

By Senator Soto

14-00270-13

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1 A bill to be entitled
2 An act relating to assault or battery on a utility
3 worker; amending s. 784.07, F.S.; defining the term
4 "utility worker"; providing for reclassification of
5 certain offenses committed against a utility worker;
6 amending ss. 901.15, 943.051, 985.11, and 985.644,
7 F.S.; conforming provisions to changes made by the
8 act; reenacting and amending s. 921.0022(3)(d), (f),
9 and (g), F.S., relating to the offense severity
10 ranking chart of the Criminal Punishment Code, to
11 incorporate the amendment made to s. 784.07, F.S., in
12 references thereto; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Section 784.07, Florida Statutes, is amended to
17 read:

18 784.07 Assault or battery of law enforcement officers,
19 firefighters, emergency medical care providers, public transit
20 employees or agents, or other specified persons ~~officers~~;
21 reclassification of offenses; minimum sentences.-

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

23 (a) "Emergency medical care provider" means an ambulance
24 driver, emergency medical technician, paramedic, registered
25 nurse, physician as defined in s. 401.23, medical director as
26 defined in s. 401.23, or any person authorized by an emergency
27 medical service licensed under chapter 401 who is engaged in the
28 performance of his or her duties. The term "emergency medical
29 care provider" also includes physicians, employees, agents, or

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30 volunteers of hospitals as defined in chapter 395, who are
31 employed, under contract, or otherwise authorized by a hospital
32 to perform duties directly associated with the care and
33 treatment rendered by the hospital's emergency department or the
34 security thereof.

35 (b) "Firefighter" means any person employed by any public
36 employer of this state whose duty it is to extinguish fires; to
37 protect life or property; or to enforce municipal, county, and
38 state fire prevention codes, as well as any law pertaining to
39 the prevention and control of fires.

40 (c) "Law enforcement explorer" means any person who is a
41 current member of a law enforcement agency's explorer program
42 and who is performing functions other than those required to be
43 performed by sworn law enforcement officers on behalf of a law
44 enforcement agency while under the direct physical supervision
45 of a sworn officer of that agency and wearing a uniform that
46 bears at least one patch that clearly identifies the law
47 enforcement agency that he or she represents.

48 (d) "Law enforcement officer" includes a law enforcement
49 officer, a correctional officer, a correctional probation
50 officer, a part-time law enforcement officer, a part-time
51 correctional officer, an auxiliary law enforcement officer, and
52 an auxiliary correctional officer, as those terms are
53 respectively defined in s. 943.10, and any county probation
54 officer; an employee or agent of the Department of Corrections
55 who supervises or provides services to inmates; an officer of
56 the Parole Commission; a federal law enforcement officer as
57 defined in s. 901.1505; and law enforcement personnel of the
58 Fish and Wildlife Conservation Commission or the Department of

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59 Law Enforcement.

60 (e) "Public transit employees or agents" means bus
61 operators, train operators, revenue collectors, security
62 personnel, equipment maintenance personnel, or field
63 supervisors, who are employees or agents of a transit agency as
64 described in s. 812.015(1)(1).

65 (f) "Utility worker" means a person who bears at least one
66 patch or emblem that is visible at all times and that clearly
67 identifies the employing or contracting utility and that clearly
68 identifies the person as a utility worker under contract with or
69 employed by an entity that owns, operates, leases, or controls a
70 plant, property, or facility for the generation, transmission,
71 or furnishing to or for the public of electricity, natural or
72 manufactured gas, water, telephone, or communications service,
73 including two or more utilities rendering joint service.

