

1 A bill to be entitled

2 An act relating to the Department of Legal Affairs;  
3 amending s. 16.56, F.S.; revising the list of offenses  
4 that may be investigated and prosecuted by the Office  
5 of Statewide Prosecution; amending s. 409.9203, F.S.;  
6 specifying distribution of certain funds recovered in  
7 Medicaid fraud actions; amending s. 415.111, F.S.;  
8 revising the criminal penalties for offenses involving  
9 failure to report a case of known or suspected abuse,  
10 neglect, or exploitation of a vulnerable adult;  
11 amending s. 741.406, F.S.; authorizing the Office of  
12 the Attorney General and a supervisor of elections to  
13 confer regarding the address of a participant in a  
14 batters' intervention program for purposes of absentee  
15 ballot voting; amending s. 760.35, F.S.; specifying  
16 that an aggrieved person does not need to exhaust his  
17 or her administrative remedies before bringing a civil  
18 action under the Fair Housing Act; amending s. 784.08,  
19 F.S.; providing for reclassification of offenses  
20 committed against disabled adults; defining the term  
21 "disabled adult"; amending s. 812.173, F.S.; revising  
22 requirements for silent alarms for convenience  
23 businesses; deleting provisions relating to obtaining  
24 exemptions from the department from the requirements;  
25 amending s. 812.174, F.S.; deleting obsolete  
26 provisions; deleting a requirement for reapproval by

27 the department of a robbery deterrence and safety  
28 training curriculum for convenience store employees;  
29 amending s. 960.03, F.S.; revising the definition of  
30 the term "crime" for purposes of obtaining crime  
31 victim compensation from the department to include  
32 certain forcible felonies and revising provisions  
33 concerning acts involving the operation of a motor  
34 vehicle, boat, or aircraft; revising the definition of  
35 "disabled adult"; amending s. 960.13, F.S.; exempting  
36 crime victim compensation awards for catastrophic  
37 injury from certain deductions; creating s. 960.196,  
38 F.S.; providing for relocation assistance for human  
39 trafficking victims; amending s. 960.198, F.S.;  
40 prohibiting relocation assistance for a domestic  
41 violence claim if the victims has received previous  
42 relocation assistance for a human trafficking claim;  
43 amending s. 960.199, F.S.; deleting provisions  
44 relating to relocation assistance for human  
45 trafficking victims; amending s. 921.0022, F.S.;  
46 conforming provisions to changes made by the act;  
47 providing an effective date.

48  
49 Be It Enacted by the Legislature of the State of Florida:

50  
51 Section 1. Paragraphs (a) and (b) of subsection (1) of  
52 section 16.56, Florida Statutes, are amended to read:

## 53 16.56 Office of Statewide Prosecution.—

54 (1) There is created in the Department of Legal Affairs an  
55 Office of Statewide Prosecution. The office shall be a separate  
56 "budget entity" as that term is defined in chapter 216. The  
57 office may:

58 (a) Investigate and prosecute the offenses of:

59 1. Bribery, burglary, criminal usury, extortion, gambling,  
60 kidnapping, larceny, murder, prostitution, perjury, robbery,  
61 carjacking, and home-invasion robbery;

62 2. Any crime involving narcotic or other dangerous drugs;

63 3. Any violation of ~~the provisions of~~ the Florida RICO  
64 (Racketeer Influenced and Corrupt Organization) Act, including  
65 any offense listed in the definition of racketeering activity in  
66 s. 895.02(1)(a), providing such listed offense is investigated  
67 in connection with a violation of s. 895.03 and is charged in a  
68 separate count of an information or indictment containing a  
69 count charging a violation of s. 895.03, the prosecution of  
70 which listed offense may continue independently if the  
71 prosecution of the violation of s. 895.03 is terminated for any  
72 reason;

73 4. Any violation of ~~the provisions of~~ the Florida Anti-  
74 Fencing Act;

75 5. Any violation of ~~the provisions of~~ the Florida  
76 Antitrust Act of 1980, as amended;

77 6. Any crime involving, or resulting in, fraud or deceit  
78 upon any person;

79           7. Any violation of s. 847.0135, relating to computer  
80 pornography and child exploitation prevention, or any offense  
81 related to a violation of s. 847.0135 or any violation of  
82 chapter 827 where the crime is facilitated by or connected to  
83 the use of the Internet or any device capable of electronic data  
84 storage or transmission;

