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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/23/2014	.	
	.	
	.	
	.	

The Committee on Appropriations (Grimsley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 92.56, Florida Statutes, is amended to
read:

92.56 Judicial proceedings and court records involving
sexual offenses and human trafficking.—

(1)(a) The confidential and exempt status of criminal
intelligence information or criminal investigative information



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11 made confidential and exempt pursuant to s. 119.071(2)(h) must
12 be maintained in court records pursuant to s. 119.0714(1)(h) and
13 in court proceedings, including testimony from witnesses.

14 (b) If a petition for access to such confidential and
15 exempt records is filed with the trial court having jurisdiction
16 over the alleged offense, the confidential and exempt status of
17 such information shall be maintained by the court if the state
18 or the victim demonstrates that:

19 1. The identity of the victim is not already known in the
20 community;

21 2. The victim has not voluntarily called public attention
22 to the offense;

23 3. The identity of the victim has not otherwise become a
24 reasonable subject of public concern;

25 4. The disclosure of the victim's identity would be
26 offensive to a reasonable person; and

27 5. The disclosure of the victim's identity would:

28 a. Endanger the victim because the assailant has not been
29 apprehended and is not otherwise known to the victim;

30 b. Endanger the victim because of the likelihood of
31 retaliation, harassment, or intimidation;

32 c. Cause severe emotional or mental harm to the victim;

33 d. Make the victim unwilling to testify as a witness; or

34 e. Be inappropriate for other good cause shown.

35 (2) A defendant charged with a crime specified ~~described~~ in
36 s. 787.06(3)(a), if the victim is younger than 18 years of age,
37 in s. 787.06(3)(b), (d), (f), or (g), or in chapter 794 or
38 chapter 800, or with child abuse, aggravated child abuse, or
39 sexual performance by a child as described in chapter 827, may



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40 apply to the trial court for an order of disclosure of
41 information in court records held confidential and exempt
42 pursuant to s. 119.0714(1)(h) or maintained as confidential and
43 exempt pursuant to court order under this section. Such
44 identifying information concerning the victim may be released to
45 the defendant or his or her attorney in order to prepare the
46 defense. The confidential and exempt status of this information
47 does ~~may not be construed to~~ prevent the disclosure of the
48 victim's identity to the defendant; however, the defendant may
49 not disclose the victim's identity to any person other than the
50 defendant's attorney or any other person directly involved in
51 the preparation of the defense. A willful and knowing disclosure
52 of the identity of the victim to any other person by the
53 defendant constitutes contempt.

54 (3) The state may use a pseudonym instead of the victim's
55 name to designate the victim of a crime specified ~~described~~ in
56 s. 787.06(3)(a), if the victim is younger than 18 years of age,
57 in s. 787.06(3)(b), (d), (f), or (g), or in chapter 794 or
58 chapter 800, or of child abuse, aggravated child abuse, or
59 sexual performance by a child as described in chapter 827, or
60 any crime involving the production, possession, or promotion of
61 child pornography as described in chapter 847, in all court
62 records and records of court proceedings, both civil and
63 criminal.

64 (4) The protection of this section may be waived by the
65 victim of the alleged offense in a writing filed with the court,
66 in which the victim consents to the use or release of
67 identifying information during court proceedings and in the
68 records of court proceedings.



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69 (5) This section does not prohibit the publication or
70 broadcast of the substance of trial testimony in a prosecution
71 for an offense specified ~~described~~ in s. 787.06(3)(a), if the
72 victim is younger than 18 years of age, in s. 787.06(3)(b), (d),
73 (f), or (g), or in chapter 794 or chapter 800, or for a crime of
74 child abuse, aggravated child abuse, or sexual performance by a
75 child, as described in chapter 827; however, but the publication
76 or broadcast may not include an identifying photograph, an
77 identifiable voice, or the name or address of the victim, unless
78 the victim has consented in writing to the publication and filed
79 such consent with the court or unless the court has declared
80 such records not confidential and exempt as provided for in
81 subsection (1).

82 (6) A willful and knowing violation of this section or a
83 willful and knowing failure to obey a ~~any~~ court order issued
84 under this section constitutes contempt.

85 Section 2. Subsection (5) is added to section 450.021,
86 Florida Statutes, to read:

87 450.021 Minimum age; general.—

88 (5) In order to better ensure the elimination of minors
89 being exploited and becoming victims of human trafficking, a
90 person under the age of 18, whether or not such person's
91 disabilities of nonage have been removed by marriage or
92 otherwise, may not be employed, permitted, or suffered to work
93 in an adult theater, as defined in s. 847.001(2)(b).

94 Section 3. Subsection (3) is added to section 450.045,
95 Florida Statutes, to read:

96 450.045 Proof of identity and age; posting of notices.—

97 (3)(a) In order to provide the department and law



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98 enforcement agencies the means to more effectively identify,
99 investigate, and arrest persons engaging in human trafficking,
100 an adult theater as defined in s. 847.001(2) (b) shall obtain
101 proof of the identity and age of each of its employees or
102 independent contractors, and shall verify the validity of the
103 identification and age verification document with the issuer,
104 before his or her employment or provision of services as an
105 independent contractor.

106 (b) The adult theater shall obtain and keep on record a
107 photocopy of the person's driver license or state or federal
108 government-issued photo identification card, along with a record
109 of the verification of the validity of the identification and
110 age verification document with the issuer, during the entire
111 period of employment or business relationship with the
112 independent contractor and for at least 3 years after the
113 employee or independent contractor ceases employment or the
114 provision of services.

115 (c) The department and its agents have the authority to
116 enter during operating hours, unannounced and without prior
117 notice, and inspect at any time a place or establishment covered
118 by this subsection and to have access to age verification
119 documents kept on file by the adult theater and such other
120 records as may aid in the enforcement of this subsection.

121 Section 4. Paragraph (a) of subsection (3) of section
122 775.082, Florida Statutes, is amended to read:

123 775.082 Penalties; applicability of sentencing structures;
124 mandatory minimum sentences for certain reoffenders previously
125 released from prison.—

126 (3) A person who has been convicted of any other designated



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127 felony may be punished as follows:

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

131 2. For a life felony committed on or after October 1, 1983,
132 by a term of imprisonment for life or by a term of imprisonment
133 not exceeding 40 years.

134 3. Except as provided in subparagraph 4., for a life felony
135 committed on or after July 1, 1995, by a term of imprisonment
136 for life or by imprisonment for a term of years not exceeding
137 life imprisonment.

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

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

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

146 b. For a life felony committed on or after July 1, 2008,
147 which is a person's second or subsequent violation of s.
148 800.04(5)(b), by a term of imprisonment for life.

149 5. For a life felony committed on or after October 1, 2014,
150 which is a violation of s. 787.06(3)(g), by a term of
151 imprisonment for life.

152 Section 5. Subsection (18) is added to section 775.15,
153 Florida Statutes, to read:

154 775.15 Time limitations; general time limitations;
155 exceptions.-



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

160 Section 6. Subsections (3) and (4) of section 787.06,
161 Florida Statutes, are amended, and subsection (8) is added to
162 that section, to read:

163 787.06 Human trafficking.—

164 (3) A ~~Any~~ person who knowingly, or in reckless disregard of
165 the facts, engages in human trafficking, or attempts to engage
166 in human trafficking, or benefits financially by receiving
167 anything of value from participation in a venture that has
168 subjected a person to human trafficking:

169 (a) 1. Using coercion For labor or services of any child
170 under the age of 18 commits a felony of the first degree,
171 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

172 2. Using coercion for labor or services of an adult commits
173 a felony of the first degree, punishable as provided in s.
174 775.082, s. 775.083, or s. 775.084.

175 (b) Using coercion for commercial sexual activity of an
176 adult commits a felony of the first degree, punishable as
177 provided in s. 775.082, s. 775.083, or s. 775.084.

178 (c) 1. Using coercion For labor or services of any child
179 under the age of 18 ~~individual~~ who is an unauthorized alien
180 commits a felony of the first degree, punishable as provided in
181 s. 775.082, s. 775.083, or s. 775.084.

182 2. Using coercion for labor or services of an adult who is
183 an unauthorized alien commits a felony of the first degree,
184 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.



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185 (d) Using coercion for commercial sexual activity of an
186 adult ~~any individual~~ who is an unauthorized alien commits a
187 felony of the first degree, punishable as provided in s.
188 775.082, s. 775.083, or s. 775.084.

189 (e) 1. Using coercion For labor or services who does so by
190 the transfer or transport of any child under the age of 18
191 ~~individual~~ from outside this state to within the state commits a
192 felony of the first degree, punishable as provided in s.
193 775.082, s. 775.083, or s. 775.084.

194 2. Using coercion for labor or services who does so by the
195 transfer or transport of an adult from outside this state to
196 within the state commits a felony of the first degree,
197 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

198 (f) 1. Using coercion For commercial sexual activity who
199 does so by the transfer or transport of any child under the age
200 of 18 ~~individual~~ from outside this state to within the state
201 commits a felony of the first degree, punishable by imprisonment
202 for a term of years not exceeding life, or as provided in s.
203 775.082, s. 775.083, or s. 775.084.

204 2. Using coercion for commercial sexual activity who does
205 so by the transfer or transport of an adult from outside this
206 state to within the state commits a felony of the first degree,
207 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

208 (g) For commercial sexual activity in which any child under
209 the age of 18, or in which any person who is mentally defective
210 or mentally incapacitated as those terms are defined in s.
211 794.011(1), is involved commits a life felony ~~of the first~~
212 ~~degree,~~ punishable ~~by imprisonment for a term of years not~~
213 ~~exceeding life,~~ or as provided in s. 775.082(3)(a)5. ~~775.082,~~ s.



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214 ~~775.083, or s. 775.084. In a prosecution under this paragraph in~~
215 ~~which the defendant had a reasonable opportunity to observe the~~
216 ~~person who was subject to human trafficking, the state need not~~
217 ~~prove that the defendant knew that the person had not attained~~
218 ~~the age of 18 years.~~

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

226
227 For each instance of human trafficking of any individual under
228 this subsection, a separate crime is committed and a separate
229 punishment is authorized.

230 (4) (a) A Any parent, legal guardian, or other person having
231 custody or control of a minor who sells or otherwise transfers
232 custody or control of such minor, or offers to sell or otherwise
233 transfer custody of such minor, with knowledge or in reckless
234 disregard of the fact that, as a consequence of the sale or
235 transfer, the minor will be subject to human trafficking commits
236 a life ~~first-degree~~ felony, punishable as provided in s.
237 775.082, s. 775.083, or s. 775.084.

238 (b) A person who permanently brands, or directs to be
239 branded, a victim of an offense under this section commits a
240 second degree felony, punishable as provided in s. 775.082, s.
241 775.083, or s. 775.084. For purposes of this subsection, the
242 term "permanently branded" means a mark on the individual's body



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243 that, if it can be removed or repaired at all, can only be
244 removed or repaired by surgical means, laser treatment, or other
245 medical procedure.

246 (8) In a prosecution under this section, the defendant's
247 ignorance of the victim's age, the victim's misrepresentation of
248 his or her age, or the defendant's bona fide belief of the
249 victim's age cannot be raised as a defense.

250 Section 7. Section 796.001, Florida Statutes, is created to
251 read:

252 796.001 Offenses by adults involving minors; intent.—It is
253 the intent of the Legislature that adults who involve minors in
254 any behavior prohibited under this chapter be prosecuted under
255 other laws of this state, such as, but not limited to, s.
256 787.06, chapter 794, chapter 800, s. 810.145, chapter 827, and
257 chapter 847. The Legislature finds that the prosecution of such
258 adults under this chapter is inappropriate since a minor is
259 unable to consent to such behavior.

260 Section 8. Sections 796.03, 796.035, and 796.036, Florida
261 Statutes, are repealed.

262 Section 9. Section 796.05, Florida Statutes, is amended to
263 read:

264 796.05 Deriving support from the proceeds of prostitution.—

265 (1) It shall be unlawful for any person with reasonable
266 belief or knowing another person is engaged in prostitution to
267 live or derive support or maintenance in whole or in part from
268 what is believed to be the earnings or proceeds of such person's
269 prostitution.

270 (2) Anyone violating this section commits:

271 (a) For a first offense, a felony of the ~~second~~ third



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272 degree, punishable as provided in s. 775.082, s. 775.083, or s.
273 775.084.

274 (b) For a second offense, a felony of the first degree,
275 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

276 (c) For a third or subsequent offense, a felony of the
277 first degree punishable as provided in s. 775.082, s. 775.083,
278 or s. 775.084, with a mandatory minimum term of imprisonment of
279 10 years.