74 (2) Whenever any person is charged with knowingly
75 committing an assault or battery upon a law enforcement officer,
76 a firefighter, an emergency medical care provider, a traffic
77 accident investigation officer as described in s. 316.640, a
78 nonsworn law enforcement agency employee who is certified as an
79 agency inspector, a blood alcohol analyst, or a breath test
80 operator while such employee is in uniform and engaged in
81 processing, testing, evaluating, analyzing, or transporting a
82 person who is detained or under arrest for DUI, a law
83 enforcement explorer, a traffic infraction enforcement officer
84 as described in s. 316.640, a parking enforcement specialist as
85 defined in s. 316.640, a person licensed as a security officer
86 as defined in s. 493.6101 and wearing a uniform that bears at
87 least one patch or emblem that is visible at all times that

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88 clearly identifies the employing agency and that clearly
89 identifies the person as a licensed security officer, or a
90 security officer employed by the board of trustees of a
91 community college, or utility worker, while the officer,
92 firefighter, emergency medical care provider, traffic accident
93 investigation officer, traffic infraction enforcement officer,
94 inspector, analyst, operator, law enforcement explorer, parking
95 enforcement specialist, public transit employee or agent, ~~or~~
96 security officer, or utility worker is engaged in the lawful
97 performance of his or her duties, the offense for which the
98 person is charged shall be reclassified as follows:

99 (a) In the case of assault, from a misdemeanor of the
100 second degree to a misdemeanor of the first degree.

101 (b) In the case of battery, from a misdemeanor of the first
102 degree to a felony of the third degree.

103 (c) In the case of aggravated assault, from a felony of the
104 third degree to a felony of the second degree. Notwithstanding
105 any other provision of law, any person convicted of aggravated
106 assault upon a law enforcement officer shall be sentenced to a
107 minimum term of imprisonment of 3 years.

108 (d) In the case of aggravated battery, from a felony of the
109 second degree to a felony of the first degree. Notwithstanding
110 any other provision of law, any person convicted of aggravated
111 battery of a law enforcement officer shall be sentenced to a
112 minimum term of imprisonment of 5 years.

113 (3) Any person who is convicted of a battery under
114 paragraph (2) (b) and, during the commission of the offense, such
115 person possessed:

116 (a) A "firearm" or "destructive device" as those terms are

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117 defined in s. 790.001, shall be sentenced to a minimum term of
118 imprisonment of 3 years.

119 (b) A semiautomatic firearm and its high-capacity
120 detachable box magazine, as defined in s. 775.087(3), or a
121 machine gun as defined in s. 790.001, shall be sentenced to a
122 minimum term of imprisonment of 8 years.

123
124 Notwithstanding s. 948.01, adjudication of guilt or imposition
125 of sentence shall not be suspended, deferred, or withheld, and
126 the defendant is not eligible for statutory gain-time under s.
127 944.275 or any form of discretionary early release, other than
128 pardon or executive clemency, or conditional medical release
129 under s. 947.149, prior to serving the minimum sentence.

130 Section 2. Subsection (15) of section 901.15, Florida
131 Statutes, is amended to read:

132 901.15 When arrest by officer without warrant is lawful.—A
133 law enforcement officer may arrest a person without a warrant
134 when:

135 (15) There is probable cause to believe that the person has
136 committed assault upon a law enforcement officer, a firefighter,
137 an emergency medical care provider, public transit employees or
138 agents, or other specified persons ~~officers~~ as set forth in s.
139 784.07 or has committed assault or battery upon any employee of
140 a receiving facility as defined in s. 394.455 who is engaged in
141 the lawful performance of his or her duties.

142 Section 3. Paragraph (b) of subsection (3) of section
143 943.051, Florida Statutes, is amended to read:

144 943.051 Criminal justice information; collection and
145 storage; fingerprinting.—

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146 (3)

147 (b) A minor who is charged with or found to have committed
148 the following offenses shall be fingerprinted and the
149 fingerprints shall be submitted to the department:

150 1. Assault, as defined in s. 784.011.

151 2. Battery, as defined in s. 784.03.

152 3. Carrying a concealed weapon, as defined in s. 790.01(1).

153 4. Unlawful use of destructive devices or bombs, as defined
154 in s. 790.1615(1).

155 5. Negligent treatment of children, as defined in former s.
156 827.05.