85           8. Any violation of ~~the provisions of~~ chapter 815;

86           9. Any criminal violation of part I of chapter 499;

87           10. Any violation of ~~the provisions of~~ the Florida Motor  
88 Fuel Tax Relief Act of 2004;

89           11. Any criminal violation of s. 409.920 or s. 409.9201;

90           12. Any crime involving voter registration, voting, or  
91 candidate or issue petition activities;

92           13. Any criminal violation of the Florida Money Laundering  
93 Act;

94           14. Any criminal violation of the Florida Securities and  
95 Investor Protection Act; or

96           15. Any violation of ~~the provisions of~~ chapter 787, as  
97 well as any and all offenses related to a violation of ~~the~~  
98 ~~provisions of~~ chapter 787;

99

100 or any attempt, solicitation, or conspiracy to commit any of the  
101 crimes specifically enumerated above. The office shall have such  
102 power only when any such offense is occurring, or has occurred,  
103 in two or more judicial circuits as part of a related  
104 transaction, or when any such offense is connected with an

105 organized criminal conspiracy affecting two or more judicial  
 106 circuits. Informations or indictments charging such offenses  
 107 shall contain general allegations stating the judicial circuits  
 108 and counties in which crimes are alleged to have occurred or the  
 109 judicial circuits and counties in which crimes affecting such  
 110 circuits or counties are alleged to have been connected with an  
 111 organized criminal conspiracy.

112 (b) Investigate and prosecute any crime enumerated in  
 113 paragraph (a) subparagraphs (a)1.-14. facilitated by or  
 114 connected to the use of the Internet. Any such crime is a crime  
 115 occurring in every judicial circuit within the state.

116 Section 2. Subsection (5) is added to section 409.9203,  
 117 Florida Statutes, to read:

118 409.9203 Rewards for reporting Medicaid fraud.—

119 (5) Notwithstanding s. 68.085(3), the 10 percent of any  
 120 remaining proceeds deposited into the Operating Trust Fund from  
 121 an action based on a claim of funds from the state Medicaid  
 122 program shall be allocated in the following manner:

123 (a) Fifty percent of such moneys shall be used to fund  
 124 rewards for reporting Medicaid fraud pursuant to s. 409.9203.

125 (b) The remaining 50 percent of such moneys shall be used  
 126 by the Medicaid Fraud Control Unit to fund its investigations of  
 127 potential violations of s. 68.082 and any related civil actions.

128 Section 3. Subsection (1) of section 415.111, Florida  
 129 Statutes, is amended to read:

130 415.111 Criminal penalties.—

131 (1) A person who knowingly and willfully fails to report a  
 132 case of known or suspected abuse, neglect, or exploitation of a  
 133 vulnerable adult, or who knowingly and willfully prevents  
 134 another person from doing so, commits a felony ~~misdemeanor~~ of  
 135 the third ~~second~~ degree, punishable as provided in s. 775.082,  
 136 ~~or~~ s. 775.083, or s. 775.084.

137 Section 4. Section 741.406, Florida Statutes, is amended  
 138 to read:

139 741.406 Voting by program participant; use of designated  
 140 address by supervisor of elections.—

141 (1) A program participant who is otherwise qualified to  
 142 vote may request an absentee ballot pursuant to s. 101.62. The  
 143 program participant shall automatically receive absentee ballots  
 144 for all elections in the jurisdictions in which that individual  
 145 resides in the same manner as absentee voters. The supervisor of  
 146 elections shall transmit the absentee ballot to the program  
 147 participant at the address designated by the participant in his  
 148 or her application as an absentee voter. The name, address, and  
 149 telephone number of a program participant may not be included in  
 150 any list of registered voters available to the public.

151 (2) Notwithstanding s. 741.465, the Office of the Attorney  
 152 General and the supervisor of elections may confer regarding a  
 153 participant's address for the sole purpose of confirming that  
 154 their respective records match regarding the address of the  
 155 participant for absentee ballot voting purposes.

156 Section 5. Subsection (4) is added to section 760.35,

157 Florida Statutes, to read:

158 760.35 Civil actions and relief; administrative  
159 procedures.—

160 (4) An aggrieved person does not need to have exhausted  
161 his or her administrative remedies before bringing a civil  
162 action under this section.

