

1 A bill to be entitled

2 An act relating to drivers leaving the scene of a
3 crash; creating the "Aaron Cohen Life Protection Act";
4 amending s. 316.027, F.S.; redefining the term
5 "serious bodily injury" and defining the term
6 "vulnerable road user"; requiring the driver of a
7 vehicle involved in a crash that results in serious
8 bodily injury to a person to immediately stop the
9 vehicle and remain at the scene of the crash;
10 providing that a person commits a felony of the second
11 degree if he or she fails to stop the vehicle and
12 remain at the scene of the crash until specified
13 requirements are fulfilled; requiring the court to
14 impose a mandatory minimum term of imprisonment under
15 certain circumstances; requiring the revocation of the
16 driver's driver license; requiring the driver to
17 participate in specified programs; providing for
18 ranking of an offense committed if the victim of the
19 offense was a vulnerable road user; authorizing the
20 defendant to move to depart from the mandatory minimum
21 term of imprisonment under certain circumstances;
22 providing requirements and procedures for such
23 departure; amending s. 322.0261, F.S.; requiring the
24 Department of Highway Safety and Motor Vehicles to
25 include in the curriculum of a certain driver
26 improvement course instruction addressing the rights

27 of vulnerable road users; amending s. 322.28, F.S.;

28 requiring the court to revoke for at least 3 years the

29 driver license of a person convicted of leaving the

30 scene of a crash involving injury, serious bodily

31 injury, or death; reenacting and amending s.

32 322.34(6), F.S., relating to driving while a driver

33 license is suspended, revoked, canceled, or

34 disqualified, to incorporate the amendment to s.

35 322.28, F.S., in a reference thereto; amending s.

36 921.0022, F.S.; revising the offense severity ranking

37 chart; conforming a cross-reference; providing an

38 effective date.

39

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

41

42 Section 1. This act may be cited as the "Aaron Cohen Life

43 Protection Act."

44 Section 2. Section 316.027, Florida Statutes, is amended

45 to read:

46 316.027 Crash involving death or personal injuries.—

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

48 (a) "Serious bodily injury" means an injury to a person,

49 including the driver, which consists of a physical condition

50 that creates a substantial risk of death, serious personal

51 disfigurement, or protracted loss or impairment of the function

52 of a bodily member or organ.

53 (b) "Vulnerable road user" means:
 54 1. A pedestrian, including a person actually engaged in
 55 work upon a highway, or in work upon utility facilities along a
 56 highway, or engaged in the provision of emergency services
 57 within the right-of-way;
 58 2. A person operating a bicycle, motorcycle, scooter, or
 59 moped lawfully on the roadway;
 60 3. A person riding an animal; or
 61 4. A person lawfully operating on a public right-of-way,
 62 crosswalk, or shoulder of the roadway:
 63 a. A farm tractor or similar vehicle designed primarily
 64 for farm use;
 65 b. A skateboard, roller skates, or in-line skates;
 66 c. A horse-drawn carriage;
 67 d. An electric personal assistive mobility device; or
 68 e. A wheelchair.
 69 (2)-(1) (a) The driver of a ~~any~~ vehicle involved in a crash
 70 occurring on public or private property ~~which that~~ results in
 71 injury to a ~~of any~~ person other than serious bodily injury shall
 72 ~~must~~ immediately stop the vehicle at the scene of the crash, or
 73 as close thereto as possible, and shall ~~must~~ remain at the scene
 74 of the crash until he or she has fulfilled the requirements of
 75 s. 316.062. A ~~Any~~ person who willfully violates this paragraph
 76 commits a felony of the third degree, punishable as provided in
 77 s. 775.082, s. 775.083, or s. 775.084.
 78 (b) The driver of a vehicle involved in a crash occurring

79 on public or private property which results in serious bodily
 80 injury to a person shall immediately stop the vehicle at the
 81 scene of the crash, or as close thereto as possible, and shall
 82 remain at the scene of the crash until he or she has fulfilled
 83 the requirements of s. 316.062. A person who willfully violates
 84 this paragraph commits a felony of the second degree, punishable
 85 as provided in s. 775.082, s. 775.083, or s. 775.084.