280 Section 10. Subsection (2) and subsections (4) through (6)
281 of section 796.07, Florida Statutes, are amended to read:

282 796.07 Prohibiting prostitution and related acts.-

283 (2) It is unlawful:

284 (a) To own, establish, maintain, or operate any place,
285 structure, building, or conveyance for the purpose of lewdness,
286 assignation, or prostitution.

287 (b) To offer, or to offer or agree to secure, another for
288 the purpose of prostitution or for any other lewd or indecent
289 act.

290 (c) To receive, or to offer or agree to receive, any person
291 into any place, structure, building, or conveyance for the
292 purpose of prostitution, lewdness, or assignation, or to permit
293 any person to remain there for such purpose.

294 (d) To direct, take, or transport, or to offer or agree to
295 direct, take, or transport, any person to any place, structure,
296 or building, or to any other person, with knowledge or
297 reasonable cause to believe that the purpose of such directing,
298 taking, or transporting is prostitution, lewdness, or
299 assignation.

300 (e) To offer to commit, or to commit, or to engage in,



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301 prostitution, lewdness, or assignation.

302 (f) To solicit, induce, entice, or procure another to
303 commit prostitution, lewdness, or assignation.

304 (g) To reside in, enter, or remain in, any place,
305 structure, or building, or to enter or remain in any conveyance,
306 for the purpose of prostitution, lewdness, or assignation.

307 (h) To aid or, abet, ~~or participate~~ in any of the acts or
308 things enumerated in this subsection.

309 (i) To purchase the services of any person engaged in
310 prostitution.

311 (4) A person who violates paragraph (2)(e) or (g) any
312 ~~provision of this section~~ commits:

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

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

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

320 (5) (a) A person who violates paragraph (2)(a), (b), (c),
321 (d), (f), (h), or (i) commits:

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

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

326 3. For a third or subsequent offense, a felony of the first
327 degree, punishable as provided in s. 775.082, s. 775.083, or s.

328 775.084. A person who is charged with a third or subsequent
329 violation of this section shall be offered admission to a



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330 ~~pretrial intervention program or a substance abuse treatment~~
331 ~~program as provided in s. 948.08.~~

332 (6) A person who violates paragraph (2)(a), (b), (c), (d),
333 (f), (h), or (i) ~~paragraph (2)(f)~~ shall be assessed a criminal
334 ~~civil~~ penalty of \$5,000 if the violation results in any judicial
335 disposition other than acquittal or dismissal. Of the proceeds
336 from each penalty assessed under this subsection, the first \$500
337 shall be paid to the circuit court administrator for the sole
338 purpose of paying the administrative costs of treatment-based
339 drug court programs provided under s. 397.334. The remainder of
340 the penalty assessed shall be deposited in the Operations and
341 Maintenance Trust Fund of the Department of Children and Family
342 Services for the sole purpose of funding safe houses and short-
343 term safe houses as provided in s. 409.1678.

344 Section 11. Paragraphs (c), (e), and (g) through (j) of
345 subsection (3) of section 921.0022, Florida Statutes, are
346 amended to read:

347 921.0022 Criminal Punishment Code; offense severity ranking
348 chart.-

349 (3) OFFENSE SEVERITY RANKING CHART

350 (c) LEVEL 3

351
352

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.

353



354 316.066 3rd Unlawfully obtaining or using
(3) (b) - (d) confidential crash reports.

355 316.193 (2) (b) 3rd Felony DUI, 3rd conviction.

356 316.1935 (2) 3rd Fleeing or attempting to elude
law enforcement officer in
patrol vehicle with siren and
lights activated.

357 319.30 (4) 3rd Possession by junkyard of motor
vehicle with identification
number plate removed.

358 319.33 (1) (a) 3rd Alter or forge any certificate
of title to a motor vehicle or
mobile home.

359 319.33 (1) (c) 3rd Procure or pass title on stolen
vehicle.

360 319.33 (4) 3rd With intent to defraud,
possess, sell, etc., a blank,
forged, or unlawfully obtained
title or registration.

361 327.35 (2) (b) 3rd Felony BUI.

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- 363 328.05(2) 3rd Possess, sell, or counterfeit
fictitious, stolen, or
fraudulent titles or bills of
sale of vessels.
- 364 328.07(4) 3rd Manufacture, exchange, or
possess vessel with counterfeit
or wrong ID number.
- 365 376.302(5) 3rd Fraud related to reimbursement
for cleanup expenses under the
Inland Protection Trust Fund.
- 366 379.2431 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.
- 367 379.2431 3rd Soliciting to commit or
(1) (e) 6. conspiring to commit a
violation of the Marine Turtle
Protection Act.
- 400.9935(4) 3rd Operating a clinic without a



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license or filing false license application or other required information.

368

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

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501.001(2)(b) 2nd Tampers with a consumer product or the container using materially false/misleading information.

370

624.401(4)(a) 3rd Transacting insurance without a certificate of authority.

371

624.401(4)(b)1. 3rd Transacting insurance without a certificate of authority; premium collected less than \$20,000.

372

626.902(1)(a) & (b) 3rd Representing an unauthorized insurer.

373

697.08 3rd Equity skimming.

374

790.15(3) 3rd Person directs another to discharge firearm from a



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vehicle.

375

~~796.05(1)~~ 3rd ~~Live on earnings of a
prostitute.~~

376

806.10(1) 3rd Maliciously injure, destroy, or
interfere with vehicles or
equipment used in firefighting.

377

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

378

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

379

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

380

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

381

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

382

817.034(4)(a)3. 3rd Engages in scheme to defraud



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(Florida Communications Fraud Act), property valued at less than \$20,000.

383

817.233 3rd Burning to defraud insurer.

384

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

385

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

386

817.236 3rd Filing a false motor vehicle insurance application.

387

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

388

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

389

817.505 (4) 3rd Patient brokering.

390

828.12 (2) 3rd Tortures any animal with intent to inflict intense pain, serious physical injury, or death.



391 831.28(2)(a) 3rd Counterfeiting a payment
instrument with intent to
defraud or possessing a
counterfeit payment instrument.

392 831.29 2nd Possession of instruments for
counterfeiting drivers'
licenses or identification
cards.

393 838.021(3)(b) 3rd Threatens unlawful harm to
public servant.

394 843.19 3rd Injure, disable, or kill police
dog or horse.

395 860.15(3) 3rd Overcharging for repairs and
parts.

396 870.01(2) 3rd Riot; inciting or encouraging.

397 893.13(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).

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399 893.13(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.

400 893.13(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.

401 893.13(6)(a) 3rd Possession of any controlled
substance other than felony
possession of cannabis.

402 893.13(7)(a)8. 3rd Withhold information from
practitioner regarding previous
receipt of or prescription for
a controlled substance.

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



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403

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

404

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

405

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.

406

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.

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



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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.

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

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

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

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

(e) LEVEL 5

Florida Statute	Felony Degree	Description
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417	316.027(1)(a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
418	316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
419	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
420	327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
421	379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
422	379.3671 (2)(c)3.	3rd	Willful molestation, possession, or removal of a commercial harvester's trap contents or trap gear by another harvester.
423	381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
424	440.10(1)(g)	2nd	Failure to obtain workers'



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compensation coverage.

425

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

426

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

427

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

428

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

429

790.01(2) 3rd Carrying a concealed firearm.

430

790.162 2nd Threat to throw or discharge
destructive device.

431

790.163(1) 2nd False report of deadly
explosive or weapon of mass
destruction.

432



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433	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
434	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
435	<u>796.05 (1)</u>	<u>2nd</u>	<u>Live on earnings of a prostitute; 1st offense.</u>
436	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years.
437	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years or older.
438	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
439	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
440	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.



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441	812.019(1)	2nd	Stolen property; dealing in or trafficking in.
442	812.131(2)(b)	3rd	Robbery by sudden snatching.
443	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
444	817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
445	817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
446	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



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information of 10 or more
individuals.

447

817.625(2)(b) 2nd Second or subsequent fraudulent
use of scanning device or
reencoder.

448

825.1025(4) 3rd Lewd or lascivious exhibition
in the presence of an elderly
person or disabled adult.

449

827.071(4) 2nd Possess with intent to promote
any photographic material,
motion picture, etc., which
includes sexual conduct by a
child.

450

827.071(5) 3rd Possess, control, or
intentionally view any
photographic material, motion
picture, etc., which includes
sexual conduct by a child.

451

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.

452



453	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
454	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
455	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
456	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
457	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
458	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 to join a criminal gang.
	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).



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459

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.

460

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.

461

893.13(1)(e)2. 2nd 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



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470	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
471	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.
472	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
473	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
474	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
475	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
476			



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477	456.065 (2)	3rd	Practicing a health care profession without a license.
478	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
479	458.327 (1)	3rd	Practicing medicine without a license.
480	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
481	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
482	461.012 (1)	3rd	Practicing podiatric medicine without a license.
483	462.17	3rd	Practicing naturopathy without a license.
484	463.015 (1)	3rd	Practicing optometry without a license.
485	464.016 (1)	3rd	Practicing nursing without a license.



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486	465.015 (2)	3rd	Practicing pharmacy without a license.
487	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
488	467.201	3rd	Practicing midwifery without a license.
489	468.366	3rd	Delivering respiratory care services without a license.
490	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
491	483.901 (9)	3rd	Practicing medical physics without a license.
492	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
493	484.053	3rd	Dispensing hearing aids without a license.
	494.0018 (2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded



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\$50,000 and there were five or more victims.

494

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.

495

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

496

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

497

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

498

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

499

775.21(10)(g) 3rd Failure to report or providing



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false information about a
sexual predator; harbor or
conceal a sexual predator.

500

782.051(3) 2nd Attempted felony murder of a
person by a person other than
the perpetrator or the
perpetrator of an attempted
felony.

501

782.07(1) 2nd Killing of a human being by the
act, procurement, or culpable
negligence of another
(manslaughter).

502

782.071 2nd Killing of a human being or
viable fetus by the operation
of a motor vehicle in a
reckless manner (vehicular
homicide).

503

782.072 2nd Killing of a human being by the
operation of a vessel in a
reckless manner (vessel
homicide).

504

784.045(1)(a)1. 2nd Aggravated battery;
intentionally causing great
bodily harm or disfigurement.



505	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
506	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
507	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
508	784.048 (7)	3rd	Aggravated stalking; violation of court order.
509	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
510	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
511	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
512	784.081 (1)	1st	Aggravated battery on specified official or employee.
513	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.



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514	784.083(1)	1st	Aggravated battery on code inspector.
515	787.06(3)(a) <u>2.</u>	1st	Human trafficking using coercion for labor and services <u>of an adult.</u>
516	787.06(3)(e) <u>2.</u>	1st	Human trafficking using coercion for labor and services by the transfer or transport of <u>an adult</u> any individual from outside Florida to within the state.
517	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
518	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
519	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
520	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or



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attempting to commit a felony.

521

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

522

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

523

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

524

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.

525

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

526

796.05(1) 1st Live on earnings of a
 prostitute; 2nd offense.

527



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528	<u>796.05(1)</u>	<u>1st</u>	<u>Live on earnings of a prostitute; 3rd and subsequent offense.</u>
529	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
530	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.
531	806.01(2)	2nd	Maliciously damage structure by fire or explosive.
532	810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
533	810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
534	810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
	810.02(3)(e)	2nd	Burglary of authorized



emergency vehicle.

535

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.

536

812.014 (2) (b) 2. 2nd Property stolen, cargo valued
at less than \$50,000, grand
theft in 2nd degree.

537

812.014 (2) (b) 3. 2nd Property stolen, emergency
medical equipment; 2nd degree
grand theft.

538

812.014 (2) (b) 4. 2nd Property stolen, law
enforcement equipment from
authorized emergency vehicle.

539

812.0145 (2) (a) 1st Theft from person 65 years of
age or older; \$50,000 or more.

540

812.019 (2) 1st Stolen property; initiates,
organizes, plans, etc., the
theft of property and traffics
in stolen property.



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541	812.131 (2) (a)	2nd	Robbery by sudden snatching.
542	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
543	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
544	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
545	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
546	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
547	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.
548	817.535 (2) (a)	3rd	Filing false lien or other



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unauthorized document.

549

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

550

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.

551

827.03(2)(b) 2nd Neglect of a child causing
great bodily harm, disability,
or disfigurement.

552

827.04(3) 3rd Impregnation of a child under
16 years of age by person 21
years of age or older.

553

837.05(2) 3rd Giving false information about
alleged capital felony to a law
enforcement officer.