163 Section 6. Section 784.08, Florida Statutes, is amended to  
164 read:

165 784.08 Assault or battery on disabled adults or persons 65  
166 years of age or older; reclassification of offenses; minimum  
167 sentence.—

168 (1) A person who is convicted of an aggravated assault or  
169 aggravated battery upon a disabled adult or a person 65 years of  
170 age or older shall be sentenced to a minimum term of  
171 imprisonment of 3 years and fined not more than \$10,000 and  
172 shall also be ordered by the sentencing judge to make  
173 restitution to the victim of such offense and to perform up to  
174 500 hours of community service work. Restitution and community  
175 service work shall be in addition to any fine or sentence which  
176 may be imposed and shall not be in lieu thereof.

177 (2) Whenever a person is charged with committing an  
178 assault or aggravated assault or a battery or aggravated battery  
179 upon a disabled adult or a person 65 years of age or older,  
180 regardless of whether he or she knows or has reason to know the  
181 victim's disability or the age of the victim, the offense for  
182 which the person is charged shall be reclassified as follows:

183 (a) In the case of aggravated battery, from a felony of  
 184 the second degree to a felony of the first degree.

185 (b) In the case of aggravated assault, from a felony of  
 186 the third degree to a felony of the second degree.

187 (c) In the case of battery, from a misdemeanor of the  
 188 first degree to a felony of the third degree.

189 (d) In the case of assault, from a misdemeanor of the  
 190 second degree to a misdemeanor of the first degree.

191 (3) As used in this section, the term "disabled adult"  
 192 means a person 18 years of age or older who suffers from a  
 193 condition of physical or mental incapacitation due to a  
 194 developmental disability, organic brain damage, or mental  
 195 illness, or who has one or more physical or mental limitations  
 196 that restrict his or her ability to perform the normal  
 197 activities of daily living.

198 ~~(4)(3)~~ Notwithstanding ~~the provisions of~~ s. 948.01,  
 199 adjudication of guilt or imposition of sentence shall not be  
 200 suspended, deferred, or withheld.

201 Section 7. Subsection (3) of section 812.173, Florida  
 202 Statutes, is amended to read:

203 812.173 Convenience business security.—

204 (3) Every convenience business shall be equipped with a  
 205 silent alarm provided by an agent licensed under s. 489.518 ~~to~~  
 206 ~~law enforcement or a private security agency, unless application~~  
 207 ~~for an exemption is made to and granted by the Attorney General.~~  
 208 ~~An application for exemption must be in writing and must be~~



209 ~~accompanied by an administrative fee of \$25 for each store for~~  
 210 ~~which an exemption would apply.~~

211 Section 8. Section 812.174, Florida Statutes, is amended  
 212 to read:

213 812.174 Training of employees.—

214 (1) The owner or principal operator of a convenience  
 215 business or convenience businesses shall provide proper robbery  
 216 deterrence and safety training by an approved curriculum to its  
 217 retail employees within 60 days after ~~of~~ employment. ~~Existing~~  
 218 ~~retail employees shall receive training within 6 months of April~~  
 219 ~~8, 1992.~~

220 (2) A proposed curriculum shall be submitted in writing to  
 221 the Attorney General ~~with an administrative fee not to exceed~~  
 222 ~~\$100.~~ The Attorney General shall review and approve or  
 223 disapprove the curriculum in writing within 60 days after  
 224 receipt. The state shall have no liability for approving or  
 225 disapproving a training curriculum under this section. Approval  
 226 shall be given to a curriculum that ~~which~~ trains and  
 227 familiarizes retail employees with the security principles,  
 228 devices, and measures required by s. 812.173. Disapproval of a  
 229 curriculum shall be subject to ~~the provisions of~~ chapter 120.

230 (3) No person shall be liable for ordinary negligence due  
 231 to implementing an approved curriculum if the training was  
 232 actually provided. ~~A curriculum shall be submitted for~~  
 233 ~~reapproval biennially with an administrative fee not to exceed~~  
 234 ~~\$100. Any curriculum approved by the Attorney General since~~

235 ~~September 1990 shall be subject to reapproval 2 years from the~~  
 236 ~~anniversary of initial approval and biennially thereafter.~~

237 Section 9. Subsections (3) and (6) of section 960.03,  
 238 Florida Statutes, are amended to read:

239 960.03 Definitions; ss. 960.01-960.28.—As used in ss.  
 240 960.01-960.28, unless the context otherwise requires, the term:

241 (3) "Crime" means:

242 (a) A felony or misdemeanor offense committed by an adult  
 243 or a juvenile which results in physical injury or death, a  
 244 forcible felony committed by an adult or juvenile which directly  
 245 results in psychiatric or psychological injury, or a felony or  
 246 misdemeanor offense of child abuse committed by an adult or a  
 247 juvenile which results in a mental injury, as defined in s.  
 248 827.03, to a person younger than 18 years of age who was not  
 249 physically injured by the criminal act. The mental injury to the  
 250 minor must be verified by a psychologist licensed under chapter  
 251 490, by a physician licensed in this state under chapter 458 or  
 252 chapter 459 who has completed an accredited residency in  
 253 psychiatry, or by a physician who has obtained certification as  
 254 an expert witness pursuant to s. 458.3175. The term also  
 255 includes a criminal act that is committed within this state but  
 256 that falls exclusively within federal jurisdiction.

257 (b) A violation of s. 316.193, s. 316.027(2) ~~316.027(1)~~,  
 258 s. 327.35(1), s. 782.071(1)(b), or s. 860.13(1)(a) which results  
 259 in physical injury or death.

260 (c) ~~;however,~~ An act involving the operation of a motor

261 vehicle, boat, or aircraft which results in the intentional  
 262 infliction of injury or death; however, no other act involving  
 263 the operation of a motor vehicle, boat, or aircraft constitutes  
 264 a crime for purposes of this chapter ~~does not constitute a crime~~  
 265 ~~for the purpose of this chapter unless the injury or death was~~  
 266 ~~intentionally inflicted through the use of the vehicle, boat, or~~  
 267 ~~aircraft.~~

268 (d)~~(e)~~ A criminal act committed outside this state against  
 269 a resident of this state which would have been compensable if it  
 270 had occurred in this state and which occurred in a jurisdiction  
 271 that does not have an eligible crime victim compensation program  
 272 as the term is defined in the federal Victims of Crime Act of  
 273 1984.

274 (e)~~(d)~~ A violation of s. 827.071, s. 847.0135, s.  
 275 847.0137, or s. 847.0138, related to online sexual exploitation  
 276 and child pornography.

277 (6) "Disabled adult" means a person 18 years of age or  
 278 older who suffers from a condition of physical or mental  
 279 incapacitation due to a developmental disability, or ~~or~~ organic  
 280 brain damage, or mental illness, or who has one or more physical  
 281 or mental limitations that restrict the person's ability to  
 282 perform the normal activities of daily living.

283 Section 10. Subsection (6) of section 960.13, Florida  
 284 Statutes, is amended to read:

285 960.13 Awards.—

286 (6) Any award made pursuant to this chapter, except an

287 | award for loss of support or catastrophic injury, shall be  
 288 | reduced by the amount of any payments or services received or to  
 289 | be received by the claimant as a result of the injury or death:

290 |       (a) From or on behalf of the person who committed the  
 291 | crime; provided, however, that a restitution award ordered by a  
 292 | court to be paid to the claimant by the person who committed the  
 293 | crime shall not reduce any award made pursuant to this chapter  
 294 | unless it appears to the department that the claimant will be  
 295 | unjustly enriched thereby.

296 |       (b) From any other public or private source or provider,  
 297 | including, but not limited to, an award of workers' compensation  
 298 | pursuant to chapter 440.

299 |       (c) From agencies mandated by other Florida statutes to  
 300 | provide or pay for services, except as provided in s. 960.28.

301 |       (d) From an emergency award under s. 960.12.

302 |       Section 11. Section 960.196, Florida Statutes, is created  
 303 | to read:

304 |       960.196 Relocation assistance for victims of human  
 305 | trafficking.-

306 |       (1) Notwithstanding the criteria set forth in s. 960.13  
 307 | and 960.07(2) for crime victim compensation awards, the  
 308 | department may award a one-time payment of up to \$1,500 on any  
 309 | one claim and a lifetime maximum of \$3,000 to a victim of human  
 310 | trafficking who needs urgent assistance to escape from an unsafe  
 311 | environment directly related to the human trafficking offense.

312 |       (2) In order for an award to be granted to a victim for

313 relocation assistance:

314 (a) There must be proof that a human trafficking offense  
315 as described in s. 787.06 (3) (b), (d), (f), or (g), was  
316 committed.