86 (c) ~~(b)~~ The driver of a ~~any~~ vehicle involved in a crash
 87 occurring on public or private property which ~~that~~ results in
 88 the death of a ~~any~~ person shall ~~must~~ immediately stop the
 89 vehicle at the scene of the crash, or as close thereto as
 90 possible, and shall ~~must~~ remain at the scene of the crash until
 91 he or she has fulfilled the requirements of s. 316.062. A person
 92 who is arrested for a violation of this paragraph and who has
 93 previously been convicted of a violation of this section, s.
 94 316.061, s. 316.191, or s. 316.193, or a felony violation of s.
 95 322.34, shall be held in custody until brought before the court
 96 for admittance to bail in accordance with chapter 903. A ~~Any~~
 97 person who willfully violates this paragraph commits a felony of
 98 the first degree, punishable as provided in s. 775.082, s.
 99 775.083, or s. 775.084, and shall be sentenced to a mandatory
 100 minimum term of imprisonment of 4 years. A ~~Any~~ person who
 101 willfully commits such a violation while driving under the
 102 influence as set forth in s. 316.193(1) shall be sentenced to a
 103 mandatory minimum term of imprisonment of 4 ~~2~~ years.

104 (d) ~~(e)~~ Notwithstanding s. 775.089(1)(a), if the driver of

105 a vehicle violates paragraph (a), ~~or~~ or paragraph
106 (c), the court shall order the driver to make restitution to the
107 victim for any damage or loss unless the court finds clear and
108 compelling reasons not to order the restitution. Restitution may
109 be monetary or nonmonetary restitution. The court shall make the
110 payment of restitution a condition of probation in accordance
111 with s. 948.03. An order requiring the defendant to make
112 restitution to a victim does not remove or diminish the
113 requirement that the court order payment to the Crimes
114 Compensation Trust Fund under chapter 960. Payment of an award
115 by the Crimes Compensation Trust Fund creates an order of
116 restitution to the Crimes Compensation Trust Fund unless
117 specifically waived in accordance with s. 775.089(1)(b).

118 (e) A driver who violates paragraph (a), paragraph (b), or
119 paragraph (c) shall have his or her driver license revoked for
120 at least 3 years as provided in s. 322.28(4).

121 1. A person convicted of violating paragraph (a),
122 paragraph (b), or paragraph (c) shall, before his or her driving
123 privilege may be reinstated, present to the department proof of
124 completion of a victim's impact panel session in a judicial
125 circuit if such a panel exists, or if such a panel does not
126 exist, a department-approved driver improvement course relating
127 to the rights of vulnerable road users relative to vehicles on
128 the roadway as provided in s. 322.0261(2).

129 2. The department may reinstate an offender's driving
130 privilege after he or she satisfies the 3-year revocation period

131 as provided in s. 322.28(4) and successfully completes either a
132 victim's impact panel session or a department-approved driver
133 improvement course relating to the rights of vulnerable road
134 users relative to vehicles on the roadway as provided in s.
135 322.0261(2).

136 3. For purposes of this paragraph, an offender's driving
137 privilege may be reinstated only after the department verifies
138 that the offender participated in and successfully completed a
139 victim's impact panel session or a department-approved driver
140 improvement course.

141 (f) For purposes of sentencing under chapter 921 and
142 determining incentive gain-time eligibility under chapter 944,
143 an offense listed in this subsection is ranked one level above
144 the ranking specified in s. 921.0022 or s. 921.0023 for the
145 offense committed if the victim of the offense was a vulnerable
146 road user.

147 (g) The defendant may move to depart from the mandatory
148 minimum term of imprisonment prescribed in paragraph (c) unless
149 the violation was committed while the defendant was driving
150 under the influence. The state may object to this departure. The
151 court may grant the motion only if it finds that a factor,
152 consideration, or circumstance clearly demonstrates that
153 imposing a mandatory minimum term of imprisonment would
154 constitute or result in an injustice. The court shall state in
155 open court the basis for granting the motion.

