

By Senator Flores

37-01384-14

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1 A bill to be entitled
2 An act relating to human trafficking; amending s.
3 450.021, F.S.; prohibiting the employment of minors in
4 adult theaters; amending s. 450.045, F.S.; requiring
5 adult theaters to verify the ages of employees and
6 independent contractors and maintain specified
7 documentation; amending s. 775.15, F.S.; eliminating
8 the statute of limitations for prosecutions under a
9 specified human trafficking provision; providing
10 applicability; amending s. 787.06, F.S.; revising and
11 providing penalties for various human trafficking
12 offenses against minors and adults; amending s.
13 775.082, F.S.; providing life sentences for specified
14 felonies; amending ss. 796.05 and 796.07, F.S.;
15 revising and providing penalties for various
16 prostitution and human trafficking offenses against
17 adults and minors; amending s. 943.0583, F.S.;
18 providing for expunction of criminal history records
19 of certain criminal charges against victims of human
20 trafficking that did not result in convictions;
21 requiring destruction of investigative records related
22 to such expunged records; amending s. 921.0022, F.S.;
23 conforming provisions of the offense severity ranking
24 chart of the Criminal Punishment Code to changes made
25 by the act; providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Subsection (5) is added to section 450.021,

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30 Florida Statutes, to read:

31 450.021 Minimum age; general.—

32 (5) A person 17 years of age or younger, whether or not
33 such person's disabilities of nonage have been removed by
34 marriage or otherwise, may not be employed, permitted, or
35 suffered to work in an adult theater as defined in s.
36 847.001(2)(b).

37 Section 2. Subsection (3) is added to section 450.045,
38 Florida Statutes, to read:

39 450.045 Proof of age; posting of notices.—

40 (3) An adult theater as defined in s. 847.001(2)(b) shall
41 obtain proof of the identity and age of each of its employees or
42 independent contractors before his or her employment or
43 provision of services as an independent contractor. The adult
44 theater shall obtain and keep on record a photocopy of the
45 person's driver license or state or federal government-issued
46 photo identification card during the entire period of employment
47 or business relationship with the independent contractor. The
48 adult theater shall verify the validity of the age verification
49 document with the issuer and shall maintain a record of the
50 verification with the copy of the document at the location where
51 the employee or independent contractor works or provides
52 services to the adult theater. The department and its agents
53 have authority to enter and inspect at any time a place or
54 establishment covered by this subsection and to have access to
55 age verification documents kept on file by the adult theater and
56 such other records as may aid in the enforcement of this
57 subsection.

58 Section 3. Subsection (18) is added to section 775.15,

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59 Florida Statutes, to read:

60 775.15 Time limitations; general time limitations;
61 exceptions.—

62 (18) A prosecution for a violation of s. 787.06 may be
63 commenced at any time. This subsection applies to any such
64 offense except an offense the prosecution of which would have
65 been barred by subsection (2) on or before October 1, 2014.

66 Section 4. Subsections (3) and (4) of section 787.06,
67 Florida Statutes, are amended, present subsections (5) through
68 (7) of that section are redesignated as subsections (7) through
69 (9), respectively, and new subsections (5) and (6) are added to
70 that section, to read:

71 787.06 Human trafficking.—

72 (3) Any person who knowingly, or in reckless disregard of
73 the facts, engages in, or attempts to engage in, or benefits
74 financially by receiving anything of value from participation in
75 a venture that has subjected a person to human trafficking:

76 (a) Using coercion for labor or services of an adult
77 commits a felony of the first degree, punishable as provided in
78 s. 775.082, s. 775.083, or s. 775.084.

79 (b) Using coercion for commercial sexual activity of an
80 adult commits a life felony ~~of the first degree~~, punishable as
81 provided in s. 775.082, s. 775.083, or s. 775.084.

82 (c) Using coercion for labor or services of an adult ~~any~~
83 ~~individual~~ who is an unauthorized alien commits a felony of the
84 first degree, punishable as provided in s. 775.082, s. 775.083,
85 or s. 775.084.

86 (d) Using coercion for commercial sexual activity of an
87 adult ~~any individual~~ who is an unauthorized alien commits a life

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88 felony ~~of the first degree~~, punishable as provided in s.
89 775.082, s. 775.083, or s. 775.084.

90 (e) Using coercion for labor or services who does so by the
91 transfer or transport of an adult ~~any individual~~ from outside
92 this state to within the state commits a felony of the first
93 degree, punishable as provided in s. 775.082, s. 775.083, or s.
94 775.084.

95 (f) Using coercion for commercial sexual activity who does
96 so by the transfer or transport of an adult ~~any individual~~ from
97 outside this state to within the state commits a life felony ~~of~~
98 ~~the first degree~~, punishable as provided in s. 775.082, s.
99 775.083, or s. 775.084.

100 (g) For commercial sexual activity in which any child under
101 the age of 18 is involved commits a life felony ~~of the first~~
102 ~~degree~~, punishable ~~by imprisonment for a term of years not~~
103 ~~exceeding life, or~~ as provided in s. 775.082(3)(a)5. ~~s. 775.082,~~
104 s. 775.083, or s. 775.084. In a prosecution under this paragraph
105 in which the defendant had a reasonable opportunity to observe
106 the person who was subject to human trafficking, the state need
107 not prove that the defendant knew that the person had not
108 attained the age of 18 years.