317 (b) The crime must be reported to the proper authorities  
318 and the claim must be filed within 1 year, or 2 years with good  
319 cause, after the date of the last human trafficking offense as  
320 described in s. 787.06 (3) (b), (d), (f), or (g). In cases that  
321 exceed the 2-year requirement due to an active and ongoing  
322 investigation, a state attorney or statewide prosecutor can  
323 certify in writing a human trafficking victim's need to relocate  
324 from an unsafe environment due to threat of future violence that  
325 is directly related to the human trafficking offense.

326 (c) The victim's need must be certified by a certified  
327 domestic violence or rape crisis center in this state.

328 (d) The center certification must assert that the victim  
329 is cooperating with the proper authorities and must include  
330 documentation that the victim has developed a safety plan. The  
331 department, upon finding that a claimant or award recipient has  
332 not duly cooperated with the state attorney, all law enforcement  
333 agencies, and the department, may deny, reduce, or withdraw any  
334 award, as the case may be.

335 (3) Relocation payments for a human trafficking claim  
336 shall be denied if the department has previously approved or  
337 paid out a sexual battery or domestic violence relocation claim  
338 under s. 960.198 or s. 960.199, to the same victim regarding the

339 same incident.

340 Section 12. Subsection (3) of section 960.198, Florida  
341 Statutes, is amended to read:

342 960.198 Relocation assistance for victims of domestic  
343 violence.—

344 (3) Relocation payments for a domestic violence claim  
345 shall be denied if the department has previously approved or  
346 paid out a human trafficking or sexual battery relocation claim  
347 under s. 960.199 or s. 960.196 to the same victim regarding the  
348 same incident.

349 Section 13. Section 960.199, Florida Statutes, is amended  
350 to read:

351 960.199 Relocation assistance for victims of sexual  
352 battery ~~or human trafficking.~~—

353 (1) The department may award a one-time payment of up to  
354 \$1,500 on any one claim and a lifetime maximum of \$3,000 to a  
355 victim of sexual battery, as defined in s. 794.011, ~~or a victim~~  
356 ~~of human trafficking, as described in s. 787.06(3)(b), (d), (f),~~  
357 ~~or (g),~~ who needs relocation assistance.

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

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

363 (b) The sexual battery offense ~~or human trafficking~~  
364 ~~offense, as defined in s. 787.06(3)(b), (d), (f), or (g),~~ must

365 be reported to the proper authorities.

366 (c) The victim's need for assistance must be certified by  
367 a certified rape crisis center in this state ~~or by the state~~  
368 ~~attorney or statewide prosecutor having jurisdiction over the~~  
369 ~~offense. A victim of human trafficking's need for assistance may~~  
370 ~~also be certified by a certified domestic violence center in~~  
371 ~~this state.~~

372 (d) The center's certification must assert that the victim  
373 is cooperating with law enforcement officials, if applicable,  
374 and must include documentation that the victim has developed a  
375 safety plan. ~~If the victim seeking relocation assistance is a~~  
376 ~~victim of a human trafficking offense as described in s.~~  
377 ~~787.06(3)(b), (d), (f), or (g), the certified rape crisis~~  
378 ~~center's or certified domestic violence center's certification~~  
379 ~~must include, if applicable, approval of the state attorney or~~  
380 ~~statewide prosecutor attesting that the victim is cooperating~~  
381 ~~with law enforcement officials.~~

382 (e) The act of sexual battery ~~or human trafficking, as~~  
383 ~~described in s. 787.06(3)(b), (d), (f), or (g),~~ must be  
384 committed in the victim's place of residence or in a location  
385 that would lead the victim to reasonably fear for his or her  
386 continued safety in the place of residence.

387 (3) Relocation payments for a sexual battery ~~or human~~  
388 ~~trafficking~~ claim under this section shall be denied if the  
389 department has previously approved or paid out a human  
390 trafficking or domestic violence relocation claim under s.

391 960.198 or s. 960.196 to the same victim regarding the same  
 392 incident.