554

838.015 2nd Bribery.

555

838.016 2nd Unlawful compensation or reward
for official behavior.

556



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557	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
558	838.22	2nd	Bid tampering.
559	843.0855 (2)	3rd	Impersonation of a public officer or employee.
560	843.0855 (3)	3rd	Unlawful simulation of legal process.
561	843.0855 (4)	3rd	Intimidation of a public officer or employee.
562	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
563	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
564	872.06	2nd	Abuse of a dead human body.
565	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
	874.10	1st,PBL	Knowingly initiates, organizes,



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

566

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.

567

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.

568

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).



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569 893.135(1)(a)1. 1st Trafficking in cannabis, more
than 25 lbs., less than 2,000
lbs.

570 893.135 1st Trafficking in cocaine, more
(1)(b)1.a. than 28 grams, less than 200
grams.

571 893.135 1st Trafficking in illegal drugs,
(1)(c)1.a. more than 4 grams, less than 14
grams.

572 893.135(1)(d)1. 1st Trafficking in phencyclidine,
more than 28 grams, less than
200 grams.

573 893.135(1)(e)1. 1st Trafficking in methaqualone,
more than 200 grams, less than
5 kilograms.

574 893.135(1)(f)1. 1st Trafficking in amphetamine,
more than 14 grams, less than
28 grams.

575 893.135 1st Trafficking in flunitrazepam, 4
(1)(g)1.a. grams or more, less than 14
grams.

576



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577	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
578	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
579	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
580	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
581	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
582	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to



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comply with reporting
requirements.

583

943.0435 (8) 2nd Sexual offender; remains in
state after indicating intent
to leave; failure to comply
with reporting requirements.

584

943.0435 (9) (a) 3rd Sexual offender; failure to
comply with reporting
requirements.

585

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

586

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

587

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

588

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



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589 944.607(12) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

590 944.607(13) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification.

591 985.4815(10) 3rd Sexual offender; failure to
submit to the taking of a
digitized photograph.

592 985.4815(12) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

593 985.4815(13) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification.

594
595 (h) LEVEL 8

596
597

Florida	Felony	Description
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	Statute	Degree	
598	316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
599	316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
600	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
601	499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
602	499.0051 (8)	1st	Knowing forgery of prescription labels or prescription drug labels.
603	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.
604	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.



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605	655.50(10)(b)2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
606	777.03(2)(a)	1st	Accessory after the fact, capital felony.
607	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.
608	782.051(2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).
609	782.071(1)(b)	1st	Committing vehicular homicide and failing to render aid or give information.
610			



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611	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
612	<u>787.06 (3) (a) 1.</u>	<u>1st</u>	<u>Human trafficking for labor and services of a child.</u>
613	787.06 (3) (b)	1st	Human trafficking using coercion for commercial sexual activity <u>of an adult.</u>
614	787.06 (3) (c) <u>2.</u>	1st	Human trafficking using coercion for labor and services of an unauthorized alien <u>adult.</u>
615	<u>787.06 (3) (e) 1.</u>	<u>1st</u>	<u>Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state.</u>
616	787.06 (3) (f) <u>2.</u>	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any <u>adult individual</u> from outside Florida to within the state.
	790.161 (3)	1st	Discharging a destructive



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624	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
625	812.13 (2) (b)	1st	Robbery with a weapon.
626	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
627	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
628	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
629	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
630	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



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instrument.

631

817.568 (6) 2nd Fraudulent use of personal
identification information of
an individual under the age of
18.

632

825.102 (2) 1st Aggravated abuse of an elderly
person or disabled adult.

633

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

634

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

635

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

636

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

637

860.121 (2) (c) 1st Shooting at or throwing any
object in path of railroad



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vehicle resulting in great
bodily harm.

638

860.16 1st Aircraft piracy.

639

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).

640

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

641

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

642

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

643

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

644

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



645	893.135 (1) (d) 1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
646	893.135 (1) (e) 1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
647	893.135 (1) (f) 1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
648	893.135 (1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
649	893.135 (1) (h) 1.b.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
650	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
651	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.



- 652 893.1351(3) 1st Possession of a place used to
manufacture controlled
substance when minor is present
or resides there.
- 653 895.03(1) 1st Use or invest proceeds derived
from pattern of racketeering
activity.
- 654 895.03(2) 1st Acquire or maintain through
racketeering activity any
interest in or control of any
enterprise or real property.
- 655 895.03(3) 1st Conduct or participate in any
enterprise through pattern of
racketeering activity.
- 656 896.101(5)(b) 2nd Money laundering, financial
transactions totaling or
exceeding \$20,000, but less
than \$100,000.
- 657 896.104(4)(a)2. 2nd Structuring transactions to
evade reporting or registration
requirements, financial
transactions totaling or
exceeding \$20,000 but less than



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\$100,000.

658
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660
661

(i) LEVEL 9

662

Florida Statute	Felony Degree	Description
316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling

665

666

667



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675

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

676

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

677

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

678

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.

679

787.06(3)(c)1. 1st Human trafficking for labor and
services of an unauthorized
alien child.

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



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680	<u>787.06(3)(f)1.</u>	<u>1st,PBL</u>	<u>Human trafficking for commercial sexual activity by the transfer or transport of a child from outside Florida to within the state.</u>
681	787.06(3)(g)	1st,PBL	Human trafficking for commercial sexual activity of a child under the age of 18.
682	787.06(4)	1st	Selling or buying of minors into human trafficking.
683	790.161	1st	Attempted capital destructive device offense.
684	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
685	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
686	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.



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687	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
688	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
689	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
690	796.035	1st	Selling or buying of minors into prostitution.
691	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
692	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
693	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.
694	812.135 (2) (b)	1st	Home-invasion robbery with weapon.



- 695 817.535 (3) (b) 1st Filing false lien or other
unauthorized document; second
or subsequent offense; property
owner is a public officer or
employee.
- 696 817.535 (4) (a) 2. 1st Filing false claim or other
unauthorized document;
defendant is incarcerated or
under supervision.
- 697 817.535 (5) (b) 1st Filing false lien or other
unauthorized document; second
or subsequent offense; owner of
the property incurs financial
loss as a result of the false
instrument.
- 698 817.568 (7) 2nd, Fraudulent use of personal
PBL identification information of
an individual under the age of
18 by his or her parent, legal
guardian, or person exercising
custodial authority.
- 699 827.03 (2) (a) 1st Aggravated child abuse.
- 700 847.0145 (1) 1st Selling, or otherwise



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transferring custody or
control, of a minor.

701

847.0145(2) 1st Purchasing, or otherwise
obtaining custody or control,
of a minor.

702

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.

703

893.135 1st Attempted capital trafficking
offense.

704

893.135(1)(a)3. 1st Trafficking in cannabis, more
than 10,000 lbs.

705

893.135 1st Trafficking in cocaine, more
(1)(b)1.c. than 400 grams, less than 150
kilograms.

706

893.135 1st Trafficking in illegal drugs,
(1)(c)1.c. more than 28 grams, less than
30 kilograms.

707



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708	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
709	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
710	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
711	893.135 (1) (h) 1.c.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 10 kilograms or more.
712	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
713	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
714	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
715	896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.



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716 (j) LEVEL 10

717

718

Florida Statute	Felony Degree	Description
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719

499.0051(10)	1st	Knowing sale or purchase of contraband prescription drugs resulting in death.
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720

782.04(2)	1st,PBL	Unlawful killing of human; act is homicide, unpremeditated.
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721

782.07(3)	1st	Aggravated manslaughter of a child.
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722

787.01(1)(a)3.	1st,PBL	Kidnapping; inflict bodily harm upon or terrorize victim.
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723

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.
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724

<u>787.06(3)(g)</u>	Life	Human trafficking for
787.06(3)(h)		commercial sexual activity of a child under the age of <u>18 or</u>



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mentally defective or
incapacitated person ~~15~~.

725

787.06(4)(a) Life Selling or buying of minors
into human trafficking.

726

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.

727

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

728

876.32 1st Treason against the state.

729

Section 12. Subsection (3), paragraph (a) of subsection
730 (8), and paragraph (a) of subsection (10) of section 943.0583,
731 Florida Statutes, are amended to read:

732

943.0583 Human trafficking victim expunction.—

733

(3) A person who is a victim of human trafficking may
734 petition for the expunction of a criminal history record
735 resulting from the arrest or filing of charges ~~any conviction~~
736 for an offense committed or reported to have been committed
737 while the person ~~he or she~~ was a victim of human trafficking,
738 which offense was committed or reported to have been committed
739 as a part of the human trafficking scheme of which the person ~~he~~
740 ~~or she~~ was a victim or at the direction of an operator of the
741 scheme, including, but not limited to, violations under chapters



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742 796 and 847, without regard to the disposition of the arrest or
743 of any charges. However, this section does not apply to any
744 offense listed in s. 775.084(1)(b)1. Determination of the
745 petition under this section should be by a preponderance of the
746 evidence. A conviction expunged under this section is deemed to
747 have been vacated due to a substantive defect in the underlying
748 criminal proceedings. If a person is adjudicated not guilty by
749 reason of insanity or is found to be incompetent to stand trial
750 for any such charge, the expunction of the criminal history
751 record may not prevent the entry of the judgment or finding in
752 state and national databases for use in determining eligibility
753 to purchase or possess a firearm or to carry a concealed
754 firearm, as authorized in s. 790.065(2)(a)4.c. and 18 U.S.C. s.
755 922(t), nor shall it prevent any governmental agency that is
756 authorized by state or federal law to determine eligibility to
757 purchase or possess a firearm or to carry a concealed firearm
758 from accessing or using the record of the judgment or finding in
759 the course of such agency's official duties.

760 (8) (a) Any criminal history record of a minor or an adult
761 that is ordered expunged by the court of original jurisdiction
762 over the charges ~~crime~~ sought to be expunged pursuant to this
763 section must be physically destroyed or obliterated by any
764 criminal justice agency having custody of such record, except
765 that any criminal history record in the custody of the
766 department must be retained in all cases.

767 (10) (a) A criminal history record ordered expunged under
768 this section that is retained by the department is confidential
769 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
770 Constitution, except that the record shall be made available to



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771 criminal justice agencies for their respective criminal justice
772 purposes and to any governmental agency that is authorized by
773 state or federal law to determine eligibility to purchase or
774 possess a firearm or to carry a concealed firearm for use in the
775 course of such agency's official duties. Otherwise, such record
776 may ~~shall~~ not be disclosed to any person or entity except upon
777 order of a court of competent jurisdiction. A criminal justice
778 agency may retain a notation indicating compliance with an order
779 to expunge.

780 Section 13. Subsection (2) of section 960.065, Florida
781 Statutes, is amended to read:

782 960.065 Eligibility for awards.—

783 (2) A ~~Any~~ claim is ineligible for an award if it is filed
784 by or on behalf of a person who:

785 (a) Committed or aided in the commission of the crime upon
786 which the claim for compensation was based;

787 (b) Was engaged in an unlawful activity at the time of the
788 crime upon which the claim for compensation is based, unless the
789 victim was engaged in prostitution as a result of being a victim
790 of human trafficking as described in s. 787.06(3)(b), (d), (f),
791 or (g);

792 (c) Was in custody or confined, regardless of conviction,
793 in a county or municipal detention facility, a state or federal
794 correctional facility, or a juvenile detention or commitment
795 facility at the time of the crime upon which the claim for
796 compensation is based;

797 (d) Has been adjudicated as a habitual felony offender,
798 habitual violent offender, or violent career criminal under s.
799 775.084; or



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800 (e) Has been adjudicated guilty of a forcible felony
801 offense as described in s. 776.08~~7~~

802
803 ~~is ineligible for an award.~~

804 Section 14. Section 960.199, Florida Statutes, is amended
805 to read:

806 960.199 Relocation assistance for victims of sexual battery
807 or human trafficking.-

808 (1) The department may award a one-time payment of up to
809 \$1,500 on any one claim and a lifetime maximum of \$3,000 to a
810 victim of sexual battery as defined in s. 794.011 or of human
811 trafficking as described in s. 787.06(3)(b), (d), (f), or (g)
812 who needs relocation assistance.

813 (2) In order for an award to be granted to a victim for
814 relocation assistance:

815 (a) There must be proof that a sexual battery offense or
816 human trafficking offense as described in s. 787.06(3)(b), (d),
817 (f), or (g) was committed.

818 (b) The sexual battery offense or human trafficking offense
819 as specified in s. 787.06(3)(b), (d), (f), or (g) must be
820 reported to the proper authorities.