109 ~~(h) For commercial sexual activity in which any child under~~
110 ~~the age of 15 is involved commits a life felony, punishable as~~
111 ~~provided in s. 775.082, s. 775.083, or s. 775.084. In a~~
112 ~~prosecution under this paragraph in which the defendant had a~~
113 ~~reasonable opportunity to observe the person who was subject to~~
114 ~~human trafficking, the state need not prove that the defendant~~
115 ~~knew that the person had not attained the age of 15 years.~~

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117 For each instance of human trafficking of any individual under
118 this subsection, a separate crime is committed and a separate
119 punishment is authorized.

120 (4) Any parent, legal guardian, or other person having
121 custody or control of a minor who sells or otherwise transfers
122 custody or control of such minor, or offers to sell or otherwise
123 transfer custody of such minor, with knowledge or in reckless
124 disregard of the fact that, as a consequence of the sale or
125 transfer, the minor will be subject to human trafficking commits
126 a life ~~first-degree~~ felony, punishable as provided in s.
127 775.082, s. 775.083, or s. 775.084.

128 (5) (a) The felony degree of an offense under subsection (3)
129 or subsection (4) shall be reclassified as provided in this
130 subsection if the victim of the offense was permanently branded
131 by, or at the direction of, the offender. For purposes of this
132 subsection, the term "permanently branded" means a mark on the
133 individual's body which, if it can be removed or repaired at
134 all, can only be removed or repaired by surgical means.

135 (b)1. In the case of a felony of the first degree, the
136 offense is reclassified to a life felony.

137 2. In the case of a life felony without a minimum mandatory
138 sentence, the offense is reclassified to a life felony with a
139 minimum mandatory term of imprisonment of 30 years.

140 3. In the case of a life felony with a minimum mandatory
141 term of imprisonment of 30 years, the offense is reclassified to
142 a life felony punishable by a term of imprisonment for life.

143
144 For purposes of sentencing under chapter 921, a felony offense
145 that is reclassified under this subsection is ranked one level

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146 above the ranking under s. 921.0022 or s. 921.0023 of the
147 offense committed.

148 (6) (a) The felony degree of an offense under subsection (3)
149 or subsection (4) and, if applicable, as enhanced under
150 subsection (5) shall be reclassified or further reclassified as
151 provided in this subsection if the victim of the offense has a
152 mental incapacitation. For purposes of this subsection, the term
153 "mental incapacitation" means that due to a developmental
154 disability or organic brain damage, the ability of the person to
155 provide adequately for his or her own care or protection is
156 impaired.

157 (b)1. In the case of a felony of the first degree, the
158 offense is reclassified to a life felony.

159 2. In the case of a life felony without a minimum mandatory
160 sentence, the offense is reclassified to a life felony with a
161 minimum mandatory term of imprisonment of 30 years.

162 3. In the case of a life felony with a minimum mandatory
163 term of imprisonment of 30 years, the offense is reclassified to
164 a life felony punishable by a term of imprisonment for life.

165
166 For purposes of sentencing under chapter 921, a felony offense
167 that is reclassified under this subsection is ranked one level
168 above the ranking under s. 921.0022 or s. 921.0023 of the
169 offense committed.

170 Section 5. Paragraph (a) of subsection (3) of section
171 775.082, Florida Statutes, is amended to read:

172 775.082 Penalties; applicability of sentencing structures;
173 mandatory minimum sentences for certain reoffenders previously
174 released from prison.-

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175 (3) A person who has been convicted of any other designated
176 felony may be punished as follows:

177 (a)1. For a life felony committed prior to October 1, 1983,
178 by a term of imprisonment for life or for a term of years not
179 less than 30.

180 2. For a life felony committed on or after October 1, 1983,
181 by a term of imprisonment for life or by a term of imprisonment
182 not exceeding 40 years.

183 3. Except as provided in subparagraph 4., for a life felony
184 committed on or after July 1, 1995, by a term of imprisonment
185 for life or by imprisonment for a term of years not exceeding
186 life imprisonment.

187 4.a. Except as provided in sub-subparagraph b., for a life
188 felony committed on or after September 1, 2005, which is a
189 violation of s. 800.04(5)(b), by:

190 (I) A term of imprisonment for life; or

191 (II) A split sentence that is a term of not less than 25
192 years' imprisonment and not exceeding life imprisonment,
193 followed by probation or community control for the remainder of
194 the person's natural life, as provided in s. 948.012(4).

195 b. For a life felony committed on or after July 1, 2008,
196 which is a person's second or subsequent violation of s.
197 800.04(5)(b), by a term of imprisonment for life.

198 5. For a life felony committed on or after October 1, 2014,
199 which is a violation of s. 787.06(3)(g) or s. 796.05(2)(b), by a
200 term of imprisonment for life.

201 Section 6. Section 796.05, Florida Statutes, is amended to
202 read:

203 796.05 Deriving support from the proceeds of prostitution

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204 or human trafficking.—

205 (1) It shall be unlawful for any person with reasonable
206 belief or knowing another person is engaged in prostitution or
207 is a victim of human trafficking under s. 787.06 to live or
208 derive support or maintenance in whole or in part from what is
209 believed to be the earnings or proceeds of such person's
210 prostitution.

211 (2) Anyone violating this section commits:

212 (a) If the person is engaged in prostitution or is a victim
213 of human trafficking and is an adult:

214 1. For a first offense, a felony of the second ~~third~~
215 degree, punishable as provided in s. 775.082, s. 775.083, or s.
216 775.084.

