takes  
234 any action under color of law against persons or property,  
235 commits a felony of the third degree, punishable as provided in  
236 s. 775.082, ~~or~~ s. 775.083, or s. 775.084. It is the intent of  
237 the Legislature that this section applies if a person acts as an  
238 officer or employee purporting to supersede or override any  
239 legislation or statute of this state, or to supersede or  
240 override any action of any court, of this state.

241 (3) A ~~Any~~ person who simulates legal process, including,  
242 but not limited to, actions affecting title to real estate or  
243 personal property, indictments, subpoenas, warrants,  
244 injunctions, liens, orders, judgments, or any legal documents or  
245 proceedings, knowing or having reason to know the contents of



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246 any such documents or proceedings or the basis for any action to  
247 be fraudulent, commits a felony of the third degree, punishable  
248 as provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

249 (4) A ~~Any~~ person who falsely under color of law attempts in  
250 any way to influence, intimidate, harass, retaliate against, or  
251 hinder a public officer or employee involving ~~or law enforcement~~  
252 ~~officer in~~ the discharge of his or her official duties by means  
253 of, but not limited to, threats of or actual physical abuse or  
254 harassment, or through the use of simulated legal process,  
255 commits a felony of the third degree, punishable as provided in  
256 s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

257 (5) (a) ~~Nothing in~~ This section does not shall make unlawful  
258 any act of any law enforcement officer or legal tribunal which  
259 is performed under lawful authority.

260 (b) ~~Nothing in~~ This section does not shall prohibit  
261 individuals from assembling freely to express opinions or  
262 designate group affiliation or association.

263 (c) ~~Nothing in~~ This section does not shall prohibit or in  
264 any way limit a person's lawful and legitimate access to the  
265 courts or prevent a person from instituting or responding to  
266 legitimate and lawful legal process.

267 Section 3. Paragraphs (g) through (i) of subsection (3) of  
268 section 921.0022, Florida Statutes, are amended to read:

269 921.0022 Criminal Punishment Code; offense severity ranking  
270 chart.-

271 (3) OFFENSE SEVERITY RANKING CHART

272 (g) LEVEL 7

273



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	Florida Statute	Felony Degree	Description
274	316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
275	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
276	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.
277	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
278	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.
279	409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
280	409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.



281	456.065 (2)	3rd	Practicing a health care profession without a license.
282	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
283	458.327 (1)	3rd	Practicing medicine without a license.
284	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
285	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
286	461.012 (1)	3rd	Practicing podiatric medicine without a license.
287	462.17	3rd	Practicing naturopathy without a license.
288	463.015 (1)	3rd	Practicing optometry without a license.
289	464.016 (1)	3rd	Practicing nursing without a license.
290	465.015 (2)	3rd	Practicing pharmacy without a license.
291	466.026 (1)	3rd	Practicing dentistry or dental hygiene



without a license.

292

467.201 3rd Practicing midwifery without a license.

293

468.366 3rd Delivering respiratory care services  
without a license.

294

483.828(1) 3rd Practicing as clinical laboratory  
personnel without a license.

295

483.901(9) 3rd Practicing medical physics without a  
license.

296

484.013(1)(c) 3rd Preparing or dispensing optical devices  
without a prescription.

297

484.053 3rd Dispensing hearing aids without a  
license.

298

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.

299

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.



300	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
301	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
302	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
303	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
304	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
305	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
306	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
307			



308	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
309	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
310	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
311	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
312	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
313	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
314	784.048 (7)	3rd	Aggravated stalking; violation of court order.
315	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
	784.074 (1) (a)	1st	Aggravated battery on sexually violent



predators facility staff.

316

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

317

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

318

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

319

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

320

787.06(3)(a) 1st Human trafficking using coercion for  
labor and services.

321

787.06(3)(e) 1st Human trafficking using coercion for  
labor and services by the transfer or  
transport of any individual from  
outside Florida to within the state.

322

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

323

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

324

790.165(2) 2nd Manufacture, sell, possess, or deliver





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hoax bomb.

325

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

326

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

327

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

328

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

329

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.

330

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

331

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



less than 18 years.

332

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.

333

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

334

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

335

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

336

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

337

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

338

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.

339

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



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degree.