821 (c) The victim's need for assistance must be certified by a
822 certified rape crisis center in this state or by the state
823 attorney or statewide prosecutor having jurisdiction over the
824 offense. A victim of human trafficking's need for assistance may
825 also be certified by a state-certified domestic violence center.

826 (d) The center's ~~center~~ certification must assert that the
827 victim is cooperating with law enforcement officials, if
828 applicable, and must include documentation that the victim has



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829 developed a safety plan. If the victim seeking relocation
830 assistance is a victim of a human trafficking offense as
831 specified in s. 787.06(3)(b), (d), (f), or (g), the certified
832 rape crisis center's or certified domestic violence center's
833 certification shall include approval of the state attorney or
834 statewide prosecutor, who shall attest that the victim is
835 cooperating with law enforcement officials, if applicable.

836 (e) The act of sexual battery or human trafficking as
837 specified in s. 787.06(3)(b), (d), (f), or (g) must be committed
838 in the victim's place of residence or in a location that would
839 lead the victim to reasonably fear for his or her continued
840 safety in the place of residence.

841 (3) Relocation payments for a sexual battery or human
842 trafficking claim under this section shall be denied if the
843 department has previously approved or paid out a domestic
844 violence relocation claim under s. 960.198 to the same victim
845 regarding the same incident.

846 Section 15. Paragraph (g) of subsection (67) of section
847 39.01, Florida Statutes, is amended to read:

848 39.01 Definitions.—When used in this chapter, unless the
849 context otherwise requires:

850 (67) "Sexual abuse of a child" for purposes of finding a
851 child to be dependent means one or more of the following acts:

852 (g) The sexual exploitation of a child, which includes the
853 act of a child offering to engage in or engaging in
854 prostitution, provided that the child is not under arrest or is
855 not being prosecuted in a delinquency or criminal proceeding for
856 a violation of any offense in chapter 796 based on such
857 behavior; or allowing, encouraging, or forcing a child to:



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- 858 1. Solicit for or engage in prostitution;
859 2. Engage in a sexual performance, as defined by chapter
860 827; or
861 3. Participate in the trade of human ~~sex~~ trafficking as
862 provided in s. 787.06(3)(g) ~~s. 796.035~~.

863 Section 16. Paragraphs (b) and (c) of subsection (2) of
864 section 90.404, Florida Statutes, are amended to read:

865 90.404 Character evidence; when admissible.—

866 (2) OTHER CRIMES, WRONGS, OR ACTS.—

867 (b)1. In a criminal case in which the defendant is charged
868 with a crime involving child molestation, evidence of the
869 defendant's commission of other crimes, wrongs, or acts of child
870 molestation is admissible and may be considered for its bearing
871 on any matter to which it is relevant.

872 2. For the purposes of this paragraph, the term "child
873 molestation" means conduct proscribed by s. 787.025(2)(c), s.
874 787.06(3)(g) ~~and (h)~~, s. 794.011, excluding s. 794.011(10), s.
875 794.05, ~~s. 796.03, s. 796.035~~, s. 800.04, s. 827.071, s.
876 847.0135(5), s. 847.0145, or s. 985.701(1) when committed
877 against a person 16 years of age or younger.

878 (c)1. In a criminal case in which the defendant is charged
879 with a sexual offense, evidence of the defendant's commission of
880 other crimes, wrongs, or acts involving a sexual offense is
881 admissible and may be considered for its bearing on any matter
882 to which it is relevant.

883 2. For the purposes of this paragraph, the term "sexual
884 offense" means conduct proscribed by s. 787.025(2)(c), s.
885 787.06(3)(b), (d), (f), or (g), ~~or (h)~~, s. 794.011, excluding s.
886 794.011(10), s. 794.05, ~~s. 796.03, s. 796.035~~, s.



887 825.1025(2)(b), s. 827.071, s. 847.0135(5), s. 847.0145, or s.
888 985.701(1).

889 Section 17. Paragraph (a) of subsection (1) of section
890 772.102, Florida Statutes, is amended to read:

891 772.102 Definitions.—As used in this chapter, the term:

892 (1) "Criminal activity" means to commit, to attempt to
893 commit, to conspire to commit, or to solicit, coerce, or
894 intimidate another person to commit:

895 (a) Any crime that is chargeable by indictment or
896 information under the following provisions:

897 1. Section 210.18, relating to evasion of payment of
898 cigarette taxes.

899 2. Section 414.39, relating to public assistance fraud.

900 3. Section 440.105 or s. 440.106, relating to workers'
901 compensation.

902 4. Part IV of chapter 501, relating to telemarketing.

903 5. Chapter 517, relating to securities transactions.

904 6. Section 550.235 or s. 550.3551, relating to dogracing
905 and horseracing.

906 7. Chapter 550, relating to jai alai frontons.

907 8. Chapter 552, relating to the manufacture, distribution,
908 and use of explosives.

909 9. Chapter 562, relating to beverage law enforcement.

910 10. Section 624.401, relating to transacting insurance
911 without a certificate of authority, s. 624.437(4)(c)1., relating
912 to operating an unauthorized multiple-employer welfare
913 arrangement, or s. 626.902(1)(b), relating to representing or
914 aiding an unauthorized insurer.

915 11. Chapter 687, relating to interest and usurious



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- 916 practices.
- 917 12. Section 721.08, s. 721.09, or s. 721.13, relating to
918 real estate timeshare plans.
- 919 13. Chapter 782, relating to homicide.
- 920 14. Chapter 784, relating to assault and battery.
- 921 15. Chapter 787, relating to kidnapping or human
922 trafficking.
- 923 16. Chapter 790, relating to weapons and firearms.
- 924 17. Section ~~796.03~~, s. 796.04, s. 796.05, or s. 796.07,
925 relating to prostitution.
- 926 18. Chapter 806, relating to arson.
- 927 19. Section 810.02(2)(c), relating to specified burglary of
928 a dwelling or structure.
- 929 20. Chapter 812, relating to theft, robbery, and related
930 crimes.
- 931 21. Chapter 815, relating to computer-related crimes.
- 932 22. Chapter 817, relating to fraudulent practices, false
933 pretenses, fraud generally, and credit card crimes.
- 934 23. Section 827.071, relating to commercial sexual
935 exploitation of children.
- 936 24. Chapter 831, relating to forgery and counterfeiting.
- 937 25. Chapter 832, relating to issuance of worthless checks
938 and drafts.
- 939 26. Section 836.05, relating to extortion.
- 940 27. Chapter 837, relating to perjury.
- 941 28. Chapter 838, relating to bribery and misuse of public
942 office.
- 943 29. Chapter 843, relating to obstruction of justice.
- 944 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or



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945 s. 847.07, relating to obscene literature and profanity.
946 31. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
947 849.25, relating to gambling.
948 32. Chapter 893, relating to drug abuse prevention and
949 control.
950 33. Section 914.22 or s. 914.23, relating to witnesses,
951 victims, or informants.
952 34. Section 918.12 or s. 918.13, relating to tampering with
953 jurors and evidence.
954 Section 18. Paragraph (m) of subsection (1) of section
955 775.0877, Florida Statutes, is amended to read:
956 775.0877 Criminal transmission of HIV; procedures;
957 penalties.—
958 (1) In any case in which a person has been convicted of or
959 has pled nolo contendere or guilty to, regardless of whether
960 adjudication is withheld, any of the following offenses, or the
961 attempt thereof, which offense or attempted offense involves the
962 transmission of body fluids from one person to another:
963 (m) Sections ~~796.03~~, ~~796.07~~ and 796.08, relating to
964 prostitution; or
965
966 the court shall order the offender to undergo HIV testing, to be
967 performed under the direction of the Department of Health in
968 accordance with s. 381.004, unless the offender has undergone
969 HIV testing voluntarily or pursuant to procedures established in
970 s. 381.004(2)(h)6. or s. 951.27, or any other applicable law or
971 rule providing for HIV testing of criminal offenders or inmates,
972 subsequent to her or his arrest for an offense enumerated in
973 paragraphs (a)-(n) for which she or he was convicted or to which



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974 she or he pled nolo contendere or guilty. The results of an HIV
975 test performed on an offender pursuant to this subsection are
976 not admissible in any criminal proceeding arising out of the
977 alleged offense.

978 Section 19. Paragraph (a) of subsection (4) and paragraph
979 (b) of subsection (10) of section 775.21, Florida Statutes, are
980 amended to read:

981 775.21 The Florida Sexual Predators Act.—

982 (4) SEXUAL PREDATOR CRITERIA.—

983 (a) For a current offense committed on or after October 1,
984 1993, upon conviction, an offender shall be designated as a
985 “sexual predator” under subsection (5), and subject to
986 registration under subsection (6) and community and public
987 notification under subsection (7) if:

988 1. The felony is:

989 a. A capital, life, or first-degree felony violation, or
990 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
991 is a minor and the defendant is not the victim’s parent or
992 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a
993 violation of a similar law of another jurisdiction; or

994 b. Any felony violation, or any attempt thereof, of s.
995 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a
996 minor and the defendant is not the victim’s parent or guardian;
997 s. 787.06(3)(b), (d), (f), or (g), ~~or (h)~~; s. 794.011, excluding
998 s. 794.011(10); s. 794.05; ~~s. 796.03; s. 796.035~~; s. 800.04; s.
999 810.145(8)(b); s. 825.1025(2)(b); s. 827.071; s. 847.0135(5); s.
1000 847.0145; or s. 985.701(1); or a violation of a similar law of
1001 another jurisdiction, and the offender has previously been
1002 convicted of or found to have committed, or has pled nolo



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1003 contendere or guilty to, regardless of adjudication, any
1004 violation of s. 787.01, s. 787.02, or s. 787.025(2)(c), where
1005 the victim is a minor and the defendant is not the victim's
1006 parent or guardian; s. 787.06(3)(b), (d), (f), or (g), ~~or~~ (h);
1007 s. 794.011, excluding s. 794.011(10); s. 794.05; ~~s. 796.03; s.~~
1008 ~~796.035; s.~~ 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.
1009 847.0135, excluding s. 847.0135(6); s. 847.0145; or s.
1010 985.701(1); or a violation of a similar law of another
1011 jurisdiction;

1012 2. The offender has not received a pardon for any felony or
1013 similar law of another jurisdiction that is necessary for the
1014 operation of this paragraph; and

1015 3. A conviction of a felony or similar law of another
1016 jurisdiction necessary to the operation of this paragraph has
1017 not been set aside in any postconviction proceeding.

1018 (10) PENALTIES.—

1019 (b) A sexual predator who has been convicted of or found to
1020 have committed, or has pled nolo contendere or guilty to,
1021 regardless of adjudication, any violation, or attempted
1022 violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where
1023 the victim is a minor and the defendant is not the victim's
1024 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
1025 794.05; ~~s. 796.03; s. 796.035; s.~~ 800.04; s. 827.071; s.
1026 847.0133; s. 847.0135(5); s. 847.0145; or s. 985.701(1); or a
1027 violation of a similar law of another jurisdiction when the
1028 victim of the offense was a minor, and who works, whether for
1029 compensation or as a volunteer, at any business, school, child
1030 care facility, park, playground, or other place where children
1031 regularly congregate, commits a felony of the third degree,



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1032 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1033 Section 20. Paragraph (a) of subsection (3) of section
1034 787.01, Florida Statutes, is amended to read:

1035 787.01 Kidnapping; kidnapping of child under age 13,
1036 aggravating circumstances.—

1037 (3) (a) A person who commits the offense of kidnapping upon
1038 a child under the age of 13 and who, in the course of committing
1039 the offense, commits one or more of the following:

1040 1. Aggravated child abuse, as defined in s. 827.03;

1041 2. Sexual battery, as defined in chapter 794, against the
1042 child;

1043 3. Lewd or lascivious battery, lewd or lascivious
1044 molestation, lewd or lascivious conduct, or lewd or lascivious
1045 exhibition, in violation of s. 800.04 or s. 847.0135(5);

1046 4. A violation of ~~s. 796.03~~ or s. 796.04, relating to
1047 prostitution, upon the child; or

1048 5. Exploitation of the child or allowing the child to be
1049 exploited, in violation of s. 450.151,

1050
1051 commits a life felony, punishable as provided in s. 775.082, s.
1052 775.083, or s. 775.084.