217 2. For a second offense, a felony of the first degree,
218 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

219 3. For a third or subsequent offense, a life felony,
220 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

221 (b) If the person is engaged in prostitution or is a victim
222 of human trafficking and is a minor, punishable as if a
223 violation of s. 787.06(3)(g) had been committed.

224 Section 7. Present subsections (5) and (6) of section
225 796.07, Florida Statutes, are redesignated as subsections (6)
226 and (7), respectively, subsection (4) of that section is
227 amended, and a new subsection (5) is added to that section, to
228 read:

229 796.07 Prohibiting prostitution and related acts.—

230 (4) Except as provided in subsection (5), a person who
231 violates any provision of this section commits:

232 (a) A misdemeanor of the second degree for a first

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233 violation, punishable as provided in s. 775.082 or s. 775.083.

234 (b) A misdemeanor of the first degree for a second
235 violation, punishable as provided in s. 775.082 or s. 775.083.

236 (c) A felony of the third degree for a third or subsequent
237 violation, punishable as provided in s. 775.082, s. 775.083, or
238 s. 775.084.

239 (5) (a) A person who violates paragraph (2) (f) by soliciting
240 an adult commits:

241 1. For a first offense, a felony of the third degree,
242 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

243 2. For a second offense, a felony of the second degree,
244 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

245 3. For a third or subsequent offense, a felony of the first
246 degree, punishable as provided in s. 775.082, s. 775.083, or s.
247 775.084.

248 (b) A person who violates paragraph (2) (f) by soliciting a
249 minor commits:

250 1. For a first offense, a felony of the first degree,
251 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

252 2. For a second offense, a felony of the first degree,
253 punishable by imprisonment for a term of years not exceeding
254 life imprisonment or as provided in s. 775.082, s. 775.083, or
255 s. 775.084.

256 3. For a third or subsequent offense, a life felony,
257 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
258 with a minimum mandatory term of imprisonment of 30 years.

259 Section 8. Subsection (3) and paragraph (a) of subsection
260 (8) of section 943.0583, Florida Statutes, are amended to read:
261 943.0583 Human trafficking victim expunction.—

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262 (3) A person who is a victim of human trafficking may
263 petition for the expunction of any conviction or the expunction
264 of a criminal charge for which there was no conviction for an
265 offense committed or allegedly committed while the person ~~he or~~
266 ~~she~~ was a victim of human trafficking or an, ~~which~~ offense ~~was~~
267 committed or was allegedly committed as a part of the human
268 trafficking scheme of which the person ~~he or she~~ was a victim or
269 at the direction of an operator of the scheme, including, but
270 not limited to, violations under chapters 796 and 847. However,
271 this section does not apply to any offense listed in s.

272 775.084(1)(b)1. Determination of the petition under this section
273 should be by a preponderance of the evidence. A conviction
274 expunged under this section is deemed to have been vacated due
275 to a substantive defect in the underlying criminal proceedings.

276 (8)(a) Any criminal history record of a minor or an adult
277 that is ordered expunged by the court of original jurisdiction
278 over the crime or charge sought to be expunged pursuant to this
279 section and all criminal investigative information relating to
280 that record must be physically destroyed or obliterated by any
281 criminal justice agency having custody of such record or
282 information, except that any criminal history record or
283 investigative information in the custody of the department must
284 be retained in all cases.

285 Section 9. Paragraphs (c) and (e) through (j) of subsection
286 (3) of section 921.0022, Florida Statutes, are amended to read:

287 921.0022 Criminal Punishment Code; offense severity ranking
288 chart.—

289 (3) OFFENSE SEVERITY RANKING CHART

290 (c) LEVEL 3

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Florida Statute	Felony Degree	Description
119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.

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319.33(4) 3rd With intent to defraud,
possess, sell, etc., a blank,
forged, or unlawfully obtained
title or registration.

300

327.35(2)(b) 3rd Felony BUI.

301

328.05(2) 3rd Possess, sell, or counterfeit
fictitious, stolen, or
fraudulent titles or bills of
sale of vessels.

302

328.07(4) 3rd Manufacture, exchange, or
possess vessel with counterfeit
or wrong ID number.

303

376.302(5) 3rd Fraud related to reimbursement
for cleanup expenses under the
Inland Protection Trust Fund.

304

379.2431 3rd Taking, disturbing, mutilating,
(1)(e)5. destroying, causing to be
destroyed, transferring,
selling, offering to sell,
molesting, or harassing marine
turtles, marine turtle eggs, or
marine turtle nests in
violation of the Marine Turtle
Protection Act.

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379.2431 (1) (e) 6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
400.9935 (4)	3rd	Operating a clinic without a license or filing false license application or other required information.
440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.

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312	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
313	697.08	3rd	Equity skimming.
314	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
315	796.05 (1)	3rd	Live on earnings of a prostitute.
316	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
317	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
318	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
319	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
	812.0145 (2) (c)	3rd	Theft from person 65 years of

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age or older; \$300 or more but
less than \$10,000.

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815.04 (4) (b) 2nd Computer offense devised to
defraud or obtain property.

321

817.034 (4) (a) 3. 3rd Engages in scheme to defraud
(Florida Communications Fraud
Act), property valued at less
than \$20,000.

