

By the Committee on Criminal Justice; and Senator Braynon

591-03100-14

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1 A bill to be entitled
2 An act relating to false personation; amending s.
3 843.08, F.S.; prohibiting a person from falsely
4 personating a firefighter; defining the term
5 "watchman"; amending s. 843.085, F.S.; prohibiting
6 operation or ownership of a motor vehicle falsely
7 marked with the intent to mislead or cause another
8 person to believe that such vehicle is authorized by a
9 fire department for use by the person operating it;
10 providing an exception; amending s. 921.0022, F.S.;
11 conforming provisions to changes made by the act;
12 providing an effective date.

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

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

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

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30 employed by the commission, or any personnel or representative
31 of the Department of Law Enforcement, or a federal law
32 enforcement officer as defined in s. 901.1505, and takes upon
33 himself or herself to act as such, or to require any other
34 person to aid or assist him or her in a matter pertaining to the
35 duty of any such officer, commits a felony of the third degree,
36 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
37 However, a person who falsely personates any such officer during
38 the course of the commission of a felony commits a felony of the
39 second degree, punishable as provided in s. 775.082, s. 775.083,
40 or s. 775.084. If the commission of the felony results in the
41 death or personal injury of another human being, the person
42 commits a felony of the first degree, punishable as provided in
43 s. 775.082, s. 775.083, or s. 775.084. As used in this section,
44 the term "watchman" means a security officer licensed under
45 chapter 493.

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

48 843.085 Unlawful use of police badges or other indicia of
49 authority.—It is unlawful for any person:

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

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59 enforcement vehicle or a vehicle used by a criminal justice
 60 agency as ~~now or hereafter~~ defined in s. 943.045, or a vehicle
 61 used by a fire department with the intent to mislead or cause
 62 another person to believe that such vehicle is an official
 63 vehicle of that agency and is authorized to be used by that
 64 agency ~~which could deceive a reasonable person into believing~~
 65 ~~that such vehicle is authorized by any of the agencies described~~
 66 ~~above for use by the person operating the motor vehicle, unless~~
 67 such vehicle is owned or operated by the appropriate agency and
 68 its use is authorized by such agency, ~~or~~ the local law
 69 enforcement agency or fire department authorizes the use of such
 70 vehicle, or unless the person is appointed by the Governor
 71 pursuant to chapter 354.

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

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

83 921.0022 Criminal Punishment Code; offense severity ranking
 84 chart.—

85 (3) OFFENSE SEVERITY RANKING CHART

86 (b) LEVEL 2

87

88	591-03100-14	2014190c1	Florida Statute	Felony Degree	Description
88	379.2431 (1) (e) 3.			3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
89	379.2431 (1) (e) 4.			3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
90	403.413 (6) (c)			3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
91	517.07 (2)			3rd	Failure to furnish a prospectus meeting requirements.
92	590.28 (1)			3rd	Intentional burning of lands.
93					

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94	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
95	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
96	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
97	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
98	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.
98	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.

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812.014 (2) (d) 3rd Grand theft, 3rd degree;
\$100 or more but less
than \$300, taken from
unenclosed curtilage of
dwelling.

100

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

101

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

102

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

103

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

104

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

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representation.

105

817.60 (5)

3rd

Dealing in credit cards
of another.

106

817.60 (6) (a)

3rd

Forgery; purchase goods,
services with false
card.

107

817.61

3rd

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

108

826.04

3rd

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

109

831.01

3rd

Forgery.

110

831.02

3rd

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

111

831.07

3rd

Forging bank bills,
checks, drafts, or
promissory notes.

112

831.08

3rd

Possessing 10 or more

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forged notes, bills,
checks, or drafts.

113

831.09

3rd

Uttering forged notes,
bills, checks, drafts,
or promissory notes.

114

831.11

3rd

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

115

832.05 (3) (a)

3rd

Cashing or depositing
item with intent to
defraud.

116

843.08

3rd

False personation
~~Falsely impersonating an~~
~~officer.~~

117

893.13 (2) (a) 2.

3rd

Purchase of any s.
893.03 (1) (c), (2) (c) 1.,
(2) (c) 2., (2) (c) 3.,
(2) (c) 5., (2) (c) 6.,
(2) (c) 7., (2) (c) 8.,
(2) (c) 9., (3), or (4)
drugs other than
cannabis.

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893.147(2)

3rd

Manufacture or delivery
of drug paraphernalia.

119

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Section 4. This act shall take effect July 1, 2014.