1053 Section 21. Paragraph (a) of subsection (3) of section
1054 787.02, Florida Statutes, is amended to read:

1055 787.02 False imprisonment; false imprisonment of child
1056 under age 13, aggravating circumstances.—

1057 (3) (a) A person who commits the offense of false
1058 imprisonment upon a child under the age of 13 and who, in the
1059 course of committing the offense, commits any offense enumerated
1060 in subparagraphs 1.-5., commits a felony of the first degree,



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1061 punishable by imprisonment for a term of years not exceeding
1062 life or as provided in s. 775.082, s. 775.083, or s. 775.084.

1063 1. Aggravated child abuse, as defined in s. 827.03;

1064 2. Sexual battery, as defined in chapter 794, against the
1065 child;

1066 3. Lewd or lascivious battery, lewd or lascivious
1067 molestation, lewd or lascivious conduct, or lewd or lascivious
1068 exhibition, in violation of s. 800.04 or s. 847.0135(5);

1069 4. A violation of ~~s. 796.03~~ or s. 796.04, relating to
1070 prostitution, upon the child; or

1071 5. Exploitation of the child or allowing the child to be
1072 exploited, in violation of s. 450.151.

1073 Section 22. Subsection (1) of section 794.056, Florida
1074 Statutes, is amended to read:

1075 794.056 Rape Crisis Program Trust Fund.—

1076 (1) The Rape Crisis Program Trust Fund is created within
1077 the Department of Health for the purpose of providing funds for
1078 rape crisis centers in this state. Trust fund moneys shall be
1079 used exclusively for the purpose of providing services for
1080 victims of sexual assault. Funds credited to the trust fund
1081 consist of those funds collected as an additional court
1082 assessment in each case in which a defendant pleads guilty or
1083 nolo contendere to, or is found guilty of, regardless of
1084 adjudication, an offense provided in s. 775.21(6) and (10)(a),
1085 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
1086 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
1087 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
1088 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
1089 ~~s. 796.03; s. 796.035;~~ s. 796.04; s. 796.05; s. 796.06; s.



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1090 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.
1091 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.
1092 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.
1093 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a), (13), and
1094 (14)(c); or s. 985.701(1). Funds credited to the trust fund also
1095 shall include revenues provided by law, moneys appropriated by
1096 the Legislature, and grants from public or private entities.

1097 Section 23. Subsection (1) of section 856.022, Florida
1098 Statutes, is amended to read:

1099 856.022 Loitering or prowling by certain offenders in close
1100 proximity to children; penalty.-

1101 (1) Except as provided in subsection (2), this section
1102 applies to a person convicted of committing, or attempting,
1103 soliciting, or conspiring to commit, any of the criminal
1104 offenses proscribed in the following statutes in this state or
1105 similar offenses in another jurisdiction against a victim who
1106 was under 18 years of age at the time of the offense: s. 787.01,
1107 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
1108 the offender was not the victim's parent or guardian; s.
1109 794.011, excluding s. 794.011(10); s. 794.05; ~~s. 796.03; s.~~
1110 ~~796.035~~; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.
1111 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s.
1112 847.0145; s. 985.701(1); or any similar offense committed in
1113 this state which has been redesignated from a former statute
1114 number to one of those listed in this subsection, if the person
1115 has not received a pardon for any felony or similar law of
1116 another jurisdiction necessary for the operation of this
1117 subsection and a conviction of a felony or similar law of
1118 another jurisdiction necessary for the operation of this



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1119 subsection has not been set aside in any postconviction
1120 proceeding.

1121 Section 24. Paragraph (a) of subsection (1) of section
1122 895.02, Florida Statutes, is amended to read:

1123 895.02 Definitions.—As used in ss. 895.01-895.08, the term:

1124 (1) "Racketeering activity" means to commit, to attempt to
1125 commit, to conspire to commit, or to solicit, coerce, or
1126 intimidate another person to commit:

1127 (a) Any crime that is chargeable by petition, indictment,
1128 or information under the following provisions of the Florida
1129 Statutes:

1130 1. Section 210.18, relating to evasion of payment of
1131 cigarette taxes.

1132 2. Section 316.1935, relating to fleeing or attempting to
1133 elude a law enforcement officer and aggravated fleeing or
1134 eluding.

1135 3. Section 403.727(3)(b), relating to environmental
1136 control.

1137 4. Section 409.920 or s. 409.9201, relating to Medicaid
1138 fraud.

1139 5. Section 414.39, relating to public assistance fraud.

1140 6. Section 440.105 or s. 440.106, relating to workers'
1141 compensation.

1142 7. Section 443.071(4), relating to creation of a fictitious
1143 employer scheme to commit reemployment assistance fraud.

1144 8. Section 465.0161, relating to distribution of medicinal
1145 drugs without a permit as an Internet pharmacy.

1146 9. Section 499.0051, relating to crimes involving
1147 contraband and adulterated drugs.



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- 1148 10. Part IV of chapter 501, relating to telemarketing.
1149 11. Chapter 517, relating to sale of securities and
1150 investor protection.
1151 12. Section 550.235 or s. 550.3551, relating to dogracing
1152 and horseracing.
1153 13. Chapter 550, relating to jai alai frontons.
1154 14. Section 551.109, relating to slot machine gaming.
1155 15. Chapter 552, relating to the manufacture, distribution,
1156 and use of explosives.
1157 16. Chapter 560, relating to money transmitters, if the
1158 violation is punishable as a felony.
1159 17. Chapter 562, relating to beverage law enforcement.
1160 18. Section 624.401, relating to transacting insurance
1161 without a certificate of authority, s. 624.437(4)(c)1., relating
1162 to operating an unauthorized multiple-employer welfare
1163 arrangement, or s. 626.902(1)(b), relating to representing or
1164 aiding an unauthorized insurer.
1165 19. Section 655.50, relating to reports of currency
1166 transactions, when such violation is punishable as a felony.
1167 20. Chapter 687, relating to interest and usurious
1168 practices.
1169 21. Section 721.08, s. 721.09, or s. 721.13, relating to
1170 real estate timeshare plans.
1171 22. Section 775.13(5)(b), relating to registration of
1172 persons found to have committed any offense for the purpose of
1173 benefiting, promoting, or furthering the interests of a criminal
1174 gang.
1175 23. Section 777.03, relating to commission of crimes by
1176 accessories after the fact.



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- 1177 24. Chapter 782, relating to homicide.
- 1178 25. Chapter 784, relating to assault and battery.
- 1179 26. Chapter 787, relating to kidnapping or human
1180 trafficking.
- 1181 27. Chapter 790, relating to weapons and firearms.
- 1182 28. Chapter 794, relating to sexual battery, but only if
1183 such crime was committed with the intent to benefit, promote, or
1184 further the interests of a criminal gang, or for the purpose of
1185 increasing a criminal gang member's own standing or position
1186 within a criminal gang.
- 1187 29. Section ~~796.03, s. 796.035, s.~~ 796.04, s. 796.05, or s.
1188 796.07, relating to prostitution and sex trafficking.
- 1189 30. Chapter 806, relating to arson and criminal mischief.
- 1190 31. Chapter 810, relating to burglary and trespass.
- 1191 32. Chapter 812, relating to theft, robbery, and related
1192 crimes.
- 1193 33. Chapter 815, relating to computer-related crimes.
- 1194 34. Chapter 817, relating to fraudulent practices, false
1195 pretenses, fraud generally, and credit card crimes.
- 1196 35. Chapter 825, relating to abuse, neglect, or
1197 exploitation of an elderly person or disabled adult.
- 1198 36. Section 827.071, relating to commercial sexual
1199 exploitation of children.
- 1200 37. Section 828.122, relating to fighting or baiting
1201 animals.
- 1202 38. Chapter 831, relating to forgery and counterfeiting.
- 1203 39. Chapter 832, relating to issuance of worthless checks
1204 and drafts.
- 1205 40. Section 836.05, relating to extortion.



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1206 41. Chapter 837, relating to perjury.
1207 42. Chapter 838, relating to bribery and misuse of public
1208 office.
1209 43. Chapter 843, relating to obstruction of justice.
1210 44. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
1211 s. 847.07, relating to obscene literature and profanity.
1212 45. Chapter 849, relating to gambling, lottery, gambling or
1213 gaming devices, slot machines, or any of the provisions within
1214 that chapter.
1215 46. Chapter 874, relating to criminal gangs.
1216 47. Chapter 893, relating to drug abuse prevention and
1217 control.
1218 48. Chapter 896, relating to offenses related to financial
1219 transactions.
1220 49. Sections 914.22 and 914.23, relating to tampering with
1221 or harassing a witness, victim, or informant, and retaliation
1222 against a witness, victim, or informant.
1223 50. Sections 918.12 and 918.13, relating to tampering with
1224 jurors and evidence.
1225 Section 25. Section 938.085, Florida Statutes, is amended
1226 to read:
1227 938.085 Additional cost to fund rape crisis centers.—In
1228 addition to any sanction imposed when a person pleads guilty or
1229 nolo contendere to, or is found guilty of, regardless of
1230 adjudication, a violation of s. 775.21(6) and (10)(a), (b), and
1231 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
1232 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.
1233 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
1234 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; ~~s. 796.03;~~



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1235 ~~s. 796.035~~; s. 796.04; s. 796.05; s. 796.06; s. 796.07(2)(a)-(d)
1236 and (i); s. 800.03; s. 800.04; s. 810.14; s. 810.145; s.
1237 812.135; s. 817.025; s. 825.102; s. 825.1025; s. 827.071; s.
1238 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s. 847.0145;
1239 s. 943.0435(4)(c), (7), (8), (9)(a), (13), and (14)(c); or s.
1240 985.701(1), the court shall impose a surcharge of \$151. Payment
1241 of the surcharge shall be a condition of probation, community
1242 control, or any other court-ordered supervision. The sum of \$150
1243 of the surcharge shall be deposited into the Rape Crisis Program
1244 Trust Fund established within the Department of Health by
1245 chapter 2003-140, Laws of Florida. The clerk of the court shall
1246 retain \$1 of each surcharge that the clerk of the court collects
1247 as a service charge of the clerk's office.

1248 Section 26. Subsection (1) of section 938.10, Florida
1249 Statutes, is amended to read:

1250 938.10 Additional court cost imposed in cases of certain
1251 crimes.—

1252 (1) If a person pleads guilty or nolo contendere to, or is
1253 found guilty of, regardless of adjudication, any offense against
1254 a minor in violation of s. 784.085, chapter 787, chapter 794, ~~s.~~
1255 ~~796.03~~, ~~s. 796.035~~, s. 800.04, chapter 827, s. 847.012, s.
1256 847.0133, s. 847.0135(5), s. 847.0138, s. 847.0145, s.
1257 893.147(3), or s. 985.701, or any offense in violation of s.
1258 775.21, s. 823.07, s. 847.0125, s. 847.0134, or s. 943.0435, the
1259 court shall impose a court cost of \$151 against the offender in
1260 addition to any other cost or penalty required by law.