322

817.233 3rd Burning to defraud insurer.

323

817.234 3rd Unlawful solicitation of
(8) (b) - (c) persons involved in motor
vehicle accidents.

324

817.234 (11) (a) 3rd Insurance fraud; property value
less than \$20,000.

325

817.236 3rd Filing a false motor vehicle
insurance application.

326

817.2361 3rd Creating, marketing, or
presenting a false or
fraudulent motor vehicle
insurance card.

327

817.413 (2) 3rd Sale of used goods as new.

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817.505 (4)	3rd	Patient brokering.
828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
831.29	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.
838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
843.19	3rd	Injure, disable, or kill police dog or horse.
860.15 (3)	3rd	Overcharging for repairs and parts.
870.01 (2)	3rd	Riot; inciting or encouraging.

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337	893.13(1)(a)2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
338	893.13(1)(d)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of university.
339	893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of public housing facility.
340	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous

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receipt of or prescription for
a controlled substance.

341

893.13(7)(a)9. 3rd Obtain or attempt to obtain
controlled substance by fraud,
forgery, misrepresentation,
etc.

342

893.13(7)(a)10. 3rd Affix false or forged label to
package of controlled
substance.

343

893.13(7)(a)11. 3rd Furnish false or fraudulent
material information on any
document or record required by
chapter 893.

344

893.13(8)(a)1. 3rd Knowingly assist a patient,
other person, or owner of an
animal in obtaining a
controlled substance through
deceptive, untrue, or
fraudulent representations in
or related to the
practitioner's practice.

345

893.13(8)(a)2. 3rd Employ a trick or scheme in the
practitioner's practice to
assist a patient, other person,

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or owner of an animal in
obtaining a controlled
substance.

346

893.13(8)(a)3. 3rd Knowingly write a prescription
for a controlled substance for
a fictitious person.

347

893.13(8)(a)4. 3rd Write a prescription for a
controlled substance for a
patient, other person, or an
animal if the sole purpose of
writing the prescription is a
monetary benefit for the
practitioner.

348

918.13(1)(a) 3rd Alter, destroy, or conceal
investigation evidence.

349

944.47
(1)(a)1.-2. 3rd Introduce contraband to
correctional facility.

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944.47(1)(c) 2nd Possess contraband while upon
the grounds of a correctional
institution.

351

985.721 3rd Escapes from a juvenile
facility (secure detention or
residential commitment

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facility).

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(e) LEVEL 5

Florida Statute	Felony Degree	Description
316.027(1) (a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
316.1935(4) (a)	2nd	Aggravated fleeing or eluding.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
379.3671 (2) (c) 3.	3rd	Willful molestation, possession, or removal of a commercial harvester's trap

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contents or trap gear by
another harvester.

362

381.0041(11)(b) 3rd Donate blood, plasma, or organs
knowing HIV positive.

363

440.10(1)(g) 2nd Failure to obtain workers'
compensation coverage.

364

440.105(5) 2nd Unlawful solicitation for the
purpose of making workers'
compensation claims.

365

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

366

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

367

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

368

790.01(2) 3rd Carrying a concealed firearm.

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370	790.162	2nd	Threat to throw or discharge destructive device.
371	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
372	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
373	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
374	<u>796.05 (1)</u>	<u>2nd</u>	<u>Live on earnings of an adult prostitute; 1st offense.</u>
375	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years.
376	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years or older.
377	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
	812.0145 (2) (b)	2nd	Theft from person 65 years of

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age or older; \$10,000 or more
but less than \$50,000.

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812.015 (8) 3rd Retail theft; property stolen
is valued at \$300 or more and
one or more specified acts.

379

812.019 (1) 2nd Stolen property; dealing in or
trafficking in.

380

812.131 (2) (b) 3rd Robbery by sudden snatching.

381

812.16 (2) 3rd Owning, operating, or
conducting a chop shop.

382

817.034 (4) (a) 2. 2nd Communications fraud, value
\$20,000 to \$50,000.

383

817.234 (11) (b) 2nd Insurance fraud; property value
\$20,000 or more but less than
\$100,000.

384

817.2341 (1), 3rd Filing false financial
(2) (a) & (3) (a) statements, making false
entries of material fact or
false statements regarding
property values relating to the
solvency of an insuring entity.

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817.568 (2) (b)

2nd

Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.

386

817.625 (2) (b)

2nd

Second or subsequent fraudulent use of scanning device or reencoder.

387

825.1025 (4)

3rd

Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

388

827.071 (4)

2nd

Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.

389

827.071 (5)

3rd

Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.

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390

839.13 (2) (b) 2nd Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.

391

843.01 3rd Resist officer with violence to person; resist arrest with violence.

392

847.0135 (5) (b) 2nd Lewd or lascivious exhibition using computer; offender 18 years or older.

393

847.0137 3rd Transmission of pornography by (2) & (3) electronic device or equipment.

394

847.0138 3rd Transmission of material (2) & (3) harmful to minors to a minor by electronic device or equipment.

395

874.05 (1) (b) 2nd Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

396

874.05 (2) (a) 2nd Encouraging or recruiting person under 13 to join a

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criminal gang.

397

893.13(1)(a)1. 2nd Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).

398

893.13(1)(c)2. 2nd Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

399

893.13(1)(d)1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of university.

400

893.13(1)(e)2. 2nd Sell, manufacture, or deliver

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cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.