340

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

341

812.014 (2) (b) 4. 2nd Property stolen, law enforcement  
equipment from authorized emergency  
vehicle.

342

812.0145 (2) (a) 1st Theft from person 65 years of age or  
older; \$50,000 or more.

343

812.019 (2) 1st Stolen property; initiates, organizes,  
plans, etc., the theft of property and  
traffics in stolen property.

344

812.131 (2) (a) 2nd Robbery by sudden snatching.

345

812.133 (2) (b) 1st Carjacking; no firearm, deadly weapon,  
or other weapon.

346

817.234 (8) (a) 2nd Solicitation of motor vehicle accident  
victims with intent to defraud.

347

817.234 (9) 2nd Organizing, planning, or participating  
in an intentional motor vehicle  
collision.

348

817.234 (11) (c) 1st Insurance fraud; property value



\$100,000 or more.

349

817.2341                    1st    Making false entries of material fact  
      (2) (b) &                    or false statements regarding property  
      (3) (b)                    values relating to the solvency of an  
  insuring entity which are a significant  
  cause of the insolvency of that entity.

350

817.535 (2) (a)            3rd    Filing false lien or other unauthorized  
  document.

351

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

352

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.

353

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

354

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

355

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



officer.

356

838.015                    2nd    Bribery.

357

838.016                    2nd    Unlawful compensation or reward for  
official behavior.

358

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

359

838.22                     2nd    Bid tampering.

360

843.0855 (2)                2nd    Impersonation of public officer or  
tribunal.

361

843.0855 (3)                3rd    Unlawful simulation of legal process.

362

843.0855 (4)                3rd    Intimidation of public officer or  
tribunal.

363

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

364

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

365

872.06                     2nd    Abuse of a dead human body.

366

874.10                     1st,PBL    Knowingly initiates, organizes, plans,  
finances, directs, manages, or



supervises criminal gang-related activity.

367

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.

368

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.

369

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).

370

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

371

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

372



373	893.135 (1) (c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
374	893.135(1) (d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
375	893.135(1) (e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
376	893.135(1) (f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
377	893.135 (1) (g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
378	893.135 (1) (h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
379	893.135 (1) (j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
380	893.135 (1) (k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.



381	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
382	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
383	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
384	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
385	943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
386	943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
387	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
388			





389	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
390	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
391	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
392	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
393	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
394	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
395	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
396	(h) LEVEL 8		
397			

Florida Statute	Felony Degree	Description
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398 316.193 2nd DUI manslaughter.  
(3) (c) 3.a.

399 316.1935 (4) (b) 1st Aggravated fleeing or attempted eluding  
with serious bodily injury or death.

400 327.35 (3) (c) 3. 2nd Vessel BUI manslaughter.

401 499.0051 (7) 1st Knowing trafficking in contraband  
prescription drugs.

402 499.0051 (8) 1st Knowing forgery of prescription labels  
or prescription drug labels.

403 560.123 (8) (b) 2. 2nd Failure to report currency or payment  
instruments totaling or exceeding  
\$20,000, but less than \$100,000 by  
money transmitter.

404 560.125 (5) (b) 2nd Money transmitter business by  
unauthorized person, currency or  
payment instruments totaling or  
exceeding \$20,000, but less than  
\$100,000.

405 655.50 (10) (b) 2. 2nd Failure to report financial  
transactions totaling or exceeding  
\$20,000, but less than \$100,000 by



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financial institutions.

406

777.03(2)(a) 1st Accessory after the fact, capital felony.

407

782.04(4) 2nd Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.

408

782.051(2) 1st Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).

409

782.071(1)(b) 1st Committing vehicular homicide and failing to render aid or give information.

410

782.072(2) 1st Committing vessel homicide and failing to render aid or give information.

411

787.06(3)(b) 1st Human trafficking using coercion for commercial sexual activity.

412



413	787.06(3)(c)	1st	Human trafficking using coercion for labor and services of an unauthorized alien.
414	787.06(3)(f)	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any individual from outside Florida to within the state.
415	790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
416	794.011(5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
417	794.08(3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
418	800.04(4)	2nd	Lewd or lascivious battery.
419	806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
	810.02(2)(a)	1st,PBL	Burglary with assault or battery.



420 810.02 (2) (b) 1st,PBL Burglary; armed with explosives or  
dangerous weapon.