1261 Section 27. Paragraph (a) of subsection (1) of section
1262 943.0435, Florida Statutes, is amended to read:

1263 943.0435 Sexual offenders required to register with the



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1264 department; penalty.-

1265 (1) As used in this section, the term:

1266 (a)1. "Sexual offender" means a person who meets the
1267 criteria in sub-subparagraph a., sub-subparagraph b., sub-
1268 subparagraph c., or sub-subparagraph d., as follows:

1269 a.(I) Has been convicted of committing, or attempting,
1270 soliciting, or conspiring to commit, any of the criminal
1271 offenses proscribed in the following statutes in this state or
1272 similar offenses in another jurisdiction: s. 787.01, s. 787.02,
1273 or s. 787.025(2)(c), where the victim is a minor and the
1274 defendant is not the victim's parent or guardian; s.
1275 787.06(3)(b), (d), (f), or (g), ~~or (h)~~; s. 794.011, excluding s.
1276 794.011(10); s. 794.05; ~~s. 796.03; s. 796.035~~; s. 800.04; s.
1277 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
1278 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
1279 or s. 985.701(1); or any similar offense committed in this state
1280 which has been redesignated from a former statute number to one
1281 of those listed in this sub-sub-subparagraph; and

1282 (II) Has been released on or after October 1, 1997, from
1283 the sanction imposed for any conviction of an offense described
1284 in sub-sub-subparagraph (I). For purposes of sub-sub-
1285 subparagraph (I), a sanction imposed in this state or in any
1286 other jurisdiction includes, but is not limited to, a fine,
1287 probation, community control, parole, conditional release,
1288 control release, or incarceration in a state prison, federal
1289 prison, private correctional facility, or local detention
1290 facility;

1291 b. Establishes or maintains a residence in this state and
1292 who has not been designated as a sexual predator by a court of



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1293 this state but who has been designated as a sexual predator, as
1294 a sexually violent predator, or by another sexual offender
1295 designation in another state or jurisdiction and was, as a
1296 result of such designation, subjected to registration or
1297 community or public notification, or both, or would be if the
1298 person were a resident of that state or jurisdiction, without
1299 regard to whether the person otherwise meets the criteria for
1300 registration as a sexual offender;

1301 c. Establishes or maintains a residence in this state who
1302 is in the custody or control of, or under the supervision of,
1303 any other state or jurisdiction as a result of a conviction for
1304 committing, or attempting, soliciting, or conspiring to commit,
1305 any of the criminal offenses proscribed in the following
1306 statutes or similar offense in another jurisdiction: s. 787.01,
1307 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
1308 the defendant is not the victim's parent or guardian; s.
1309 787.06(3)(b), (d), (f), or (g), ~~or (h)~~; s. 794.011, excluding s.
1310 794.011(10); s. 794.05; ~~s. 796.03; s. 796.035~~; s. 800.04; s.
1311 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
1312 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
1313 or s. 985.701(1); or any similar offense committed in this state
1314 which has been redesignated from a former statute number to one
1315 of those listed in this sub-subparagraph; or

1316 d. On or after July 1, 2007, has been adjudicated
1317 delinquent for committing, or attempting, soliciting, or
1318 conspiring to commit, any of the criminal offenses proscribed in
1319 the following statutes in this state or similar offenses in
1320 another jurisdiction when the juvenile was 14 years of age or
1321 older at the time of the offense:



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1322 (I) Section 794.011, excluding s. 794.011(10);
1323 (II) Section 800.04(4)(b) where the victim is under 12
1324 years of age or where the court finds sexual activity by the use
1325 of force or coercion;
1326 (III) Section 800.04(5)(c)1. where the court finds
1327 molestation involving unclothed genitals; or
1328 (IV) Section 800.04(5)(d) where the court finds the use of
1329 force or coercion and unclothed genitals.
1330 2. For all qualifying offenses listed in sub-subparagraph
1331 (1)(a)1.d., the court shall make a written finding of the age of
1332 the offender at the time of the offense.
1333
1334 For each violation of a qualifying offense listed in this
1335 subsection, the court shall make a written finding of the age of
1336 the victim at the time of the offense. For a violation of s.
1337 800.04(4), the court shall additionally make a written finding
1338 indicating that the offense did or did not involve sexual
1339 activity and indicating that the offense did or did not involve
1340 force or coercion. For a violation of s. 800.04(5), the court
1341 shall additionally make a written finding that the offense did
1342 or did not involve unclothed genitals or genital area and that
1343 the offense did or did not involve the use of force or coercion.
1344 Section 28. Section 943.0585, Florida Statutes, is amended
1345 to read:
1346 943.0585 Court-ordered expunction of criminal history
1347 records.—The courts of this state have jurisdiction over their
1348 own procedures, including the maintenance, expunction, and
1349 correction of judicial records containing criminal history
1350 information to the extent such procedures are not inconsistent



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1351 with the conditions, responsibilities, and duties established by
1352 this section. Any court of competent jurisdiction may order a
1353 criminal justice agency to expunge the criminal history record
1354 of a minor or an adult who complies with the requirements of
1355 this section. The court may ~~shall~~ not order a criminal justice
1356 agency to expunge a criminal history record until the person
1357 seeking to expunge a criminal history record has applied for and
1358 received a certificate of eligibility for expunction pursuant to
1359 subsection (2). A criminal history record that relates to a
1360 violation of s. 393.135, s. 394.4593, s. 787.025, chapter 794,
1361 former s. 796.03, s. 800.04, s. 810.14, s. 817.034, s. 825.1025,
1362 s. 827.071, chapter 839, s. 847.0133, s. 847.0135, s. 847.0145,
1363 s. 893.135, s. 916.1075, a violation enumerated in s. 907.041,
1364 or any violation specified as a predicate offense for
1365 registration as a sexual predator pursuant to s. 775.21, without
1366 regard to whether that offense alone is sufficient to require
1367 such registration, or for registration as a sexual offender
1368 pursuant to s. 943.0435, may not be expunged, without regard to
1369 whether adjudication was withheld, if the defendant was found
1370 guilty of or pled guilty or nolo contendere to the offense, or
1371 if the defendant, as a minor, was found to have committed, or
1372 pled guilty or nolo contendere to committing, the offense as a
1373 delinquent act. The court may only order expunction of a
1374 criminal history record pertaining to one arrest or one incident
1375 of alleged criminal activity, except as provided in this
1376 section. The court may, at its sole discretion, order the
1377 expunction of a criminal history record pertaining to more than
1378 one arrest if the additional arrests directly relate to the
1379 original arrest. If the court intends to order the expunction of



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1380 records pertaining to such additional arrests, such intent must
1381 be specified in the order. A criminal justice agency may not
1382 expunge any record pertaining to such additional arrests if the
1383 order to expunge does not articulate the intention of the court
1384 to expunge a record pertaining to more than one arrest. This
1385 section does not prevent the court from ordering the expunction
1386 of only a portion of a criminal history record pertaining to one
1387 arrest or one incident of alleged criminal activity.

1388 Notwithstanding any law to the contrary, a criminal justice
1389 agency may comply with laws, court orders, and official requests
1390 of other jurisdictions relating to expunction, correction, or
1391 confidential handling of criminal history records or information
1392 derived therefrom. This section does not confer any right to the
1393 expunction of any criminal history record, and any request for
1394 expunction of a criminal history record may be denied at the
1395 sole discretion of the court.

1396 (1) PETITION TO EXPUNGE A CRIMINAL HISTORY RECORD.—Each
1397 petition to a court to expunge a criminal history record is
1398 complete only when accompanied by:

1399 (a) A valid certificate of eligibility for expunction
1400 issued by the department pursuant to subsection (2).

1401 (b) The petitioner's sworn statement attesting that the
1402 petitioner:

1403 1. Has never, prior to the date on which the petition is
1404 filed, been adjudicated guilty of a criminal offense or
1405 comparable ordinance violation, or been adjudicated delinquent
1406 for committing any felony or a misdemeanor specified in s.
1407 943.051(3)(b).

1408 2. Has not been adjudicated guilty of, or adjudicated



1409 delinquent for committing, any of the acts stemming from the
1410 arrest or alleged criminal activity to which the petition
1411 pertains.

1412 3. Has never secured a prior sealing or expunction of a
1413 criminal history record under this section, s. 943.059, former
1414 s. 893.14, former s. 901.33, or former s. 943.058, unless
1415 expunction is sought of a criminal history record previously
1416 sealed for 10 years pursuant to paragraph (2) (h) and the record
1417 is otherwise eligible for expunction.

1418 4. Is eligible for such an expunction to the best of his or
1419 her knowledge or belief and does not have any other petition to
1420 expunge or any petition to seal pending before any court.

1421
1422 A ~~Any~~ person who knowingly provides false information on such
1423 sworn statement to the court commits a felony of the third
1424 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1425 775.084.

1426 (2) CERTIFICATE OF ELIGIBILITY FOR EXPUNCTION.—~~Before~~ Prior
1427 ~~to~~ petitioning the court to expunge a criminal history record, a
1428 person seeking to expunge a criminal history record shall apply
1429 to the department for a certificate of eligibility for
1430 expunction. The department shall, by rule adopted pursuant to
1431 chapter 120, establish procedures pertaining to the application
1432 for and issuance of certificates of eligibility for expunction.
1433 A certificate of eligibility for expunction is valid for 12
1434 months after the date stamped on the certificate when issued by
1435 the department. After that time, the petitioner must reapply to
1436 the department for a new certificate of eligibility. Eligibility
1437 for a renewed certification of eligibility must be based on the



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1438 status of the applicant and the law in effect at the time of the
1439 renewal application. The department shall issue a certificate of
1440 eligibility for expunction to a person who is the subject of a
1441 criminal history record if that person:

1442 (a) Has obtained, and submitted to the department, a
1443 written, certified statement from the appropriate state attorney
1444 or statewide prosecutor which indicates:

1445 1. That an indictment, information, or other charging
1446 document was not filed or issued in the case.

1447 2. That an indictment, information, or other charging
1448 document, if filed or issued in the case, was dismissed or nolle
1449 prosequi by the state attorney or statewide prosecutor, or was
1450 dismissed by a court of competent jurisdiction, and that none of
1451 the charges related to the arrest or alleged criminal activity
1452 to which the petition to expunge pertains resulted in a trial,
1453 without regard to whether the outcome of the trial was other
1454 than an adjudication of guilt.

1455 3. That the criminal history record does not relate to a
1456 violation of s. 393.135, s. 394.4593, s. 787.025, chapter 794,
1457 former s. 796.03, s. 800.04, s. 810.14, s. 817.034, s. 825.1025,
1458 s. 827.071, chapter 839, s. 847.0133, s. 847.0135, s. 847.0145,
1459 s. 893.135, s. 916.1075, a violation enumerated in s. 907.041,
1460 or any violation specified as a predicate offense for
1461 registration as a sexual predator pursuant to s. 775.21, without
1462 regard to whether that offense alone is sufficient to require
1463 such registration, or for registration as a sexual offender
1464 pursuant to s. 943.0435, where the defendant was found guilty
1465 of, or pled guilty or nolo contendere to any such offense, or
1466 that the defendant, as a minor, was found to have committed, or



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1467 pled guilty or nolo contendere to committing, such an offense as
1468 a delinquent act, without regard to whether adjudication was
1469 withheld.

1470 (b) Remits a \$75 processing fee to the department for
1471 placement in the Department of Law Enforcement Operating Trust
1472 Fund, unless such fee is waived by the executive director.

1473 (c) Has submitted to the department a certified copy of the
1474 disposition of the charge to which the petition to expunge
1475 pertains.

1476 (d) Has never, prior to the date on which the application
1477 for a certificate of eligibility is filed, been adjudicated
1478 guilty of a criminal offense or comparable ordinance violation,
1479 or been adjudicated delinquent for committing any felony or a
1480 misdemeanor specified in s. 943.051(3)(b).

1481 (e) Has not been adjudicated guilty of, or adjudicated
1482 delinquent for committing, any of the acts stemming from the
1483 arrest or alleged criminal activity to which the petition to
1484 expunge pertains.

1485 (f) Has never secured a prior sealing or expunction of a
1486 criminal history record under this section, s. 943.059, former
1487 s. 893.14, former s. 901.33, or former s. 943.058, unless
1488 expunction is sought of a criminal history record previously
1489 sealed for 10 years pursuant to paragraph (h) and the record is
1490 otherwise eligible for expunction.

1491 (g) Is no longer under court supervision applicable to the
1492 disposition of the arrest or alleged criminal activity to which
1493 the petition to expunge pertains.

1494 (h) Has previously obtained a court order sealing the
1495 record under this section, former s. 893.14, former s. 901.33,



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1496 or former s. 943.058 for a minimum of 10 years because
1497 adjudication was withheld or because all charges related to the
1498 arrest or alleged criminal activity to which the petition to
1499 expunge pertains were not dismissed prior to trial, without
1500 regard to whether the outcome of the trial was other than an
1501 adjudication of guilt. The requirement for the record to have
1502 previously been sealed for a minimum of 10 years does not apply
1503 when a plea was not entered or all charges related to the arrest
1504 or alleged criminal activity to which the petition to expunge
1505 pertains were dismissed prior to trial.

1506 (3) PROCESSING OF A PETITION OR ORDER TO EXPUNGE.—

1507 (a) In judicial proceedings under this section, a copy of
1508 the completed petition to expunge shall be served upon the
1509 appropriate state attorney or the statewide prosecutor and upon
1510 the arresting agency; however, it is not necessary to make any
1511 agency other than the state a party. The appropriate state
1512 attorney or the statewide prosecutor and the arresting agency
1513 may respond to the court regarding the completed petition to
1514 expunge.

1515 (b) If relief is granted by the court, the clerk of the
1516 court shall certify copies of the order to the appropriate state
1517 attorney or the statewide prosecutor and the arresting agency.
1518 The arresting agency is responsible for forwarding the order to
1519 any other agency to which the arresting agency disseminated the
1520 criminal history record information to which the order pertains.
1521 The department shall forward the order to expunge to the Federal
1522 Bureau of Investigation. The clerk of the court shall certify a
1523 copy of the order to any other agency which the records of the
1524 court reflect has received the criminal history record from the



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1525 court.