401

893.13(1)(f)1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of public housing facility.

402

893.13(4)(b) 2nd Deliver to minor cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).

403

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

404

(f) LEVEL 6

405

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Florida Statute	Felony Degree	Description
316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
499.0051 (3)	2nd	Knowing forgery of pedigree papers.
499.0051 (4)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
499.0051 (5)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
775.0875 (1)	3rd	Taking firearm from law enforcement officer.
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.

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415

784.048 (3) 3rd Aggravated stalking; credible threat.

416

784.048 (5) 3rd Aggravated stalking of person under 16.

417

784.07 (2) (c) 2nd Aggravated assault on law enforcement officer.

418

784.074 (1) (b) 2nd Aggravated assault on sexually violent predators facility staff.

419

784.08 (2) (b) 2nd Aggravated assault on a person 65 years of age or older.

420

784.081 (2) 2nd Aggravated assault on specified official or employee.

421

784.082 (2) 2nd Aggravated assault by detained person on visitor or other detainee.

422

784.083 (2) 2nd Aggravated assault on code inspector.

423

787.02 (2) 3rd False imprisonment; restraining with purpose other than those

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in s. 787.01.

424

790.115(2)(d) 2nd Discharging firearm or weapon
on school property.

425

790.161(2) 2nd Make, possess, or throw
destructive device with intent
to do bodily harm or damage
property.

426

790.164(1) 2nd False report of deadly
explosive, weapon of mass
destruction, or act of arson or
violence to state property.

427

790.19 2nd Shooting or throwing deadly
missiles into dwellings,
vessels, or vehicles.

428

794.011(8)(a) 3rd Solicitation of minor to
participate in sexual activity
by custodial adult.

429

794.05(1) 2nd Unlawful sexual activity with
specified minor.

430

800.04(5)(d) 3rd Lewd or lascivious molestation;
victim 12 years of age or older
but less than 16 years;

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offender less than 18 years.

431

800.04 (6) (b)

2nd

Lewd or lascivious conduct;
offender 18 years of age or
older.

432

806.031 (2)

2nd

Arson resulting in great bodily
harm to firefighter or any
other person.

433

810.02 (3) (c)

2nd

Burglary of occupied structure;
unarmed; no assault or battery.

434

810.145 (8) (b)

2nd

Video voyeurism; certain minor
victims; 2nd or subsequent
offense.

435

812.014 (2) (b) 1.

2nd

Property stolen \$20,000 or
more, but less than \$100,000,
grand theft in 2nd degree.

436

812.014 (6)

2nd

Theft; property stolen \$3,000
or more; coordination of
others.

437

812.015 (9) (a)

2nd

Retail theft; property stolen
\$300 or more; second or
subsequent conviction.

438

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439 812.015 (9) (b) 2nd Retail theft; property stolen
\$3,000 or more; coordination of
others.

440 812.13 (2) (c) 2nd Robbery, no firearm or other
weapon (strong-arm robbery).

441 817.4821 (5) 2nd Possess cloning paraphernalia
with intent to create cloned
cellular telephones.

442 825.102 (1) 3rd Abuse of an elderly person or
disabled adult.

443 825.102 (3) (c) 3rd Neglect of an elderly person or
disabled adult.

444 825.1025 (3) 3rd Lewd or lascivious molestation
of an elderly person or
disabled adult.

445 825.103 (2) (c) 3rd Exploiting an elderly person or
disabled adult and property is
valued at less than \$20,000.

446 827.03 (2) (c) 3rd Abuse of a child.

447 827.03 (2) (d) 3rd Neglect of a child.

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448 827.071(2) & (3) 2nd Use or induce a child in a
sexual performance, or promote
or direct such performance.

449 836.05 2nd Threats; extortion.

450 836.10 2nd Written threats to kill or do
bodily injury.

451 843.12 3rd Aids or assists person to
escape.

452 847.011 3rd Distributing, offering to
distribute, or possessing with
intent to distribute obscene
materials depicting minors.

453 847.012 3rd Knowingly using a minor in the
production of materials harmful
to minors.

454 847.0135(2) 3rd Facilitates sexual conduct of
or with a minor or the visual
depiction of such conduct.

455 914.23 2nd Retaliation against a witness,
victim, or informant, with
bodily injury.

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456 944.35 (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.

457 944.40 2nd Escapes.

458 944.46 3rd Harboring, concealing, aiding
escaped prisoners.

459 944.47 (1) (a) 5. 2nd Introduction of contraband
(firearm, weapon, or explosive)
into correctional facility.

460 951.22 (1) 3rd Intoxicating drug, firearm, or
weapon introduced into county
facility.

461 (g) LEVEL 7

Florida Statute	Felony Degree	Description
316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily

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injury.

465

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.

466

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

467

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

468

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

469

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

470

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

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471	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
472	458.327 (1)	3rd	Practicing medicine without a license.
473	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
474	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
475	461.012 (1)	3rd	Practicing podiatric medicine without a license.
476	462.17	3rd	Practicing naturopathy without a license.
477	463.015 (1)	3rd	Practicing optometry without a license.
478	464.016 (1)	3rd	Practicing nursing without a license.
479	465.015 (2)	3rd	Practicing pharmacy without a license.

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480

466.026(1) 3rd Practicing dentistry or dental hygiene without a license.

481

467.201 3rd Practicing midwifery without a license.

482

468.366 3rd Delivering respiratory care services without a license.