156 ~~(2) The department shall revoke the driver's license of~~

157 | ~~the person so convicted.~~

158 | (3) The stops shall ~~Every stop must~~ be made without
 159 | unnecessarily obstructing traffic ~~more than is necessary~~, and,
 160 | if a damaged vehicle is obstructing traffic, the driver of the
 161 | vehicle shall ~~must~~ make every reasonable effort to move the
 162 | vehicle or have it moved so as not to obstruct the regular flow
 163 | of traffic. A ~~Any~~ person who fails to comply with this
 164 | subsection shall be cited for a nonmoving violation, punishable
 165 | as provided in chapter 318.

166 | (4) In addition to any other civil, criminal, or
 167 | administrative penalty imposed, a person whose commission of a
 168 | noncriminal traffic infraction or a ~~any~~ violation of this
 169 | chapter or s. 1006.66 causes or results in the death of another
 170 | person may, ~~in addition to any other civil, criminal, or~~
 171 | ~~administrative penalty imposed~~, be required by the court to
 172 | serve 120 community service hours in a trauma center or hospital
 173 | that regularly receives victims of vehicle accidents, under the
 174 | supervision of a registered nurse, an emergency room physician,
 175 | or an emergency medical technician pursuant to a voluntary
 176 | community service program operated by the trauma center or
 177 | hospital.

178 | (5) This section does not apply to crashes occurring
 179 | during a motorsports event, as defined in s. 549.10(1), or at a
 180 | closed-course motorsport facility, as defined in s. 549.09(1).

181 | Section 3. Subsection (2) of section 322.0261, Florida
 182 | Statutes, is amended to read:

183 322.0261 Driver improvement course; requirement to
 184 maintain driving privileges; failure to complete; department
 185 approval of course.—

186 (2) With respect to an operator convicted of, or who
 187 pleaded nolo contendere to, a traffic offense giving rise to a
 188 crash identified in paragraph (1)(a) or paragraph (1)(b), the
 189 department shall require that the operator, in addition to other
 190 applicable penalties, attend a department-approved driver
 191 improvement course in order to maintain his or her driving
 192 privileges. The department shall include in the course
 193 curriculum instruction specifically addressing the rights of
 194 vulnerable road users as defined in s. 316.027 relative to
 195 vehicles on the roadway. If the operator fails to complete the
 196 course within 90 days after receiving notice from the
 197 department, the operator's driver ~~driver's~~ license shall be
 198 canceled by the department until the course is successfully
 199 completed.

200 Section 4. Subsection (4) of section 322.28, Florida
 201 Statutes, is amended to read:

202 322.28 Period of suspension or revocation.—

203 (4) (a) Upon a conviction for a violation of s.
 204 316.193(3)(c)2., involving serious bodily injury, a conviction
 205 of manslaughter resulting from the operation of a motor vehicle,
 206 or a conviction of vehicular homicide, the court shall revoke
 207 the driver license of the person convicted for a minimum period
 208 of 3 years. If a conviction under s. 316.193(3)(c)2., involving

209 serious bodily injury, is also a subsequent conviction as
 210 described under paragraph (2) (a), the court shall revoke the
 211 driver license or driving privilege of the person convicted for
 212 the period applicable as provided in paragraph (2) (a) or
 213 paragraph (2) (d).

214 (b) Upon a conviction for a violation of s. 316.027(2) (a),
 215 s. 316.027(2) (b), or s. 316.027(2) (c) involving injury, serious
 216 bodily injury, or death, the court shall revoke the driver
 217 license of the person convicted for a minimum period of 3 years.

218 ~~(c)~~ (b) If the period of revocation was not specified by
 219 the court at the time of imposing sentence or within 30 days
 220 thereafter, the department shall revoke the driver license for
 221 the minimum period applicable under paragraph (a) or paragraph
 222 (b) or, for a subsequent conviction, for the minimum period
 223 applicable under paragraph (2) (a) or paragraph (2) (d).