393 Section 14. Paragraphs (d), (f), and (g) of subsection (3)  
 394 of section 921.0022, Florida Statutes, are amended to read:

395 921.0022 Criminal Punishment Code; offense severity  
 396 ranking chart.—

397 (3) OFFENSE SEVERITY RANKING CHART

398 (d) LEVEL 4

399

| Florida<br>Statute | Felony<br>Degree | Description   |
|--------------------|------------------|---|
| 316.1935(3) (a)    | 2nd              | Driving at high speed or with<br>wanton disregard for safety<br>while fleeing or attempting to<br>elude law enforcement officer<br>who is in a patrol vehicle with<br>siren and lights activated. |

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| 499.0051(1) | 3rd | Failure to maintain or deliver<br>pedigree papers. |
|-------------|-----|--|

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|-------------|-----|---|
| 499.0051(2) | 3rd | Failure to authenticate<br>pedigree papers. |
|-------------|-----|---|

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|             |     |                              |
|-------------|-----|------------------------------|
| 499.0051(6) | 2nd | Knowing sale or delivery, or |
|-------------|-----|------------------------------|



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possession with intent to sell,  
contraband prescription drugs.

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|---------------|-----|--|
| 517.07(1)     | 3rd | Failure to register securities.  |
| 517.12(1)     | 3rd | Failure of dealer, associated person, or issuer of securities to register.                   |
| 784.07(2)(b)  | 3rd | Battery of law enforcement officer, firefighter, etc.  |
| 784.074(1)(c) | 3rd | Battery of sexually violent predators facility staff.  |
| 784.075       | 3rd | Battery on detention or commitment facility staff.   |
| 784.078       | 3rd | Battery of facility employee by throwing, tossing, or expelling certain fluids or materials. |
| 784.08(2)(c)  | 3rd | Battery on a <u>disabled adult or a</u> person 65 years of age or older.                     |

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|-----|-------------|-----|--|
| 412 | 784.081 (3) | 3rd | Battery on specified official or employee.   |
| 413 | 784.082 (3) | 3rd | Battery by detained person on visitor or other detainee.   |
| 414 | 784.083 (3) | 3rd | Battery on code inspector.   |
| 415 | 784.085     | 3rd | Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.                     |
| 416 | 787.03 (1)  | 3rd | Interference with custody; wrongly takes minor from appointed guardian.  |
| 417 | 787.04 (2)  | 3rd | Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.              |
|     | 787.04 (3)  | 3rd | Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering |

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to designated person.

418

787.07 3rd Human smuggling.

419

790.115 (1) 3rd Exhibiting firearm or weapon  
within 1,000 feet of a school.

420

790.115 (2) (b) 3rd Possessing electric weapon or  
device, destructive device, or  
other weapon on school  
property.

421

790.115 (2) (c) 3rd Possessing firearm on school  
property.

422

800.04 (7) (c) 3rd Lewd or lascivious exhibition;  
offender less than 18 years.

423

810.02 (4) (a) 3rd Burglary, or attempted  
burglary, of an unoccupied  
structure; unarmed; no assault  
or battery.

424

810.02 (4) (b) 3rd Burglary, or attempted  
burglary, of an unoccupied  
conveyance; unarmed; no assault

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or battery.

425

810.06 3rd Burglary; possession of tools.

426

810.08 (2) (c) 3rd Trespass on property, armed with firearm or dangerous weapon.

427

812.014 (2) (c) 3. 3rd Grand theft, 3rd degree \$10,000 or more but less than \$20,000.

428

812.014 (2) (c) 4.-10. 3rd Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.

429

812.0195 (2) 3rd Dealing in stolen property by use of the Internet; property stolen \$300 or more.

430

817.563 (1) 3rd Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03 (5) drugs.

431

817.568 (2) (a) 3rd Fraudulent use of personal identification information.

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432

817.625 (2) (a) 3rd Fraudulent use of scanning device or reencoder.

433

828.125 (1) 2nd Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.

434

837.02 (1) 3rd Perjury in official proceedings.

435

837.021 (1) 3rd Make contradictory statements in official proceedings.

436

838.022 3rd Official misconduct.

437

839.13 (2) (a) 3rd Falsifying records of an individual in the care and custody of a state agency.

438

839.13 (2) (c) 3rd Falsifying records of the Department of Children and Families.

439

843.021 3rd Possession of a concealed

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handcuff key by a person in custody.

440

843.025 3rd Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.

441

843.15(1)(a) 3rd Failure to appear while on bail for felony (bond estreature or bond jumping).

442

847.0135(5)(c) 3rd Lewd or lascivious exhibition using computer; offender less than 18 years.

443

874.05(1)(a) 3rd Encouraging or recruiting another to join a criminal gang.

444

893.13(2)(a)1. 2nd Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).

445

914.14(2) 3rd Witnesses accepting bribes.