421 810.02 (2) (c) 1st Burglary of a dwelling or structure  
causing structural damage or \$1,000 or  
more property damage.

422 812.014 (2) (a) 2. 1st Property stolen; cargo valued at  
\$50,000 or more, grand theft in 1st  
degree.

423 812.13 (2) (b) 1st Robbery with a weapon.

424 812.135 (2) (c) 1st Home-invasion robbery, no firearm,  
deadly weapon, or other weapon.

425 817.535 (2) (b) 2nd Second or subsequent offense issuing or  
filing false document.

426 817.535 (3) (a) 2nd Filing false lien or other unauthorized  
document; property owner public officer  
or employee.

427 817.568 (6) 2nd Fraudulent use of personal  
identification information of an  
individual under the age of 18.

428 825.102 (2) 1st Aggravated abuse of an elderly person



or disabled adult.

429

825.1025(2) 2nd Lewd or lascivious battery upon an elderly person or disabled adult.

430

825.103(2)(a) 1st Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.

431

837.02(2) 2nd Perjury in official proceedings relating to prosecution of a capital felony.

432

837.021(2) 2nd Making contradictory statements in official proceedings relating to prosecution of a capital felony.

433

860.121(2)(c) 1st Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.

434

860.16 1st Aircraft piracy.

435

893.13(1)(b) 1st Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).

436

893.13(2)(b) 1st Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a)



or (b).

437

893.13(6)(c) 1st Possess in excess of 10 grams of any  
substance specified in s. 893.03(1)(a)  
or (b).

438

893.135(1)(a)2. 1st Trafficking in cannabis, more than  
2,000 lbs., less than 10,000 lbs.

439

893.135 1st Trafficking in cocaine, more than 200  
(1)(b)1.b. grams, less than 400 grams.

440

893.135 1st Trafficking in illegal drugs, more than  
(1)(c)1.b. 14 grams, less than 28 grams.

441

893.135 1st Trafficking in phencyclidine, more than  
(1)(d)1.b. 200 grams, less than 400 grams.

442

893.135 1st Trafficking in methaqualone, more than  
(1)(e)1.b. 5 kilograms, less than 25 kilograms.

443

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

444

893.135 1st Trafficking in flunitrazepam, 14 grams  
(1)(g)1.b. or more, less than 28 grams.

445

893.135 1st Trafficking in gamma-hydroxybutyric  
(1)(h)1.b. acid (GHB), 5 kilograms or more, less







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896.104 (4) (a) 2.      2nd      Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.

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(i) LEVEL 9

Florida Statute	Felony Degree	Description
316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
560.125 (5) (c)	1st	Money transmitter business by



unauthorized person, currency, or  
payment instruments totaling or  
exceeding \$100,000.

463

655.50(10)(b)3.      1st      Failure to report financial  
transactions totaling or exceeding  
\$100,000 by financial institution.

464

775.0844              1st      Aggravated white collar crime.

465

782.04(1)             1st      Attempt, conspire, or solicit to  
commit premeditated murder.

466

782.04(3)             1st,PBL      Accomplice to murder in connection  
with arson, sexual battery, robbery,  
burglary, aggravated fleeing or  
eluding with serious bodily injury or  
death, and other specified felonies.

467

782.051(1)            1st      Attempted felony murder while  
perpetrating or attempting to  
perpetrate a felony enumerated in s.  
782.04(3).

468

782.07(2)             1st      Aggravated manslaughter of an elderly  
person or disabled adult.

469

787.01(1)(a)1.      1st,PBL      Kidnapping; hold for ransom or reward  
or as a shield or hostage.



470 787.01(1)(a)2. 1st,PBL Kidnapping with intent to commit or  
facilitate commission of any felony.

471 787.01(1)(a)4. 1st,PBL Kidnapping with intent to interfere  
with performance of any governmental  
or political function.

472 787.02(3)(a) 1st False imprisonment; child under age  
13; perpetrator also commits  
aggravated child abuse, sexual  
battery, or lewd or lascivious  
battery, molestation, conduct, or  
exhibition.

473 787.06(3)(d) 1st Human trafficking using coercion for  
commercial sexual activity of an  
unauthorized alien.