224 Section 5. For the purpose of incorporating the amendment
 225 made by this act to section 322.28, Florida Statutes, in a
 226 reference thereto, subsection (6) of section 322.34, Florida
 227 Statutes, is reenacted and amended to read:

228 322.34 Driving while license suspended, revoked, canceled,
 229 or disqualified.—

230 (6) Any person who operates a motor vehicle:

231 (a) Without having a driver's license as required under s.
 232 322.03; or

233 (b) While his or her driver's license or driving privilege
 234 is canceled, suspended, or revoked pursuant to s. 316.655, s.

235 322.26(8), s. 322.27(2), or s. 322.28(2) or (4),

236

237 and who by careless or negligent operation of the motor vehicle
 238 causes the death of or serious bodily injury to another human
 239 being commits ~~is guilty of~~ a felony of the third degree,
 240 punishable as provided in s. 775.082 or s. 775.083.

241 Section 6. Paragraphs (e) through (g) of subsection (3) of
 242 section 921.0022, Florida Statutes, are amended to read:

243 921.0022 Criminal Punishment Code; offense severity
 244 ranking chart.—

245 (3) OFFENSE SEVERITY RANKING CHART

246 (e) LEVEL 5

247

Florida Statute	Felony Degree	Description
316.027 <u>(2) (a)</u> (1) (a)	3rd	Accidents involving personal injuries <u>other</u> <u>than serious</u> <u>bodily injury</u> , failure to stop; leaving scene.
316.1935 (4) (a)	2nd	Aggravated fleeing or

249

250	322.34 (6)	3rd	<p>eluding.</p> <p>Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.</p>
251	327.30 (5)	3rd	<p>Vessel accidents involving personal injury; leaving scene.</p>
252	379.367 (4)	3rd	<p>Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.</p>
253	<p>379.3671 (2) (c) 3.</p>	3rd	<p>Willful molestation, possession, or removal of a commercial harvester's trap contents or trap gear by another harvester.</p>
254	381.0041 (11) (b)	3rd	<p>Donate blood, plasma, or organs</p>

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			knowing HIV positive.
255	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
256	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
257	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
258	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
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260	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
261	790.01 (2)	3rd	Carrying a concealed firearm.
262	790.162	2nd	Threat to throw or discharge destructive device.
263	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
264	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
265	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
266	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years <u>of age</u> .

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267	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years <u>of age</u> or older.
268	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
269	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
270	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
271	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
272	812.131 (2) (b)	3rd	Robbery by sudden snatching.

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273	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
274	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
275	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
276	817.2341 (1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
	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.

277

817.625 (2) (b)

2nd Second or subsequent fraudulent use of scanning device or reencoder.

278

825.1025 (4)

3rd Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

279

827.071 (4)

2nd Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.

280

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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282	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.
283	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
284	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
285	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
286	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or

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287	874.05 (2) (a)	2nd	subsequent offense.
288	893.13 (1) (a) 1.	2nd	Encouraging or recruiting person under 13 <u>years of age</u> to join a criminal gang.
289	893.13 (1) (c) 2.	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). 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

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290	893.13(1)(d)1.	1st	recreational facility or community center.
291	893.13(1)(e)2.	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) within 1,000 feet of university.
292	893.13(1)(f)1.	1st	Sell, manufacture, or deliver 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.
292	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.

293

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).

294

893.1351(1)

3rd

Ownership, lease, or rental
 for trafficking in or
 manufacturing of controlled
 substance.

295

296

297 (f) LEVEL 6

298

Florida

Felony

Statute

Degree

Description

299

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300	<u>316.027 (2) (b)</u>	<u>2nd</u>	<u>Leaving the scene of a crash involving serious bodily injury.</u>
301	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
302	499.0051 (3)	2nd	Knowing forgery of pedigree papers.
303	499.0051 (4)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
304	499.0051 (5)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
305	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.

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306	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
307	784.041	3rd	Felony battery; domestic battery by strangulation.
308	784.048 (3)	3rd	Aggravated stalking; credible threat.
309	784.048 (5)	3rd	Aggravated stalking of person under 16.
310	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
311	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
312	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.