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|     |                 |        |   |
|-----|-----------------|--------|---|
| 446 | 914.22 (1)      | 3rd    | Force, threaten, etc., witness, victim, or informant.                     |
| 447 | 914.23 (2)      | 3rd    | Retaliation against a witness, victim, or informant, no bodily injury.    |
| 448 | 918.12          | 3rd    | Tampering with jurors.  |
| 449 | 934.215         | 3rd    | Use of two-way communications device to facilitate commission of a crime. |
| 450 |                 |        |   |
| 451 | (f) LEVEL 6     |        |   |
| 452 | Florida         | Felony |   |
|     | Statute         | Degree | Description   |
| 453 | 316.027 (2) (b) | 2nd    | Leaving the scene of a crash involving serious bodily injury.             |
| 454 | 316.193 (2) (b) | 3rd    | Felony DUI, 4th or subsequent conviction.                                 |
| 455 |                 |        |   |

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|-----|-----------------|-----|--|
| 456 | 499.0051 (3)    | 2nd | Knowing forgery of pedigree papers.  |
| 457 | 499.0051 (4)    | 2nd | Knowing purchase or receipt of prescription drug from unauthorized person. |
| 458 | 499.0051 (5)    | 2nd | Knowing sale or transfer of prescription drug to unauthorized person.      |
| 459 | 775.0875 (1)    | 3rd | Taking firearm from law enforcement officer.                               |
| 460 | 784.021 (1) (a) | 3rd | Aggravated assault; deadly weapon without intent to kill.                  |
| 461 | 784.021 (1) (b) | 3rd | Aggravated assault; intent to commit felony.                               |
| 462 | 784.041         | 3rd | Felony battery; domestic battery by strangulation.                         |
| 463 | 784.048 (3)     | 3rd | Aggravated stalking; credible threat.                                      |



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|     |                 |     |   |
|-----|-----------------|-----|---|
| 464 | 784.048 (5)     | 3rd | Aggravated stalking of person under 16.   |
| 465 | 784.07 (2) (c)  | 2nd | Aggravated assault on law enforcement officer.                                      |
| 466 | 784.074 (1) (b) | 2nd | Aggravated assault on sexually violent predators facility staff.                    |
| 467 | 784.08 (2) (b)  | 2nd | Aggravated assault on a <u>disabled adult or a person 65</u> years of age or older. |
| 468 | 784.081 (2)     | 2nd | Aggravated assault on specified official or employee.                               |
| 469 | 784.082 (2)     | 2nd | Aggravated assault by detained person on visitor or other detainee.                 |
| 470 | 784.083 (2)     | 2nd | Aggravated assault on code inspector.   |
|     | 787.02 (2)      | 3rd | False imprisonment; restraining with purpose other than those                       |

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in s. 787.01.

471

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

472

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

473

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

474

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

475

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

476

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

477

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|     |                    |     |  |
|-----|--------------------|-----|--|
| 478 | 800.04 (5) (d)     | 3rd | Lewd or lascivious molestation;<br>victim 12 years of age or older<br>but less than 16 years of age;<br>offender less than 18 years. |
| 479 | 800.04 (6) (b)     | 2nd | Lewd or lascivious conduct;<br>offender 18 years of age or<br>older.   |
| 480 | 806.031 (2)        | 2nd | Arson resulting in great bodily<br>harm to firefighter or any<br>other person.   |
| 481 | 810.02 (3) (c)     | 2nd | Burglary of occupied structure;<br>unarmed; no assault or battery.   |
| 482 | 810.145 (8) (b)    | 2nd | Video voyeurism; certain minor<br>victims; 2nd or subsequent<br>offense.   |
| 483 | 812.014 (2) (b) 1. | 2nd | Property stolen \$20,000 or<br>more, but less than \$100,000,<br>grand theft in 2nd degree.  |
|     | 812.014 (6)        | 2nd | Theft; property stolen \$3,000<br>or more; coordination of   |

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others.

484

812.015 (9) (a) 2nd Retail theft; property stolen  
\$300 or more; second or  
subsequent conviction.