474 787.06(3)(g) 1st,PBL Human trafficking for commercial  
sexual activity of a child under the  
age of 18.

475 787.06(4) 1st Selling or buying of minors into human  
trafficking.

476 790.161 1st Attempted capital destructive device  
offense.

477



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478 790.166 (2) 1st,PBL Possessing, selling, using, or  
attempting to use a weapon of mass  
destruction.

479 794.011 (2) 1st Attempted sexual battery; victim less  
than 12 years of age.

480 794.011 (2) Life Sexual battery; offender younger than  
18 years and commits sexual battery on  
a person less than 12 years.

481 794.011 (4) 1st Sexual battery; victim 12 years or  
older, certain circumstances.

482 794.011 (8) (b) 1st Sexual battery; engage in sexual  
conduct with minor 12 to 18 years by  
person in familial or custodial  
authority.

483 794.08 (2) 1st Female genital mutilation; victim  
younger than 18 years of age.

484 796.035 1st Selling or buying of minors into  
prostitution.

485 800.04 (5) (b) Life Lewd or lascivious molestation; victim  
less than 12 years; offender 18 years  
or older.



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486 812.13 (2) (a) 1st,PBL Robbery with firearm or other deadly  
weapon.

487 812.133 (2) (a) 1st,PBL Carjacking; firearm or other deadly  
weapon.

488 812.135 (2) (b) 1st Home-invasion robbery with weapon.

489 817.535 (3) (b) 1st Property owner is public official or  
employee.

817.568 (7) 2nd, Fraudulent use of personal  
PBL identification information of an  
individual under the age of 18 by his  
or her parent, legal guardian, or  
person exercising custodial authority.

490 827.03 (2) (a) 1st Aggravated child abuse.

491 847.0145 (1) 1st Selling, or otherwise transferring  
custody or control, of a minor.

492 847.0145 (2) 1st Purchasing, or otherwise obtaining  
custody or control, of a minor.

493 859.01 1st Poisoning or introducing bacteria,  
radioactive materials, viruses, or  
chemical compounds into food, drink,  
medicine, or water with intent to kill



or injure another person.

494

893.135 1st Attempted capital trafficking offense.

495

893.135 (1) (a) 3. 1st Trafficking in cannabis, more than  
10,000 lbs.

496

893.135 1st Trafficking in cocaine, more than 400  
(1) (b) 1.c. grams, less than 150 kilograms.

497

893.135 1st Trafficking in illegal drugs, more  
(1) (c) 1.c. than 28 grams, less than 30 kilograms.

498

893.135 1st Trafficking in phencyclidine, more  
(1) (d) 1.c. than 400 grams.

499

893.135 1st Trafficking in methaqualone, more than  
(1) (e) 1.c. 25 kilograms.

500

893.135 1st Trafficking in amphetamine, more than  
(1) (f) 1.c. 200 grams.

501

893.135 1st Trafficking in gamma-hydroxybutyric  
(1) (h) 1.c. acid (GHB), 10 kilograms or more.

502

893.135 1st Trafficking in 1,4-Butanediol, 10  
(1) (j) 1.c. kilograms or more.

503

893.135 1st Trafficking in Phenethylamines, 400





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525 convicted offenders who commit unlawful acts while  
526 incarcerated in a jail or participating in community  
527 correctional programs, and when the victim of the  
528 offense is a public officer or employee under certain  
529 circumstances; authorizing the court to issue  
530 injunction; authorizing a court to seal specified  
531 public or private records under certain circumstances;  
532 providing that the subject of the false statements has  
533 a cause of action against the perpetrator; providing  
534 for actual and punitive damages; providing that the  
535 prevailing party is entitled to costs and reasonable  
536 attorney fees; providing duties of the custodian of  
537 the official record; providing applicability;  
538 requiring that attorney fees be paid to the government  
539 agency that provides legal representation, under  
540 certain circumstances; amending s. 843.0855, F.S.;  
541 revising definitions; defining the term "public  
542 officer or employee"; providing criminal penalties for  
543 a person who impersonates a public official or  
544 employee or who, under color of law, intimidates  
545 certain specified officials; amending s. 921.0022,  
546 F.S.; revising provisions of the offense severity  
547 ranking chart of the Criminal Punishment Code to  
548 conform to changes made by the act; providing an  
549 effective date.