

By the Committee on Criminal Justice; and Senator Braynon

591-03342A-13

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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; amending s. 843.085, F.S.;  
5 prohibiting operation or ownership of a motor vehicle  
6 falsely marked with the intent to mislead or cause  
7 another person to believe that such vehicle is  
8 authorized by a fire department for use by the person  
9 operating it; providing an exception; amending s.  
10 921.0022, F.S.; conforming provisions to changes made  
11 by the act; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Section 843.08, Florida Statutes, is amended to  
16 read:

17 843.08 False personation ~~Falsely personating officer, etc.-~~  
18 A person who falsely assumes or pretends to be a firefighter,  
19 sheriff, officer of the Florida Highway Patrol, officer of the  
20 Fish and Wildlife Conservation Commission, officer of the  
21 Department of Transportation, officer of the Department of  
22 Financial Services, officer of the Department of Corrections,  
23 correctional probation officer, deputy sheriff, state attorney  
24 or assistant state attorney, statewide prosecutor or assistant  
25 statewide prosecutor, state attorney investigator, coroner,  
26 police officer, lottery special agent or lottery investigator,  
27 beverage enforcement agent, or watchman, or any member of the  
28 Parole Commission and any administrative aide or supervisor  
29 employed by the commission, or any personnel or representative

591-03342A-13

2013890c1

30 of the Department of Law Enforcement, or a federal law  
31 enforcement officer as defined in s. 901.1505, and takes upon  
32 himself or herself to act as such, or to require any other  
33 person to aid or assist him or her in a matter pertaining to the  
34 duty of any such officer, commits a felony of the third degree,  
35 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
36 However, a person who falsely personates any such officer during  
37 the course of the commission of a felony commits a felony of the  
38 second degree, punishable as provided in s. 775.082, s. 775.083,  
39 or s. 775.084. If the commission of the felony results in the  
40 death or personal injury of another human being, the person  
41 commits a felony of the first degree, punishable as provided in  
42 s. 775.082, s. 775.083, or s. 775.084.

43 Section 2. Subsections (2) and (4) of section 843.085,  
44 Florida Statutes, are amended to read:

45 843.085 Unlawful use of police badges or other indicia of  
46 authority.—It is unlawful for any person:

47 (2) To own or operate a motor vehicle marked or identified  
48 in any manner or combination by the word or words "police,"  
49 "patrolman," "sheriff," "deputy," "trooper," "highway patrol,"  
50 "commission officer," "Wildlife Officer," "Marine Patrol  
51 Officer," "marshal," "constable," ~~or~~ "bailiff," or "fire  
52 department," or by any lettering, marking, or insignia, or  
53 colorable imitation thereof, including, but not limited to,  
54 stars, badges, or shields, officially used to identify the  
55 vehicle as a federal, state, county, or municipal law  
56 enforcement vehicle or a vehicle used by a criminal justice  
57 agency as ~~now or hereafter~~ defined in s. 943.045, or a vehicle  
58 used by a fire department with the intent to mislead or cause

591-03342A-13

2013890c1

59 another person to believe that such vehicle is an official  
 60 vehicle of that agency and is authorized to be used by that  
 61 agency ~~which could deceive a reasonable person into believing~~  
 62 ~~that such vehicle is authorized by any of the agencies described~~  
 63 ~~above for use by the person operating the motor vehicle, unless~~  
 64 such vehicle is owned or operated by the appropriate agency and  
 65 its use is authorized by such agency, ~~or~~ the local law  
 66 enforcement agency or fire department authorizes the use of such  
 67 vehicle, or ~~unless~~ the person is appointed by the Governor  
 68 pursuant to chapter 354.

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

78 Section 3. Paragraph (b) of subsection (3) of section  
 79 921.0022, Florida Statutes, is amended to read:

80 921.0022 Criminal Punishment Code; offense severity ranking  
 81 chart.—

82 (3) OFFENSE SEVERITY RANKING CHART

83 (b) LEVEL 2

84

Florida	Felony	
Statute	Degree	Description

85



591-03342A-13 2013890c1

94	810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
95	810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
96	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
97	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
98	812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
99	817.234(1)(a)2.	3rd	False statement in support of insurance claim.
100	817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
101	817.52(3)	3rd	Failure to redeliver hired vehicle.
	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.

591-03342A-13

2013890c1

102

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

103

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

104

817.61 3rd Fraudulent use of credit cards over \$100  
or more within 6 months.

105

826.04 3rd Knowingly marries or has sexual  
intercourse with person to whom related.

106

831.01 3rd Forgery.

107

831.02 3rd Uttering forged instrument; utters or  
publishes alteration with intent to  
defraud.

108

831.07 3rd Forging bank bills, checks, drafts, or  
promissory notes.

109

831.08 3rd Possessing 10 or more forged notes,  
bills, checks, or drafts.

110

831.09 3rd Uttering forged notes, bills, checks,  
drafts, or promissory notes.

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831.11 3rd Bringing into the state forged bank  
bills, checks, drafts, or notes.

591-03342A-13

2013890c1

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

113

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

114

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.

115

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

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