483

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

484

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

485

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

486

484.053 3rd Dispensing hearing aids without a license.

487

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.

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488

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.

489

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

490

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

491

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

492

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

493

775.21(10)(g) 3rd Failure to report or providing false information about a sexual predator; harbor or

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conceal a sexual predator.

494

782.051(3)

2nd

Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

495

782.07(1)

2nd

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

496

782.071

2nd

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

497

782.072

2nd

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

498

784.045(1)(a)1.

2nd

Aggravated battery; intentionally causing great bodily harm or disfigurement.

499

784.045(1)(a)2.

2nd

Aggravated battery; using

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deadly weapon.

500

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

501

784.048 (4) 3rd Aggravated stalking; violation of injunction or court order.

502

784.048 (7) 3rd Aggravated stalking; violation of court order.

503

784.07 (2) (d) 1st Aggravated battery on law enforcement officer.

504

784.074 (1) (a) 1st Aggravated battery on sexually violent predators facility staff.

505

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

506

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

507

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

508

784.083 (1) 1st Aggravated battery on code

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inspector.

509

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

510

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

511

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

512

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

513

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

514

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

515

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516 790.166(3) 2nd Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

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

517 790.23 1st,PBL Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

518 794.08(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.

519 796.03 2nd Procuring any person under 16 years for prostitution.

520 800.04(5)(c)1. 2nd Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.

521

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522 800.04 (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.

523 806.01 (2) 2nd Maliciously damage structure by
fire or explosive.

524 810.02 (3) (a) 2nd Burglary of occupied dwelling;
unarmed; no assault or battery.

525 810.02 (3) (b) 2nd Burglary of unoccupied
dwelling; unarmed; no assault
or battery.

526 810.02 (3) (d) 2nd Burglary of occupied
conveyance; unarmed; no assault
or battery.

527 810.02 (3) (e) 2nd Burglary of authorized
emergency vehicle.

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.

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- 812.014 (2) (b) 2. 2nd Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
- 812.014 (2) (b) 3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.
- 812.014 (2) (b) 4. 2nd Property stolen, law enforcement equipment from authorized emergency vehicle.
- 812.0145 (2) (a) 1st Theft from person 65 years of age or older; \$50,000 or more.
- 812.019 (2) 1st Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
- 812.131 (2) (a) 2nd Robbery by sudden snatching.
- 812.133 (2) (b) 1st Carjacking; no firearm, deadly weapon, or other weapon.
- 817.034 (4) (a) 1. 1st Communications fraud, value greater than \$50,000.

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537 817.234 (8) (a) 2nd Solicitation of motor vehicle
accident victims with intent to
defraud.

538 817.234 (9) 2nd Organizing, planning, or
participating in an intentional
motor vehicle collision.

539 817.234 (11) (c) 1st Insurance fraud; property value
\$100,000 or more.

540 817.2341 1st Making false entries of
(2) (b) & (3) (b) 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.

541 817.535 (2) (a) 3rd Filing false lien or other
unauthorized document.

542 825.102 (3) (b) 2nd Neglecting an elderly person or
disabled adult causing great
bodily harm, disability, or
disfigurement.

825.103 (2) (b) 2nd Exploiting an elderly person or
disabled adult and property is

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valued at \$20,000 or more, but
less than \$100,000.

543

827.03(2)(b)

2nd

Neglect of a child causing
great bodily harm, disability,
or disfigurement.

544

827.04(3)

3rd

Impregnation of a child under
16 years of age by person 21
years of age or older.

545

837.05(2)

3rd

Giving false information about
alleged capital felony to a law
enforcement officer.

546

838.015

2nd

Bribery.

547

838.016

2nd

Unlawful compensation or reward
for official behavior.

548

838.021(3)(a)

2nd

Unlawful harm to a public
servant.

549

838.22

2nd

Bid tampering.

550

843.0855(2)

3rd

Impersonation of a public
officer or employee.

551

843.0855(3)

3rd

Unlawful simulation of legal

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process.

552

843.0855(4)

3rd

Intimidation of a public officer or employee.

553

847.0135(3)

3rd

Solicitation of a child, via a computer service, to commit an unlawful sex act.

554

847.0135(4)

2nd

Traveling to meet a minor to commit an unlawful sex act.

555

872.06

2nd

Abuse of a dead human body.

556

874.05(2)(b)

1st

Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.

557

874.10

1st, PBL

Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

558

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.)

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within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

559

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.

560

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).

561

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

562

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

563

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564 893.135 (1) (c) 1.a. 1st Trafficking in illegal drugs,
more than 4 grams, less than 14
grams.

565 893.135 (1) (d) 1. 1st Trafficking in phencyclidine,
more than 28 grams, less than
200 grams.

566 893.135 (1) (e) 1. 1st Trafficking in methaqualone,
more than 200 grams, less than
5 kilograms.

567 893.135 (1) (f) 1. 1st Trafficking in amphetamine,
more than 14 grams, less than
28 grams.

568 893.135 (1) (g) 1.a. 1st Trafficking in flunitrazepam, 4
grams or more, less than 14
grams.

569 893.135 (1) (h) 1.a. 1st Trafficking in gamma-
hydroxybutyric acid (GHB), 1
kilogram or more, less than 5
kilograms.

570 893.135 (1) (j) 1.a. 1st Trafficking in 1,4-Butanediol,
1 kilogram or more, less than 5
kilograms.