157 6. Assault or battery on a law enforcement officer, a
158 firefighter, or other specified persons ~~officers~~, as defined in
159 s. 784.07(2)(a) and (b).

160 7. Open carrying of a weapon, as defined in s. 790.053.

161 8. Exposure of sexual organs, as defined in s. 800.03.

162 9. Unlawful possession of a firearm, as defined in s.
163 790.22(5).

164 10. Petit theft, as defined in s. 812.014(3).

165 11. Cruelty to animals, as defined in s. 828.12(1).

166 12. Arson, as defined in s. 806.031(1).

167 13. Unlawful possession or discharge of a weapon or firearm
168 at a school-sponsored event or on school property as defined in
169 s. 790.115.

170 Section 4. Paragraph (b) of subsection (1) of section
171 985.11, Florida Statutes, is amended to read:

172 985.11 Fingerprinting and photographing.—

173 (1)

174 (b) A child who is charged with or found to have committed

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175 one of the following offenses shall be fingerprinted, and the
176 fingerprints shall be submitted to the Department of Law
177 Enforcement as provided in s. 943.051(3)(b):

- 178 1. Assault, as defined in s. 784.011.
- 179 2. Battery, as defined in s. 784.03.
- 180 3. Carrying a concealed weapon, as defined in s. 790.01(1).
- 181 4. Unlawful use of destructive devices or bombs, as defined
182 in s. 790.1615(1).
- 183 5. Negligent treatment of children, as defined in former s.
184 827.05.
- 185 6. Assault on a law enforcement officer, a firefighter, or
186 other specified persons ~~officers~~, as defined in s. 784.07~~(2)~~(a).
- 187 7. Open carrying of a weapon, as defined in s. 790.053.
- 188 8. Exposure of sexual organs, as defined in s. 800.03.
- 189 9. Unlawful possession of a firearm, as defined in s.
190 790.22(5).
- 191 10. Petit theft, as defined in s. 812.014.
- 192 11. Cruelty to animals, as defined in s. 828.12(1).
- 193 12. Arson, resulting in bodily harm to a firefighter, as
194 defined in s. 806.031(1).
- 195 13. Unlawful possession or discharge of a weapon or firearm
196 at a school-sponsored event or on school property as defined in
197 s. 790.115.

198
199 A law enforcement agency may fingerprint and photograph a child
200 taken into custody upon probable cause that such child has
201 committed any other violation of law, as the agency deems
202 appropriate. Such fingerprint records and photographs shall be
203 retained by the law enforcement agency in a separate file, and

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204 these records and all copies thereof must be marked "Juvenile
205 Confidential." These records are not available for public
206 disclosure and inspection under s. 119.07(1) except as provided
207 in ss. 943.053 and 985.04(2), but shall be available to other
208 law enforcement agencies, criminal justice agencies, state
209 attorneys, the courts, the child, the parents or legal
210 custodians of the child, their attorneys, and any other person
211 authorized by the court to have access to such records. In
212 addition, such records may be submitted to the Department of Law
213 Enforcement for inclusion in the state criminal history records
214 and used by criminal justice agencies for criminal justice
215 purposes. These records may, in the discretion of the court, be
216 open to inspection by anyone upon a showing of cause. The
217 fingerprint and photograph records shall be produced in the
218 court whenever directed by the court. Any photograph taken
219 pursuant to this section may be shown by a law enforcement
220 officer to any victim or witness of a crime for the purpose of
221 identifying the person who committed such crime.