1526 (c) For an order to expunge entered by a court prior to
1527 July 1, 1992, the department shall notify the appropriate state
1528 attorney or statewide prosecutor of an order to expunge which is
1529 contrary to law because the person who is the subject of the
1530 record has previously been convicted of a crime or comparable
1531 ordinance violation or has had a prior criminal history record
1532 sealed or expunged. Upon receipt of such notice, the appropriate
1533 state attorney or statewide prosecutor shall take action, within
1534 60 days, to correct the record and petition the court to void
1535 the order to expunge. The department shall seal the record until
1536 such time as the order is voided by the court.

1537 (d) On or after July 1, 1992, the department or any other
1538 criminal justice agency is not required to act on an order to
1539 expunge entered by a court when such order does not comply with
1540 the requirements of this section. Upon receipt of such an order,
1541 the department must notify the issuing court, the appropriate
1542 state attorney or statewide prosecutor, the petitioner or the
1543 petitioner's attorney, and the arresting agency of the reason
1544 for noncompliance. The appropriate state attorney or statewide
1545 prosecutor shall take action within 60 days to correct the
1546 record and petition the court to void the order. No cause of
1547 action, including contempt of court, shall arise against any
1548 criminal justice agency for failure to comply with an order to
1549 expunge when the petitioner for such order failed to obtain the
1550 certificate of eligibility as required by this section or such
1551 order does not otherwise comply with the requirements of this
1552 section.

1553 (4) EFFECT OF CRIMINAL HISTORY RECORD EXPUNCTION.—Any



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1554 criminal history record of a minor or an adult which is ordered
1555 expunged by a court of competent jurisdiction pursuant to this
1556 section must be physically destroyed or obliterated by any
1557 criminal justice agency having custody of such record; except
1558 that any criminal history record in the custody of the
1559 department must be retained in all cases. A criminal history
1560 record ordered expunged that is retained by the department is
1561 confidential and exempt from the provisions of s. 119.07(1) and
1562 s. 24(a), Art. I of the State Constitution and not available to
1563 any person or entity except upon order of a court of competent
1564 jurisdiction. A criminal justice agency may retain a notation
1565 indicating compliance with an order to expunge.

1566 (a) The person who is the subject of a criminal history
1567 record that is expunged under this section or under other
1568 provisions of law, including former s. 893.14, former s. 901.33,
1569 and former s. 943.058, may lawfully deny or fail to acknowledge
1570 the arrests covered by the expunged record, except when the
1571 subject of the record:

- 1572 1. Is a candidate for employment with a criminal justice
1573 agency;
- 1574 2. Is a defendant in a criminal prosecution;
- 1575 3. Concurrently or subsequently petitions for relief under
1576 this section, s. 943.0583, or s. 943.059;
- 1577 4. Is a candidate for admission to The Florida Bar;
- 1578 5. Is seeking to be employed or licensed by or to contract
1579 with the Department of Children and Families, the Division of
1580 Vocational Rehabilitation within the Department of Education,
1581 the Agency for Health Care Administration, the Agency for
1582 Persons with Disabilities, the Department of Health, the



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1583 Department of Elderly Affairs, or the Department of Juvenile
1584 Justice or to be employed or used by such contractor or licensee
1585 in a sensitive position having direct contact with children, the
1586 disabled, or the elderly; or

1587 6. Is seeking to be employed or licensed by the Department
1588 of Education, any district school board, any university
1589 laboratory school, any charter school, any private or parochial
1590 school, or any local governmental entity that licenses child
1591 care facilities.

1592 (b) Subject to the exceptions in paragraph (a), a person
1593 who has been granted an expunction under this section, former s.
1594 893.14, former s. 901.33, or former s. 943.058 may not be held
1595 under any provision of law of this state to commit perjury or to
1596 be otherwise liable for giving a false statement by reason of
1597 such person's failure to recite or acknowledge an expunged
1598 criminal history record.

1599 (c) Information relating to the existence of an expunged
1600 criminal history record which is provided in accordance with
1601 paragraph (a) is confidential and exempt from the provisions of
1602 s. 119.07(1) and s. 24(a), Art. I of the State Constitution,
1603 except that the department shall disclose the existence of a
1604 criminal history record ordered expunged to the entities set
1605 forth in subparagraphs (a)1., 4., 5., 6., and 7. for their
1606 respective licensing, access authorization, and employment
1607 purposes, and to criminal justice agencies for their respective
1608 criminal justice purposes. It is unlawful for any employee of an
1609 entity set forth in subparagraph (a)1., subparagraph (a)4.,
1610 subparagraph (a)5., subparagraph (a)6., or subparagraph (a)7. to
1611 disclose information relating to the existence of an expunged



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1612 criminal history record of a person seeking employment, access
1613 authorization, or licensure with such entity or contractor,
1614 except to the person to whom the criminal history record relates
1615 or to persons having direct responsibility for employment,
1616 access authorization, or licensure decisions. Any person who
1617 violates this paragraph commits a misdemeanor of the first
1618 degree, punishable as provided in s. 775.082 or s. 775.083.

1619 (5) STATUTORY REFERENCES.—Any reference to any other
1620 chapter, section, or subdivision of the Florida Statutes in this
1621 section constitutes a general reference under the doctrine of
1622 incorporation by reference.

1623 Section 29. Section 943.059, Florida Statutes, is amended
1624 to read:

1625 943.059 Court-ordered sealing of criminal history records.—
1626 The courts of this state shall continue to have jurisdiction
1627 over their own procedures, including the maintenance, sealing,
1628 and correction of judicial records containing criminal history
1629 information to the extent such procedures are not inconsistent
1630 with the conditions, responsibilities, and duties established by
1631 this section. Any court of competent jurisdiction may order a
1632 criminal justice agency to seal the criminal history record of a
1633 minor or an adult who complies with the requirements of this
1634 section. The court may ~~shall~~ not order a criminal justice agency
1635 to seal a criminal history record until the person seeking to
1636 seal a criminal history record has applied for and received a
1637 certificate of eligibility for sealing pursuant to subsection
1638 (2). A criminal history record that relates to a violation of s.
1639 393.135, s. 394.4593, s. 787.025, chapter 794, former s. 796.03,
1640 s. 800.04, s. 810.14, s. 817.034, s. 825.1025, s. 827.071,



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1641 chapter 839, s. 847.0133, s. 847.0135, s. 847.0145, s. 893.135,
1642 s. 916.1075, a violation enumerated in s. 907.041, or any
1643 violation specified as a predicate offense for registration as a
1644 sexual predator pursuant to s. 775.21, without regard to whether
1645 that offense alone is sufficient to require such registration,
1646 or for registration as a sexual offender pursuant to s.
1647 943.0435, may not be sealed, without regard to whether
1648 adjudication was withheld, if the defendant was found guilty of
1649 or pled guilty or nolo contendere to the offense, or if the
1650 defendant, as a minor, was found to have committed or pled
1651 guilty or nolo contendere to committing the offense as a
1652 delinquent act. The court may only order sealing of a criminal
1653 history record pertaining to one arrest or one incident of
1654 alleged criminal activity, except as provided in this section.
1655 The court may, at its sole discretion, order the sealing of a
1656 criminal history record pertaining to more than one arrest if
1657 the additional arrests directly relate to the original arrest.
1658 If the court intends to order the sealing of records pertaining
1659 to such additional arrests, such intent must be specified in the
1660 order. A criminal justice agency may not seal any record
1661 pertaining to such additional arrests if the order to seal does
1662 not articulate the intention of the court to seal records
1663 pertaining to more than one arrest. This section does not
1664 prevent the court from ordering the sealing of only a portion of
1665 a criminal history record pertaining to one arrest or one
1666 incident of alleged criminal activity. Notwithstanding any law
1667 to the contrary, a criminal justice agency may comply with laws,
1668 court orders, and official requests of other jurisdictions
1669 relating to sealing, correction, or confidential handling of



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1670 criminal history records or information derived therefrom. This
1671 section does not confer any right to the sealing of any criminal
1672 history record, and any request for sealing a criminal history
1673 record may be denied at the sole discretion of the court.

1674 (1) PETITION TO SEAL A CRIMINAL HISTORY RECORD.—Each
1675 petition to a court to seal a criminal history record is
1676 complete only when accompanied by:

1677 (a) A valid certificate of eligibility for sealing issued
1678 by the department pursuant to subsection (2).

1679 (b) The petitioner's sworn statement attesting that the
1680 petitioner:

1681 1. Has never, prior to the date on which the petition is
1682 filed, been adjudicated guilty of a criminal offense or
1683 comparable ordinance violation, or been adjudicated delinquent
1684 for committing any felony or a misdemeanor specified in s.
1685 943.051(3)(b).

1686 2. Has not been adjudicated guilty of or adjudicated
1687 delinquent for committing any of the acts stemming from the
1688 arrest or alleged criminal activity to which the petition to
1689 seal pertains.

1690 3. Has never secured a prior sealing or expunction of a
1691 criminal history record under this section, s. 943.0585, former
1692 s. 893.14, former s. 901.33, or former s. 943.058.

1693 4. Is eligible for such a sealing to the best of his or her
1694 knowledge or belief and does not have any other petition to seal
1695 or any petition to expunge pending before any court.

1696

1697 A ~~Any~~ person who knowingly provides false information on such
1698 sworn statement to the court commits a felony of the third



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1699 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1700 775.084.

1701 (2) CERTIFICATE OF ELIGIBILITY FOR SEALING.—Prior to
1702 petitioning the court to seal a criminal history record, a
1703 person seeking to seal a criminal history record shall apply to
1704 the department for a certificate of eligibility for sealing. The
1705 department shall, by rule adopted pursuant to chapter 120,
1706 establish procedures pertaining to the application for and
1707 issuance of certificates of eligibility for sealing. A
1708 certificate of eligibility for sealing is valid for 12 months
1709 after the date stamped on the certificate when issued by the
1710 department. After that time, the petitioner must reapply to the
1711 department for a new certificate of eligibility. Eligibility for
1712 a renewed certification of eligibility must be based on the
1713 status of the applicant and the law in effect at the time of the
1714 renewal application. The department shall issue a certificate of
1715 eligibility for sealing to a person who is the subject of a
1716 criminal history record provided that such person:

1717 (a) Has submitted to the department a certified copy of the
1718 disposition of the charge to which the petition to seal
1719 pertains.

1720 (b) Remits a \$75 processing fee to the department for
1721 placement in the Department of Law Enforcement Operating Trust
1722 Fund, unless such fee is waived by the executive director.

1723 (c) Has never, prior to the date on which the application
1724 for a certificate of eligibility is filed, been adjudicated
1725 guilty of a criminal offense or comparable ordinance violation,
1726 or been adjudicated delinquent for committing any felony or a
1727 misdemeanor specified in s. 943.051(3)(b).



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1728 (d) Has not been adjudicated guilty of or adjudicated
1729 delinquent for committing any of the acts stemming from the
1730 arrest or alleged criminal activity to which the petition to
1731 seal pertains.

1732 (e) Has never secured a prior sealing or expunction of a
1733 criminal history record under this section, s. 943.0585, former
1734 s. 893.14, former s. 901.33, or former s. 943.058.

1735 (f) Is no longer under court supervision applicable to the
1736 disposition of the arrest or alleged criminal activity to which
1737 the petition to seal pertains.

1738 (3) PROCESSING OF A PETITION OR ORDER TO SEAL.—

1739 (a) In judicial proceedings under this section, a copy of
1740 the completed petition to seal shall be served upon the
1741 appropriate state attorney or the statewide prosecutor and upon
1742 the arresting agency; however, it is not necessary to make any
1743 agency other than the state a party. The appropriate state
1744 attorney or the statewide prosecutor and the arresting agency
1745 may respond to the court regarding the completed petition to
1746 seal.

1747 (b) If relief is granted by the court, the clerk of the
1748 court shall certify copies of the order to the appropriate state
1749 attorney or the statewide prosecutor and to the arresting
1750 agency. The arresting agency is responsible for forwarding the
1751 order to any other agency to which the arresting agency
1752 disseminated the criminal history record information to which
1753 the order pertains. The department shall forward the order to
1754 seal to the Federal Bureau of Investigation. The clerk of the
1755 court shall certify a copy of the order to any other agency
1756 which the records of the court reflect has received the criminal



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1757 history record from the court.

1758 (c) For an order to seal entered by a court prior to July
1759 1, 1992, the department shall notify the appropriate state
1760 attorney or statewide prosecutor of any order to seal which is
1761 contrary to law because the person who is the subject of the
1762 record has previously been convicted of a crime or comparable
1763 ordinance violation or has had a prior criminal history record
1764 sealed or expunged. Upon receipt of such notice, the appropriate
1765 state attorney or statewide prosecutor shall take action, within
1766 60 days, to correct the record and petition the court to void
1767 the order to seal. The department shall seal the record until
1768 such time as the order is voided by the court.