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571 893.135 1st Trafficking in Phenethylamines,
 (1) (k) 2.a. 10 grams or more, less than 200
 grams.

572 893.1351 (2) 2nd Possession of place for
 trafficking in or manufacturing
 of controlled substance.

573 896.101 (5) (a) 3rd Money laundering, financial
 transactions exceeding \$300 but
 less than \$20,000.

574 896.104 (4) (a) 1. 3rd Structuring transactions to
 evade reporting or registration
 requirements, financial
 transactions exceeding \$300 but
 less than \$20,000.

575 943.0435 (4) (c) 2nd Sexual offender vacating
 permanent residence; failure to
 comply with reporting
 requirements.

576 943.0435 (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

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comply with reporting requirements.

577

943.0435 (13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

578

943.0435 (14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

579

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

580

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

581

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

582

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

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verification.

583

985.4815(10)

3rd

Sexual offender; failure to submit to the taking of a digitized photograph.

584

985.4815(12)

3rd

Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

585

985.4815(13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification.

586

(h) LEVEL 8

587

588

Florida
Statute

Felony
Degree

Description

589

316.193
(3) (c) 3.a.

2nd

DUI manslaughter.

590

316.1935(4) (b)

1st

Aggravated fleeing or attempted eluding with serious bodily injury or death.

591

327.35(3) (c) 3.

2nd

Vessel BUI manslaughter.

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- 499.0051(7) 1st Knowing trafficking in contraband prescription drugs.
- 499.0051(8) 1st Knowing forgery of prescription labels or prescription drug labels.
- 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.
- 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.
- 655.50(10)(b)2. 2nd Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
- 777.03(2)(a) 1st Accessory after the fact, capital felony.

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599 782.04(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.

600 782.051(2) 1st Attempted felony murder while
perpetrating or attempting to
perpetrate a felony not
enumerated in s. 782.04(3).

601 782.071(1)(b) 1st Committing vehicular homicide
and failing to render aid or
give information.

602 782.072(2) 1st Committing vessel homicide and
failing to render aid or give
information.

603 ~~787.06(3)(b) 1st Human trafficking using
coercion for commercial sexual
activity.~~

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

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of an unauthorized alien adult.

604

787.06(3)(e)

1st

Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.

605

~~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.~~

606

790.161(3)

1st

Discharging a destructive device which results in bodily harm or property damage.

607

794.011(5)

2nd

Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.

608

794.08(3)

2nd

Female genital mutilation, removal of a victim younger than 18 years of age from this state.

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610	<u>796.05(1)</u>	<u>1st</u>	<u>Live on earnings of a minor prostitute; 1st offense.</u>
611	800.04(4)	2nd	Lewd or lascivious battery.
612	806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
613	810.02(2)(a)	1st,PBL	Burglary with assault or battery.
614	810.02(2)(b)	1st,PBL	Burglary; armed with explosives or dangerous weapon.
615	810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
616	812.014(2)(a)2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
617	812.13(2)(b)	1st	Robbery with a weapon.
	812.135(2)(c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.

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- 817.535 (2) (b) 2nd Filing false lien or other unauthorized document; second or subsequent offense.
- 817.535 (3) (a) 2nd Filing false lien or other unauthorized document; property owner is a public officer or employee.
- 817.535 (4) (a) 1. 2nd Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
- 817.535 (5) (a) 2nd Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.
- 817.568 (6) 2nd Fraudulent use of personal identification information of an individual under the age of 18.
- 825.102 (2) 1st Aggravated abuse of an elderly person or disabled adult.

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625 825.1025(2) 2nd Lewd or lascivious battery upon
an elderly person or disabled
adult.

626 825.103(2)(a) 1st Exploiting an elderly person or
disabled adult and property is
valued at \$100,000 or more.

627 837.02(2) 2nd Perjury in official proceedings
relating to prosecution of a
capital felony.

628 837.021(2) 2nd Making contradictory statements
in official proceedings
relating to prosecution of a
capital felony.

629 860.121(2)(c) 1st Shooting at or throwing any
object in path of railroad
vehicle resulting in great
bodily harm.

630 860.16 1st Aircraft piracy.

631 893.13(1)(b) 1st Sell or deliver in excess of 10
grams of any substance
specified in s. 893.03(1)(a) or
(b).

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632 893.13(2)(b) 1st Purchase in excess of 10 grams
of any substance specified in
s. 893.03(1)(a) or (b).

633 893.13(6)(c) 1st Possess in excess of 10 grams
of any substance specified in
s. 893.03(1)(a) or (b).

634 893.135(1)(a)2. 1st Trafficking in cannabis, more
than 2,000 lbs., less than
10,000 lbs.

635 893.135 1st Trafficking in cocaine, more
(1)(b)1.b. than 200 grams, less than 400
grams.

636 893.135 1st Trafficking in illegal drugs,
(1)(c)1.b. more than 14 grams, less than
28 grams.

637 893.135 1st Trafficking in phencyclidine,
(1)(d)1.b. more than 200 grams, less than
400 grams.

638 893.135 1st Trafficking in methaqualone,
(1)(e)1.b. more than 5 kilograms, less
than 25 kilograms.

