

1 A bill to be entitled
 2 An act relating to false personation; amending s.
 3 843.08, F.S.; prohibiting a person from falsely
 4 personating a firefighter or certain law enforcement
 5 officers if his or her action could deceive a
 6 reasonable person into believing that he or she was a
 7 bona fide official; amending s. 843.085, F.S.;
 8 prohibiting operation or ownership of a motor vehicle
 9 falsely marked in a way which could deceive a
 10 reasonable person into believing that such vehicle is
 11 authorized by a fire department for use by the person
 12 operating it; providing an exception; amending s.
 13 921.0022, F.S.; conforming provisions to changes made
 14 by the act; providing an effective date.

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 16 Be It Enacted by the Legislature of the State of Florida:

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 18 Section 1. Section 843.08, Florida Statutes, is amended to
 19 read:

20 843.08 False personation ~~Falsely personating officer,~~
 21 ~~ete.~~—A person who falsely assumes or pretends to be a
 22 firefighter, sheriff, officer of the Florida Highway Patrol,
 23 officer of the Fish and Wildlife Conservation Commission,
 24 officer of the Department of Transportation, officer of the
 25 Department of Financial Services, officer of the Department of
 26 Corrections, correctional probation officer, deputy sheriff,
 27 state attorney or assistant state attorney, statewide prosecutor
 28 or assistant statewide prosecutor, state attorney investigator,

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29 | coroner, police officer, lottery special agent or lottery
30 | investigator, beverage enforcement agent, or watchman, or any
31 | member of the Parole Commission and any administrative aide or
32 | supervisor employed by the commission, or any personnel or
33 | representative of the Department of Law Enforcement or any other
34 | criminal justice agency as defined in s. 943.045, whether
35 | federal, state, local, municipal, tribal, or territorial, if his
36 | or her action could deceive a reasonable person into believing
37 | that he or she was a bona fide law enforcement official, or a
38 | federal law enforcement officer as defined in s. 901.1505, and
39 | takes upon himself or herself to act as such, or to require any
40 | other person to aid or assist him or her in a matter pertaining
41 | to the duty of any such officer, commits a felony of the third
42 | degree, punishable as provided in s. 775.082, s. 775.083, or s.
43 | 775.084. However, a person who falsely personates any such
44 | officer during the course of the commission of a felony commits
45 | a felony of the second degree, punishable as provided in s.
46 | 775.082, s. 775.083, or s. 775.084. If the commission of the
47 | felony results in the death or personal injury of another human
48 | being, the person commits a felony of the first degree,
49 | punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

50 | Section 2. Subsections (2) and (4) of section 843.085,
51 | Florida Statutes, are amended to read:

52 | 843.085 Unlawful use of police badges or other indicia of
53 | authority.—It is unlawful for any person:

54 | (2) To own or operate a motor vehicle marked or identified
55 | in any manner or combination by the word or words "police,"
56 | "patrolman," "sheriff," "deputy," "trooper," "highway patrol,"

57 "commission officer," "Wildlife Officer," "Marine Patrol
 58 Officer," "marshal," "constable," ~~or~~ "bailiff," or "fire
 59 department," or by any lettering, marking, or insignia, or
 60 colorable imitation thereof, including, but not limited to,
 61 stars, badges, or shields, officially used to identify the
 62 vehicle as a federal, state, county, or municipal law
 63 enforcement vehicle or a vehicle used by a criminal justice
 64 agency as ~~now or hereafter~~ defined in s. 943.045, or a vehicle
 65 used by a fire department which could deceive a reasonable
 66 person into believing that such vehicle is authorized by any of
 67 the agencies described in this subsection ~~above~~ for use by the
 68 person operating the motor vehicle, unless such vehicle is owned
 69 or operated by the appropriate agency and its use is authorized
 70 by such agency, or the local law enforcement agency or fire
 71 department authorizes the use of such vehicle or unless the
 72 person is appointed by the Governor pursuant to chapter 354.

73 (4) ~~Nothing in~~ This section does not ~~shall~~ prohibit a
 74 fraternal, benevolent, or labor organization or association, or
 75 their chapters or subsidiaries, from using the following words,
 76 in any manner or in any combination, if those words appear in
 77 the official name of the organization or association: "police,"
 78 "patrolman," "sheriff," "deputy," "trooper," "highway patrol,"
 79 "commission officer," "Wildlife Officer," "Marine Patrol
 80 Officer," "marshal," "constable," ~~or~~ "bailiff," or "fire
 81 department."

82 Section 3. Paragraph (b) of subsection (3) of section
 83 921.0022, Florida Statutes, is amended to read:

84 921.0022 Criminal Punishment Code; offense severity

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85 ranking chart.—

86 (3) OFFENSE SEVERITY RANKING CHART

87 (b) LEVEL 2

88

Florida Statute	Felony Degree	Description
379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
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.
517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
590.28 (1)	3rd	Intentional burning of lands.

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95	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
96	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
97	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
98	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
99	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.
100	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300,

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taken from unenclosed curtilage
of dwelling.

101

812.015 (7) 3rd Possession, use, or attempted
use of an antishoplifting or
inventory control device
countermeasure.

102

817.234 (1) (a) 2. 3rd False statement in support of
insurance claim.

103

817.481 (3) (a) 3rd Obtain credit or purchase with
false, expired, counterfeit,
etc., credit card, value over
\$300.

104

817.52 (3) 3rd Failure to redeliver hired
vehicle.

105

817.54 3rd With intent to defraud, obtain
mortgage note, etc., by false
representation.

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817.60 (5) 3rd Dealing in credit cards of
another.

107

817.60 (6) (a) 3rd Forgery; purchase goods,
services with false card.

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108	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
109	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
110	831.01	3rd	Forgery.
111	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
112	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
113	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
114	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
115	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or

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notes.

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832.05 (3) (a) 3rd Cashing or depositing item with
intent to defraud.

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843.08 3rd False personation ~~Falsely~~
~~impersonating an officer.~~

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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.

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893.147 (2) 3rd Manufacture or delivery of drug
paraphernalia.

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121 Section 4. This act shall take effect October 1, 2013.