222 Section 5. Paragraph (a) of subsection (3) of section
223 985.644, Florida Statutes, is amended to read:

224 985.644 Departmental contracting powers; personnel
225 standards and screening.—

226 (3) (a) All employees of the department and all personnel of
227 contract providers for any program for children, including all
228 owners, operators, employees, persons who have access to
229 confidential juvenile records, and volunteers, must complete:

230 1. A level 2 employment screening pursuant to chapter 435
231 before employment. The security background investigation
232 conducted under this section must ensure that, in addition to

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233 the disqualifying offenses listed in s. 435.04, no person
 234 subject to the background screening provisions of this section
 235 has an arrest awaiting final disposition for, been found guilty
 236 of, regardless of adjudication, or entered a plea of nolo
 237 contendere or guilty to, or been adjudicated delinquent and the
 238 record has not been sealed or expunged for, any offense
 239 prohibited under the following provisions of state law or
 240 similar laws of another jurisdiction:

241 a. Section 784.07, relating to assault or battery of law
 242 enforcement officers, firefighters, emergency medical care
 243 providers, public transit employees or agents, or other
 244 specified persons ~~officers~~.

245 b. Section 817.568, relating to criminal use of personal
 246 identification information.

247 2. A national criminal records check by the Federal Bureau
 248 of Investigation every 5 years following the date of the
 249 person's employment.

250 Section 6. Paragraphs (d), (f), and (g) of subsection (3)
 251 of section 921.0022, Florida Statutes, are amended to read:

252 921.0022 Criminal Punishment Code; offense severity ranking
 253 chart.—

254 (3) OFFENSE SEVERITY RANKING CHART

255 (d) LEVEL 4

256

Florida	Felony	
Statute	Degree	Description

257

316.1935(3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or
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attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

258

499.0051(1) 3rd Failure to maintain or deliver pedigree papers.

259

499.0051(2) 3rd Failure to authenticate pedigree papers.

260

499.0051(6) 2nd Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.

261

517.07(1) 3rd Failure to register securities.

262

517.12(1) 3rd Failure of dealer, associated person, or issuer of securities to register.

263

784.07(2)(b) 3rd Battery of law enforcement officer, firefighter, etc.

264

784.074(1)(c) 3rd Battery of sexually violent predators facility staff.

265

784.075 3rd Battery on detention or commitment facility staff.

266

784.078 3rd Battery of facility employee by throwing, tossing, or expelling certain

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fluids or materials.

267

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

268

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

269

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

270

784.083 (3) 3rd Battery on code inspector.

271

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

272

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

273

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

274

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

275

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276	787.07	3rd	Human smuggling.
277	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
278	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
279	790.115 (2) (c)	3rd	Possessing firearm on school property.
280	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
281	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
282	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
283	810.06	3rd	Burglary; possession of tools.
284	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.

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- 812.014 3rd Grand theft, 3rd degree, a will,
(2) (c) 4.-10. firearm, motor vehicle, livestock, etc.
- 812.0195(2) 3rd Dealing in stolen property by use of the
Internet; property stolen \$300 or more.
- 817.563(1) 3rd Sell or deliver substance other than
controlled substance agreed upon,
excluding s. 893.03(5) drugs.
- 817.568(2) (a) 3rd Fraudulent use of personal
identification information.
- 817.625(2) (a) 3rd Fraudulent use of scanning device or
reencoder.
- 828.125(1) 2nd Kill, maim, or cause great bodily harm
or permanent breeding disability to any
registered horse or cattle.
- 837.02(1) 3rd Perjury in official proceedings.
- 837.021(1) 3rd Make contradictory statements in
official proceedings.
- 838.022 3rd Official misconduct.
- 839.13(2) (a) 3rd Falsifying records of an individual in

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the care and custody of a state agency.

295

839.13(2)(c) 3rd Falsifying records of the Department of Children and Family Services.

296

843.021 3rd Possession of a concealed handcuff key by a person in custody.

297

843.025 3rd Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.

298

843.15(1)(a) 3rd Failure to appear while on bail for felony (bond estreature or bond jumping).

299

847.0135(5)(c) 3rd Lewd or lascivious exhibition using computer; offender less than 18 years.

300

874.05(1) 3rd Encouraging or recruiting another to join a criminal gang.

301

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).

302

914.14(2) 3rd Witnesses accepting bribes.

303

914.22(1) 3rd Force, threaten, etc., witness, victim,

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or informant.

304

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

305

918.12 3rd Tampering with jurors.