893.135 1st Trafficking in amphetamine,

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- 639
(1) (f) 1.b.
more than 28 grams, less than 200 grams.
- 640
893.135 (1) (g) 1.b.
1st Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
- 641
893.135 (1) (h) 1.b.
1st Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
- 642
893.135 (1) (j) 1.b.
1st Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
- 643
893.135 (1) (k) 2.b.
1st Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
- 644
893.1351 (3)
1st Possession of a place used to manufacture controlled substance when minor is present or resides there.
- 645
895.03 (1)
1st Use or invest proceeds derived from pattern of racketeering activity.

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646 895.03(2) 1st Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.

647 895.03(3) 1st Conduct or participate in any enterprise through pattern of racketeering activity.

648 896.101(5)(b) 2nd Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.

649 896.104(4)(a)2. 2nd Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.

650 (i) LEVEL 9

651

Florida	Felony	Description
Statute	Degree	

652

316.193	1st	DUI manslaughter; failing to render aid or give information.
(3)(c)3.b.		

653

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654 327.35(3)(c)3.b. 1st BUI manslaughter; failing to
render aid or give information.

655 409.920 1st Medicaid provider fraud;
(2)(b)1.c. \$50,000 or more.

656 499.0051(9) 1st Knowing sale or purchase of
contraband prescription drugs
resulting in great bodily harm.

657 560.123(8)(b)3. 1st Failure to report currency or
payment instruments totaling or
exceeding \$100,000 by money
transmitter.

658 560.125(5)(c) 1st Money transmitter business by
unauthorized person, currency,
or payment instruments totaling
or exceeding \$100,000.

659 655.50(10)(b)3. 1st Failure to report financial
transactions totaling or
exceeding \$100,000 by financial
institution.

660 775.0844 1st Aggravated white collar crime.

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

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661

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.

662

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

663

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

664

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

665

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

666

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

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function.

667

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.

668

787.06 (3) (b) Life Human trafficking using coercion for commercial sexual activity of an adult.

669

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

670

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

671

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

672

790.161 1st Attempted capital destructive device offense.

673

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674 790.166 (2) 1st, PBL Possessing, selling, using, or attempting to use a weapon of mass destruction.

675 794.011 (2) 1st Attempted sexual battery; victim less than 12 years of age.

676 794.011 (2) Life Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.

677 794.011 (4) 1st Sexual battery; victim 12 years or older, certain circumstances.

678 794.011 (8) (b) 1st Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.

679 794.08 (2) 1st Female genital mutilation; victim younger than 18 years of age.

680 796.035 1st Selling or buying of minors into prostitution.

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	<u>796.05(1)</u>	<u>Life</u>	<u>Live on earnings of a minor prostitute; 2nd offense.</u>
681	800.04(5)(b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
682	812.13(2)(a)	1st,PBL	Robbery with firearm or other deadly weapon.
683	812.133(2)(a)	1st,PBL	Carjacking; firearm or other deadly weapon.
684	812.135(2)(b)	1st	Home-invasion robbery with weapon.
685	817.535(3)(b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; property owner is a public officer or employee.
686	817.535(4)(a)2.	1st	Filing false claim or other unauthorized document; defendant is incarcerated or under supervision.
687	817.535(5)(b)	1st	Filing false lien or other unauthorized document; second

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or subsequent offense; owner of the property incurs financial loss as a result of the false instrument.

688

817.568 (7)

2nd,
PBL

Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.

689

827.03 (2) (a)

1st

Aggravated child abuse.

690

847.0145 (1)

1st

Selling, or otherwise transferring custody or control, of a minor.

691

847.0145 (2)

1st

Purchasing, or otherwise obtaining custody or control, of a minor.

692

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.

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893.135	1st	Attempted capital trafficking offense.
893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
893.135	1st	Trafficking in 1,4-Butanediol,

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702	(1) (j) 1.c.		10 kilograms or more.
703	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
704	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
705	896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
706	(j) LEVEL 10		
707			
708	Florida Statute	Felony Degree	Description
709	499.0051 (10)	1st	Knowing sale or purchase of contraband prescription drugs resulting in death.
710	782.04 (2)	1st, PBL	Unlawful killing of human; act is homicide, unpremeditated.
	782.07 (3)	1st	Aggravated manslaughter of a child.

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711	787.01 (1) (a) 3.	1st, PBL	Kidnapping; inflict bodily harm upon or terrorize victim.
712	787.01 (3) (a)	Life	Kidnapping; child under age 13, perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
713	<u>787.06 (3) (d)</u>	<u>Life</u>	<u>Human trafficking using coercion for commercial sexual activity of an unauthorized adult.</u>
714	<u>787.06 (3) (f)</u>	<u>Life</u>	<u>Human trafficking using coercion for commercial sexual activity by the transfer or transport of an adult from outside Florida to within the state.</u>
715	787.06 (3) (h)	Life	Human trafficking for commercial sexual activity of a child under the age of 15.
716	<u>787.06 (4)</u>	<u>Life</u>	<u>Selling or buying of minors into human trafficking.</u>

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717

794.011(3) Life Sexual battery; victim 12 years or older, offender uses or threatens to use deadly weapon or physical force to cause serious injury.

718

796.05(1) Life Live on earnings of an adult prostitute; 3rd and subsequent offense.

719

796.05(1) Life Live on earnings of a minor prostitute; 3rd or subsequent offense.

720

812.135(2)(a) 1st, PBL Home-invasion robbery with firearm or other deadly weapon.

721

876.32 1st Treason against the state.

722

Section 10. This act shall take effect October 1, 2014.