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313	784.081 (2)	2nd	Aggravated assault on specified official or employee.
314	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
315	784.083 (2)	2nd	Aggravated assault on code inspector.
316	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
317	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
318	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm

319			or damage property.
	790.164 (1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
320			
	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
321			
	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
322			
	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
323			
	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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324	800.04 (6) (b)	2nd	<u>of age</u> ; offender less than 18 years.
325	806.031 (2)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
326	810.02 (3) (c)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
327	810.145 (8) (b)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
328	812.014 (2) (b) 1.	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
329			Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.

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330	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
331	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
332	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
333	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
334	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.

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335	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
336	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
337	825.103 (2) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
338	827.03 (2) (c)	3rd	Abuse of a child.
339	827.03 (2) (d)	3rd	Neglect of a child.
340	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
341	836.05	2nd	Threats; extortion.

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342 | 836.10 | 2nd | Written threats to kill
or do bodily injury.

343 | 843.12 | 3rd | Aids or assists person
to escape.

344 | 847.011 | 3rd | Distributing, offering
to distribute, or
possessing with intent
to distribute obscene
materials depicting
minors.

345 | 847.012 | 3rd | Knowingly using a minor
in the production of
materials harmful to
minors.

346 | 847.0135(2) | 3rd | Facilitates sexual
conduct of or with a
minor or the visual
depiction of such
conduct.

347 |

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348	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
349	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.
350	944.40	2nd	Escapes.
351	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
	944.47 (1) (a) 5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.

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352	951.22 (1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
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354			
355	(g) LEVEL 7		
356			
	Florida	Felony	
	Statute	Degree	Description
357	316.027 <u>(2) (c)</u> (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
358	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
359	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.

360

327.35 (3) (c) 2.

3rd Vessel BUI resulting in serious bodily injury.

361

402.319 (2)

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

362

409.920
(2) (b) 1.a.

3rd Medicaid provider fraud; \$10,000 or less.

363

409.920
(2) (b) 1.b.

2nd Medicaid provider fraud; more than \$10,000, but less than \$50,000.

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365	456.065 (2)	3rd	Practicing a health care profession without a license.
366	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
367	458.327 (1)	3rd	Practicing medicine without a license.
368	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
369	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
370	461.012 (1)	3rd	Practicing podiatric medicine without a license.
371	462.17	3rd	Practicing naturopathy without a license.

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372	463.015 (1)	3rd	Practicing optometry without a license.
373	464.016 (1)	3rd	Practicing nursing without a license.
374	465.015 (2)	3rd	Practicing pharmacy without a license.
375	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
376	467.201	3rd	Practicing midwifery without a license.
377	468.366	3rd	Delivering respiratory care services without a license.
378	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
379	483.901 (9)	3rd	Practicing medical physics without a license.

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380	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
381	484.053	3rd	Dispensing hearing aids without a license.
382	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.
383	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.
	560.125 (5) (a)	3rd	Money services business by unauthorized person,

384	655.50 (10) (b) 1.	3rd	<p>currency or payment instruments exceeding \$300 but less than \$20,000.</p> <p>Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.</p>
385	775.21 (10) (a)	3rd	<p>Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.</p>
386	775.21 (10) (b)	3rd	<p>Sexual predator working where children regularly congregate.</p>
387	775.21 (10) (g)	3rd	<p>Failure to report or providing false information about a sexual predator; harbor or conceal a sexual</p>

predator.

388

782.051 (3)

2nd

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

389

782.07 (1)

2nd

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

390

782.071

2nd

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

391

782.072

2nd

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

392

784.045 (1) (a) 1.

2nd

Aggravated battery;

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intentionally causing
great bodily harm or
disfigurement.

393

784.045 (1) (a) 2.

2nd Aggravated battery;
using deadly weapon.

394

784.045 (1) (b)

2nd Aggravated battery;
perpetrator aware victim
pregnant.

395

784.048 (4)

3rd Aggravated stalking;
violation of injunction or
court order.