1769 (d) On or after July 1, 1992, the department or any other
1770 criminal justice agency is not required to act on an order to
1771 seal entered by a court when such order does not comply with the
1772 requirements of this section. Upon receipt of such an order, the
1773 department must notify the issuing court, the appropriate state
1774 attorney or statewide prosecutor, the petitioner or the
1775 petitioner's attorney, and the arresting agency of the reason
1776 for noncompliance. The appropriate state attorney or statewide
1777 prosecutor shall take action within 60 days to correct the
1778 record and petition the court to void the order. No cause of
1779 action, including contempt of court, shall arise against any
1780 criminal justice agency for failure to comply with an order to
1781 seal when the petitioner for such order failed to obtain the
1782 certificate of eligibility as required by this section or when
1783 such order does not comply with the requirements of this
1784 section.

1785 (e) An order sealing a criminal history record pursuant to



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1786 this section does not require that such record be surrendered to
1787 the court, and such record shall continue to be maintained by
1788 the department and other criminal justice agencies.

1789 (4) EFFECT OF CRIMINAL HISTORY RECORD SEALING.—A criminal
1790 history record of a minor or an adult which is ordered sealed by
1791 a court of competent jurisdiction pursuant to this section is
1792 confidential and exempt from the provisions of s. 119.07(1) and
1793 s. 24(a), Art. I of the State Constitution and is available only
1794 to the person who is the subject of the record, to the subject's
1795 attorney, to criminal justice agencies for their respective
1796 criminal justice purposes, which include conducting a criminal
1797 history background check for approval of firearms purchases or
1798 transfers as authorized by state or federal law, to judges in
1799 the state courts system for the purpose of assisting them in
1800 their case-related decisionmaking responsibilities, as set forth
1801 in s. 943.053(5), or to those entities set forth in
1802 subparagraphs (a)1., 4., 5., 6., and 8. for their respective
1803 licensing, access authorization, and employment purposes.

1804 (a) The subject of a criminal history record sealed under
1805 this section or under other provisions of law, including former
1806 s. 893.14, former s. 901.33, and former s. 943.058, may lawfully
1807 deny or fail to acknowledge the arrests covered by the sealed
1808 record, except when the subject of the record:

- 1809 1. Is a candidate for employment with a criminal justice
1810 agency;
- 1811 2. Is a defendant in a criminal prosecution;
- 1812 3. Concurrently or subsequently petitions for relief under
1813 this section, s. 943.0583, or s. 943.0585;
- 1814 4. Is a candidate for admission to The Florida Bar;



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1815 5. Is seeking to be employed or licensed by or to contract
1816 with the Department of Children and Families, the Division of
1817 Vocational Rehabilitation within the Department of Education,
1818 the Agency for Health Care Administration, the Agency for
1819 Persons with Disabilities, the Department of Health, the
1820 Department of Elderly Affairs, or the Department of Juvenile
1821 Justice or to be employed or used by such contractor or licensee
1822 in a sensitive position having direct contact with children, the
1823 disabled, or the elderly;

1824 6. Is seeking to be employed or licensed by the Department
1825 of Education, any district school board, any university
1826 laboratory school, any charter school, any private or parochial
1827 school, or any local governmental entity that licenses child
1828 care facilities; or

1829 7. Is attempting to purchase a firearm from a licensed
1830 importer, licensed manufacturer, or licensed dealer and is
1831 subject to a criminal history check under state or federal law.

1832 (b) Subject to the exceptions in paragraph (a), a person
1833 who has been granted a sealing under this section, former s.
1834 893.14, former s. 901.33, or former s. 943.058 may not be held
1835 under any provision of law of this state to commit perjury or to
1836 be otherwise liable for giving a false statement by reason of
1837 such person's failure to recite or acknowledge a sealed criminal
1838 history record.

1839 (c) Information relating to the existence of a sealed
1840 criminal record provided in accordance with the provisions of
1841 paragraph (a) is confidential and exempt from the provisions of
1842 s. 119.07(1) and s. 24(a), Art. I of the State Constitution,
1843 except that the department shall disclose the sealed criminal



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1844 history record to the entities set forth in subparagraphs (a)1.,
1845 4., 5., 6., and 8. for their respective licensing, access
1846 authorization, and employment purposes. It is unlawful for any
1847 employee of an entity set forth in subparagraph (a)1.,
1848 subparagraph (a)4., subparagraph (a)5., subparagraph (a)6., or
1849 subparagraph (a)8. to disclose information relating to the
1850 existence of a sealed criminal history record of a person
1851 seeking employment, access authorization, or licensure with such
1852 entity or contractor, except to the person to whom the criminal
1853 history record relates or to persons having direct
1854 responsibility for employment, access authorization, or
1855 licensure decisions. Any person who violates the provisions of
1856 this paragraph commits a misdemeanor of the first degree,
1857 punishable as provided in s. 775.082 or s. 775.083.

1858 (5) STATUTORY REFERENCES.—Any reference to any other
1859 chapter, section, or subdivision of the Florida Statutes in this
1860 section constitutes a general reference under the doctrine of
1861 incorporation by reference.

1862 Section 30. Paragraph (b) of subsection (1) of section
1863 944.606, Florida Statutes, is amended to read:

1864 944.606 Sexual offenders; notification upon release.—

1865 (1) As used in this section:

1866 (b) "Sexual offender" means a person who has been convicted
1867 of committing, or attempting, soliciting, or conspiring to
1868 commit, any of the criminal offenses proscribed in the following
1869 statutes in this state or similar offenses in another
1870 jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where
1871 the victim is a minor and the defendant is not the victim's
1872 parent or guardian; s. 787.06(3)(b), (d), (f), or (g), ~~or~~ (h);



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1873 s. 794.011, excluding s. 794.011(10); s. 794.05; ~~s. 796.03; s.~~
1874 ~~796.035;~~ s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s.
1875 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
1876 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense
1877 committed in this state which has been redesignated from a
1878 former statute number to one of those listed in this subsection,
1879 when the department has received verified information regarding
1880 such conviction; an offender's computerized criminal history
1881 record is not, in and of itself, verified information.

1882 Section 31. Paragraph (a) of subsection (1) of section
1883 944.607, Florida Statutes, is amended to read:

1884 944.607 Notification to Department of Law Enforcement of
1885 information on sexual offenders.—

1886 (1) As used in this section, the term:

1887 (a) "Sexual offender" means a person who is in the custody
1888 or control of, or under the supervision of, the department or is
1889 in the custody of a private correctional facility:

1890 1. On or after October 1, 1997, as a result of a conviction
1891 for committing, or attempting, soliciting, or conspiring to
1892 commit, any of the criminal offenses proscribed in the following
1893 statutes in this state or similar offenses in another
1894 jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where
1895 the victim is a minor and the defendant is not the victim's
1896 parent or guardian; s. 787.06(3)(b), (d), (f), or (g), ~~or (h)~~;
1897 s. 794.011, excluding s. 794.011(10); s. 794.05; ~~s. 796.03; s.~~
1898 ~~796.035;~~ s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s.
1899 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
1900 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense
1901 committed in this state which has been redesignated from a



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1902 former statute number to one of those listed in this paragraph;
1903 or

1904 2. Who establishes or maintains a residence in this state
1905 and who has not been designated as a sexual predator by a court
1906 of this state but who has been designated as a sexual predator,
1907 as a sexually violent predator, or by another sexual offender
1908 designation in another state or jurisdiction and was, as a
1909 result of such designation, subjected to registration or
1910 community or public notification, or both, or would be if the
1911 person were a resident of that state or jurisdiction, without
1912 regard as to whether the person otherwise meets the criteria for
1913 registration as a sexual offender.

1914 Section 32. Subsection (2) of section 948.013, Florida
1915 Statutes, is amended to read:

1916 948.013 Administrative probation.—

1917 (2) Effective for an offense committed on or after July 1,
1918 1998, a person is ineligible for placement on administrative
1919 probation if the person is sentenced to or is serving a term of
1920 probation or community control, regardless of the conviction or
1921 adjudication, for committing, or attempting, conspiring, or
1922 soliciting to commit, any of the felony offenses described in s.
1923 787.01 or s. 787.02, where the victim is a minor and the
1924 defendant is not the victim's parent; s. 787.025; chapter 794;
1925 ~~s. 796.03~~; s. 800.04; s. 825.1025(2)(b); s. 827.071; s.
1926 847.0133; s. 847.0135; or s. 847.0145.

1927 Section 33. Subsection (1) of section 948.32, Florida
1928 Statutes, is amended to read:

1929 948.32 Requirements of law enforcement agency upon arrest
1930 of persons for certain sex offenses.—



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1931 (1) When any state or local law enforcement agency
1932 investigates or arrests a person for committing, or attempting,
1933 soliciting, or conspiring to commit, a violation of s.
1934 787.025(2)(c), chapter 794, ~~s. 796.03~~, s. 800.04, s. 827.071, s.
1935 847.0133, s. 847.0135, or s. 847.0145, the law enforcement
1936 agency shall contact the Department of Corrections to verify
1937 whether the person under investigation or under arrest is on
1938 probation, community control, parole, conditional release, or
1939 control release.

1940 Section 34. This act shall take effect October 1, 2014.

1941
1942 ===== T I T L E A M E N D M E N T =====

1943 And the title is amended as follows:

1944 Delete everything before the enacting clause
1945 and insert:

1946 A bill to be entitled
1947 An act relating to human trafficking; amending s.
1948 92.56, F.S.; authorizing a defendant who has been
1949 charged with specified human trafficking offenses to
1950 apply for an order of disclosure of confidential and
1951 exempt information; authorizing the court to use a
1952 pseudonym, instead of a victim's name, to designate
1953 the victim of specified human trafficking offenses;
1954 providing that trial testimony for specified human
1955 trafficking offenses may be published or broadcast
1956 under certain circumstances; amending s. 450.021,
1957 F.S.; prohibiting the employment of minors in adult
1958 theaters; amending s. 450.045, F.S.; requiring adult
1959 theaters to verify the ages of employees and



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1960 independent contractors and maintain specified
1961 documentation; amending s. 775.082, F.S.; providing a
1962 life sentence for a specified felony; amending s.
1963 775.15, F.S.; eliminating the statute of limitations
1964 for prosecutions under a specified human trafficking
1965 provision; providing applicability; amending s.
1966 787.06, F.S.; revising and providing penalties for
1967 various human trafficking offenses against minors and
1968 adults; creating s. 796.001, F.S.; providing
1969 legislative intent concerning prosecutions of adults
1970 for certain offenses involving minors; repealing ss.
1971 796.03, 796.035, and 796.036, F.S., relating to
1972 procuring a person under the age of 18 for
1973 prostitution, selling or buying of minors into
1974 prostitution, and reclassification of certain
1975 violations involving minors, respectively; amending
1976 ss. 796.05 and 796.07, F.S.; revising and providing
1977 penalties for various prostitution offenses; amending
1978 s. 921.0022, F.S.; conforming provisions of the
1979 offense severity ranking chart of the Criminal
1980 Punishment Code to changes made by the act; amending
1981 s. 943.0583, F.S.; providing for expunction of
1982 criminal history records of certain criminal charges
1983 against victims of human trafficking that did not
1984 result in convictions; requiring destruction of
1985 investigative records related to such expunged
1986 records; amending s. 960.065, F.S.; providing an
1987 exception to ineligibility for victim assistance
1988 awards to specified victims of human trafficking;



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1989 amending s. 960.199, F.S.; authorizing the Department
1990 of Legal Affairs to provide relocation assistance to a
1991 victim of specified human trafficking offenses;
1992 requiring the human trafficking offense to be reported
1993 to the proper authorities and certified by the state
1994 attorney or statewide prosecutor; requiring the state
1995 attorney's or statewide prosecutor's approval of a
1996 rape crisis center's or a certified domestic violence
1997 center's certification that a victim is cooperating
1998 with law enforcement officials; providing that the act
1999 of human trafficking must occur under certain
2000 circumstances for the victim to be eligible for
2001 relocation assistance; amending ss. 39.01, 90.404,
2002 772.102, 775.0877, 775.21, 787.01, 787.02, 794.056,
2003 856.022, 895.02, 938.085, 938.10, 943.0435, 943.0585,
2004 943.059, 944.606, 944.607, 948.013, and 948.32, F.S.;
2005 conforming cross-references; providing an effective
2006 date.