306

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

307

308 (f) LEVEL 6

309

Florida	Felony	
Statute	Degree	Description

310

316.193(2)(b) 3rd Felony DUI, 4th or subsequent
conviction.

311

499.0051(3) 2nd Knowing forgery of pedigree papers.

312

499.0051(4) 2nd Knowing purchase or receipt of
prescription drug from unauthorized
person.

313

499.0051(5) 2nd Knowing sale or transfer of prescription
drug to unauthorized person.

314

775.0875(1) 3rd Taking firearm from law enforcement
officer.

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784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
784.041	3rd	Felony battery; domestic battery by strangulation.
784.048 (3)	3rd	Aggravated stalking; credible threat.
784.048 (5)	3rd	Aggravated stalking of person under 16.
784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer, <u>firefighter, etc.</u>
784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
784.081 (2)	2nd	Aggravated assault on specified official or employee.
784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.

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326	784.083(2)	2nd	Aggravated assault on code inspector.
327	787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
328	790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
329	790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
330	790.164(1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
331	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
332	794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
333	794.05(1)	2nd	Unlawful sexual activity with specified minor.
334	800.04(5)(d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.

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335	800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
336	806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
337	810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
338	810.145(8)(b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
339	812.014(2)(b)1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
340	812.014(6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
341	812.015(9)(a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
342	812.015(9)(b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
343	812.13(2)(c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
	817.034(4)(a)1.	1st	Communications fraud, value greater than

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\$50,000.

344

817.4821 (5) 2nd Possess cloning paraphernalia with intent to create cloned cellular telephones.

345

825.102 (1) 3rd Abuse of an elderly person or disabled adult.

346

825.102 (3) (c) 3rd Neglect of an elderly person or disabled adult.

347

825.1025 (3) 3rd Lewd or lascivious molestation of an elderly person or disabled adult.

348

825.103 (2) (c) 3rd Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.

349

827.03 (2) (c) 3rd Abuse of a child.

350

827.03 (2) (d) 3rd Neglect of a child.

351

827.071 (2) & (3) 2nd Use or induce a child in a sexual performance, or promote or direct such performance.

352

836.05 2nd Threats; extortion.

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836.10 2nd Written threats to kill or do bodily injury.

355

843.12 3rd Aids or assists person to escape.

356

847.011 3rd Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.

357

847.012 3rd Knowingly using a minor in the production of materials harmful to minors.

358

847.0135(2) 3rd Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.

359

914.23 2nd Retaliation against a witness, victim, or informant, with bodily injury.

360

944.35(3)(a)2. 3rd Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.

361

944.40 2nd Escapes.

944.46 3rd Harboring, concealing, aiding escaped

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prisoners.

362

944.47(1)(a)5. 2nd Introduction of contraband (firearm, weapon, or explosive) into correctional facility.

363

951.22(1) 3rd Intoxicating drug, firearm, or weapon introduced into county facility.

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365 (g) LEVEL 7

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Florida	Felony	
Statute	Degree	Description

367

316.027(1)(b) 1st Accident involving death, failure to stop; leaving scene.

368

316.193(3)(c)2. 3rd DUI resulting in serious bodily injury.

369

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.

370

327.35(3)(c)2. 3rd Vessel BUI resulting in serious bodily injury.

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371

402.319 (2) 2nd Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

372

409.920 3rd Medicaid provider fraud; \$10,000 or less.
(2) (b) 1.a.

373

409.920 2nd Medicaid provider fraud; more than \$10,000, but less than \$50,000.
(2) (b) 1.b.

374

456.065 (2) 3rd Practicing a health care profession without a license.

375

456.065 (2) 2nd Practicing a health care profession without a license which results in serious bodily injury.

376

458.327 (1) 3rd Practicing medicine without a license.

377

459.013 (1) 3rd Practicing osteopathic medicine without a license.

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460.411 (1) 3rd Practicing chiropractic medicine without a license.

379

461.012 (1) 3rd Practicing podiatric medicine without a license.