396

784.048 (7)

3rd Aggravated stalking;
violation of court order.

397

784.07 (2) (d)

1st Aggravated battery on law
enforcement officer.

398

784.074 (1) (a)

1st Aggravated battery on
sexually violent
predators facility
staff.

399

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400	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
401	784.081 (1)	1st	Aggravated battery on specified official or employee.
402	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
403	784.083 (1)	1st	Aggravated battery on code inspector.
404	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 transport of any individual from outside Florida to within the

state.

405

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

406

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

407

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

408

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

409

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

410

790.166(4) 2nd Possessing, displaying, or threatening to use a hoax

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weapon of mass destruction
while committing or
attempting to commit a
felony.

411

790.23

1st, PBL

Possession of a firearm by a
person who qualifies for the
penalty enhancements
provided for in s. 874.04.

412

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.

413

796.03

2nd

Procuring any person under 16
years of age for prostitution.

414

800.04 (5) (c) 1.

2nd

Lewd or lascivious
molestation; victim less
than 12 years of age;
offender less than 18
years of age.

415

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	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years <u>of age</u> ; offender 18 years <u>of age</u> or older.
416	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
417	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
418	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
419	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
420	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
421			

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422	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.
423	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
424	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
425	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.

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426	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
427	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
428	812.131(2)(a)	2nd	Robbery by sudden snatching.
429	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
430	817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
431	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.

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432	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
433	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
434	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.
435	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or

disfigurement.

436

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.

437

827.03 (2) (b)

2nd Neglect of a child causing great bodily harm, disability, or disfigurement.

438

827.04 (3)

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

439

837.05 (2)

3rd Giving false information about alleged capital felony to a law enforcement officer.

440

838.015

2nd Bribery.

441

838.016

2nd Unlawful compensation or reward

442			for official behavior.
443	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
444	838.22	2nd	Bid tampering.
445	843.0855 (2)	3rd	Impersonation of a public officer or employee.
446	843.0855 (3)	3rd	Unlawful simulation of legal process.
447	843.0855 (4)	3rd	Intimidation of a public officer or employee.
448	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
449	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
	872.06	2nd	Abuse of a dead human

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450	874.05 (2) (b)	1st	body. Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
451	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
452	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.

453

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.

454

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).

455

893.135(1)(a)1.

1st

Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

456

893.135
(1)(b)1.a.

1st

Trafficking in cocaine, more than 28 grams, less

than 200 grams.

457

893.135
(1) (c) 1.a.

1st

Trafficking in illegal
drugs, more than 4 grams,
less than 14 grams.

458

893.135 (1) (d) 1.

1st

Trafficking in
phencyclidine, more than
28 grams, less than 200
grams.

459

893.135 (1) (e) 1.

1st

Trafficking in
methaqualone, more than
200 grams, less than 5
kilograms.

460

893.135 (1) (f) 1.

1st

Trafficking in
amphetamine, more than
14 grams, less than 28
grams.

461

893.135
(1) (g) 1.a.

1st

Trafficking in flunitrazepam, 4
grams or more, less than 14
grams.

462

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463	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
464	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
465	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
466	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
467	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.

468

943.0435(4)(c)

2nd

Sexual offender vacating
 permanent residence;
 failure to comply with
 reporting requirements.

469

943.0435(8)

2nd

Sexual offender; remains in
 state after indicating intent
 to leave; failure to comply
 with reporting requirements.

470

943.0435(9)(a)

3rd

Sexual offender; failure
 to comply with reporting
 requirements.

471

943.0435(13)

3rd

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

or conceal a sexual
offender.

472

943.0435(14)

3rd

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

473

944.607(9)

3rd

Sexual offender; failure to
comply with reporting
requirements.

474

944.607(10)(a)

3rd

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

475

944.607(12)

3rd

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

476

944.607(13)

3rd

Sexual offender; failure to
report and reregister;

failure to respond to address
verification.

477

985.4815(10)

3rd

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

478

985.4815(12)

3rd

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

479

985.4815(13)

3rd

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

480

481

Section 7. This act shall take effect July 1, 2014.