



115286

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/24/2014	.	
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	.	

The Committee on Appropriations (Hays) recommended the following:

Senate Amendment (with title amendment)

Between lines 299 and 300

insert:

Section 6. Paragraphs (a) and (c) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(a) LEVEL 1



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Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.



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20 322.212 3rd Possession of forged, stolen,
(1) (a) - (c) counterfeit, or unlawfully
issued driver's license;
possession of simulated
identification.

21 322.212 (4) 3rd Supply or aid in supplying
unauthorized driver's license
or identification card.

22 322.212 (5) (a) 3rd False application for driver's
license or identification card.

23 414.39 (2) 3rd Unauthorized use, possession,
forgery, or alteration of food
assistance program, Medicaid
ID, value greater than \$200.

24 414.39 (3) (a) 3rd Fraudulent misappropriation of
public assistance funds by
employee/official, value more
than \$200.

25 443.071 (1) 3rd False statement or
representation to obtain or
increase reemployment
assistance benefits.

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27	509.151(1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
28	517.302(1)	3rd	Violation of the Florida Securities and Investor Protection Act.
29	562.27(1)	3rd	Possess still or still apparatus.
30	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
31	812.014(3)(c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
32	812.081(2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
33	<u>815.04(5)(a)</u> 815.04(4)(a)	3rd	Offense against intellectual property (i.e., computer programs, data).
	817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.



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34 817.569(2) 3rd Use of public record or public
records information to
facilitate commission of a
felony.

35 826.01 3rd Bigamy.

36 828.122(3) 3rd Fighting or baiting animals.

37 831.04(1) 3rd Any erasure, alteration, etc.,
of any replacement deed, map,
plat, or other document listed
in s. 92.28.

38 831.31(1)(a) 3rd Sell, deliver, or possess
counterfeit controlled
substances, all but s.
893.03(5) drugs.

39 832.041(1) 3rd Stopping payment with intent to
defraud \$150 or more.

40 832.05(2)(b) & 3rd Knowing, making, issuing
(4)(c) worthless checks \$150 or more
or obtaining property in return
for worthless check \$150 or
more.

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42	838.15(2)	3rd	Commercial bribe receiving.
43	838.16	3rd	Commercial bribery.
44	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
45	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
46	849.01	3rd	Keeping gambling house.
47	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
48	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
49	849.25(2)	3rd	Engaging in bookmaking.
50	860.08	3rd	Interfere with a railroad signal.
	860.13(1)(a)	3rd	Operate aircraft while under



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the influence.

51

893.13(2)(a)2. 3rd Purchase of cannabis.

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893.13(6)(a) 3rd Possession of cannabis (more
than 20 grams).

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934.03(1)(a) 3rd Intercepts, or procures any
other person to intercept, any
wire or oral communication.

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(c) LEVEL 3

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Florida	Felony	Description
Statute	Degree	

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119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
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316.066	3rd	Unlawfully obtaining or using confidential crash reports.
(3)(b)-(d)		

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316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
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62

316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in
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63			patrol vehicle with siren and lights activated.
	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
64			
	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
65			
	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
66			
	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
67			
	327.35(2)(b)	3rd	Felony BUI.
68			
	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
69			
	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.



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

71

379.2431 3rd Taking, disturbing, mutilating, 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.

(1) (e) 5.

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379.2431 3rd Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.

(1) (e) 6.

73

400.9935 (4) 3rd Operating a clinic without a license or filing false license application or other required information.

74

440.1051 (3) 3rd False report of workers' compensation fraud or retaliation for making such a report.



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75	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
76	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
77	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
78	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
79	697.08	3rd	Equity skimming.
80	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
81	796.05 (1)	3rd	Live on earnings of a prostitute.
82	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.



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83 806.10(2) 3rd Interferes with or assaults
firefighter in performance of
duty.

84 810.09(2)(c) 3rd Trespass on property other than
structure or conveyance armed
with firearm or dangerous
weapon.

85 812.014(2)(c)2. 3rd Grand theft; \$5,000 or more but
less than \$10,000.

86 812.0145(2)(c) 3rd Theft from person 65 years of
age or older; \$300 or more but
less than \$10,000.

87 815.04(5)(b) 2nd Computer offense devised to
~~815.04(4)(b)~~ defraud or obtain property.

88 817.034(4)(a)3. 3rd Engages in scheme to defraud
(Florida Communications Fraud
Act), property valued at less
than \$20,000.

89 817.233 3rd Burning to defraud insurer.

90 817.234 3rd Unlawful solicitation of
(8)(b)-(c) persons involved in motor



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91			vehicle accidents.
	817.234(11)(a)	3rd	Insurance fraud; property value less than \$20,000.
92			
	817.236	3rd	Filing a false motor vehicle insurance application.
93			
	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
94			
	817.413(2)	3rd	Sale of used goods as new.
95			
	817.505(4)	3rd	Patient brokering.
96			
	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
97			
	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
98			
	831.29	2nd	Possession of instruments for counterfeiting drivers'



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licenses or identification
cards.

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838.021(3)(b) 3rd Threatens unlawful harm to
public servant.

100

843.19 3rd Injure, disable, or kill police
dog or horse.

101

860.15(3) 3rd Overcharging for repairs and
parts.

102

870.01(2) 3rd Riot; inciting or encouraging.

103

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).

104

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.

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106	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.
107	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
108	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
109	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
110	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by



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chapter 893.

111

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.

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893.13(8)(a)2. 3rd Employ a trick or scheme in the
practitioner's practice to
assist a patient, other person,
or owner of an animal in
obtaining a controlled
substance.

113

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

114

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.



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

116

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.

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

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121 ===== T I T L E A M E N D M E N T =====

122 And the title is amended as follows:

123 Delete line 33

124 and insert:

125 utility; providing criminal penalties; amending s.
126 921.0022, F.S.; conforming provisions of the offense
127 severity ranking chart to changes made by the act;
128 providing an