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462.17	3rd	Practicing naturopathy without a license.
463.015 (1)	3rd	Practicing optometry without a license.
464.016 (1)	3rd	Practicing nursing without a license.
465.015 (2)	3rd	Practicing pharmacy without a license.
466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
467.201	3rd	Practicing midwifery without a license.
468.366	3rd	Delivering respiratory care services without a license.
483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
483.901 (9)	3rd	Practicing medical physics without a license.
484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
484.053	3rd	Dispensing hearing aids without a license.

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391

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.

392

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.

393

560.125(5)(a) 3rd Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

394

655.50(10)(b)1. 3rd Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

395

775.21(10)(a) 3rd Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.

396

775.21(10)(b) 3rd Sexual predator working where children regularly congregate.

397

775.21(10)(g) 3rd Failure to report or providing false

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information about a sexual predator;
harbor or conceal a sexual predator.

398

782.051 (3) 2nd Attempted felony murder of a person by
a person other than the perpetrator or
the perpetrator of an attempted felony.

399

782.07 (1) 2nd Killing of a human being by the act,
procurement, or culpable negligence of
another (manslaughter).

400

782.071 2nd Killing of a human being or viable
fetus by the operation of a motor
vehicle in a reckless manner (vehicular
homicide).

401

782.072 2nd Killing of a human being by the
operation of a vessel in a reckless
manner (vessel homicide).

402

784.045 (1) (a) 1. 2nd Aggravated battery; intentionally
causing great bodily harm or
disfigurement.

403

784.045 (1) (a) 2. 2nd Aggravated battery; using deadly
weapon.

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784.045 (1) (b) 2nd Aggravated battery; perpetrator aware
victim pregnant.

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- 784.048 (4) 3rd Aggravated stalking; violation of injunction or court order.
- 784.048 (7) 3rd Aggravated stalking; violation of court order.
- 784.07 (2) (d) 1st Aggravated battery on law enforcement officer, firefighter, etc.
- 784.074 (1) (a) 1st Aggravated battery on sexually violent predators facility staff.
- 784.08 (2) (a) 1st Aggravated battery on a person 65 years of age or older.
- 784.081 (1) 1st Aggravated battery on specified official or employee.
- 784.082 (1) 1st Aggravated battery by detained person on visitor or other detainee.
- 784.083 (1) 1st Aggravated battery on code inspector.
- 787.06 (3) (a) 1st Human trafficking using coercion for labor and services.
- 787.06 (3) (e) 1st Human trafficking using coercion for labor and services by the transfer or

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transport of any individual from
outside Florida to within the state.

415

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

416

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

417

790.165(2) 2nd Manufacture, sell, possess, or deliver
hoax bomb.

418

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

419

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

420

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

421

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

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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.
796.03	2nd	Procuring any person under 16 years for prostitution.
800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
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.
806.01(2)	2nd	Maliciously damage structure by fire or explosive.
810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.

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431	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
432	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.
433	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
434	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
435	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
436	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
437	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
438	812.131 (2) (a)	2nd	Robbery by sudden snatching.

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439	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
440	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
441	817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
442	817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.
443	817.2341 (2)(b) & (3)(b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
444	825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
445	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.
445	827.03(2)(b)	2nd	Neglect of a child causing great bodily

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harm, disability, or disfigurement.

446

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

447

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

448

838.015 2nd Bribery.

449

838.016 2nd Unlawful compensation or reward for official behavior.

450

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

451

838.22 2nd Bid tampering.

452

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

453

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

454

872.06 2nd Abuse of a dead human body.

455

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

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supervises criminal gang-related activity.

456

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.

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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.

458

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).

459

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

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

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462	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.	
463	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.	
464	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.	
465	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.	
466	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.	
467	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.	
468	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.	
469	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.	

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

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478 944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

479 944.607(10)(a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

480 944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

481 944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

482 985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

483 985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

484 985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

485
486 Section 7. This act shall take effect October 1, 2013.