485

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

486

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

487

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

488

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

489

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

490

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

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|     |                   |     |   |
|-----|-------------------|-----|---|
| 491 | 825.103 (3) (c)   | 3rd | Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.                      |
| 492 | 827.03 (2) (c)    | 3rd | Abuse of a child.   |
| 493 | 827.03 (2) (d)    | 3rd | Neglect of a child.   |
| 494 | 827.071 (2) & (3) | 2nd | Use or induce a child in a sexual performance, or promote or direct such performance.                             |
| 495 | 836.05            | 2nd | Threats; extortion.   |
| 496 | 836.10            | 2nd | Written threats to kill or do bodily injury.  |
| 497 | 843.12            | 3rd | Aids or assists person to escape.   |
| 498 | 847.011           | 3rd | Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors. |
| 499 |                   |     |   |

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|     |                |     |   |
|-----|----------------|-----|---|
| 500 | 847.012        | 3rd | Knowingly using a minor in the production of materials harmful to minors.   |
| 501 | 847.0135(2)    | 3rd | Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.  |
| 502 | 914.23         | 2nd | Retaliation against a witness, victim, or informant, with bodily injury.  |
| 503 | 944.35(3)(a)2. | 3rd | Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm. |
| 504 | 944.40         | 2nd | Escapes.  |
| 505 | 944.46         | 3rd | Harboring, concealing, aiding escaped prisoners.  |
|     | 944.47(1)(a)5. | 2nd | Introduction of contraband (firearm, weapon, or explosive)  |

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into correctional facility.

506

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

507

508 (g) LEVEL 7

509

|         |        |             |
|---------|--------|-------------|
| Florida | Felony |             |
| Statute | Degree | Description |

510

316.027(2)(c) 1st Accident involving death,  
 failure to stop; leaving scene.

511

316.193(3)(c)2. 3rd DUI resulting in serious bodily  
 injury.

512

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.

513

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|     |                       |     |  |
|-----|-----------------------|-----|--|
| 514 | 327.35(3)(c)2.        | 3rd | Vessel BUI resulting in serious bodily injury.   |
| 515 | 402.319(2)            | 2nd | Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death. |
| 516 | 409.920<br>(2)(b)1.a. | 3rd | Medicaid provider fraud; \$10,000 or less.   |
| 517 | 409.920<br>(2)(b)1.b. | 2nd | Medicaid provider fraud; more than \$10,000, but less than \$50,000.   |
| 518 | 456.065(2)            | 3rd | Practicing a health care profession without a license.   |
| 519 | 456.065(2)            | 2nd | Practicing a health care profession without a license which results in serious bodily injury.  |
|     | 458.327(1)            | 3rd | Practicing medicine without a license.   |



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|     |             |     |   |
|-----|-------------|-----|---|
| 520 | 459.013 (1) | 3rd | Practicing osteopathic medicine without a license.        |
| 521 | 460.411 (1) | 3rd | Practicing chiropractic medicine without a license.       |
| 522 | 461.012 (1) | 3rd | Practicing podiatric medicine without a license.          |
| 523 | 462.17      | 3rd | Practicing naturopathy without a license.                 |
| 524 | 463.015 (1) | 3rd | Practicing optometry without a license.                   |
| 525 | 464.016 (1) | 3rd | Practicing nursing without a license.                     |
| 526 | 465.015 (2) | 3rd | Practicing pharmacy without a license.                    |
| 527 | 466.026 (1) | 3rd | Practicing dentistry or dental hygiene without a license. |
| 528 | 467.201     | 3rd | Practicing midwifery without a                            |

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license.

529

468.366 3rd Delivering respiratory care services without a license.

530

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

531

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

532

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

533

484.053 3rd Dispensing hearing aids without a license.

534

494.0018 (2) 1st Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

535

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.

536

560.125 (5) (a) 3rd

Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

537

655.50 (10) (b) 1. 3rd

Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

538

775.21 (10) (a) 3rd

Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.

539

775.21 (10) (b) 3rd

Sexual predator working where children regularly congregate.

540

775.21 (10) (g) 3rd

Failure to report or providing false information about a

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|     |                 |     |  |
|-----|-----------------|-----|--|
| 541 | 782.051(3)      | 2nd | sexual predator; harbor or conceal a sexual predator.<br>Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony. |
| 542 | 782.07(1)       | 2nd | Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).  |
| 543 | 782.071         | 2nd | Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).  |
| 544 | 782.072         | 2nd | Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).  |
| 545 | 784.045(1)(a)1. | 2nd | Aggravated battery;  |

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intentionally causing great  
bodily harm or disfigurement.

546

784.045 (1) (a) 2.            2nd    Aggravated battery; using  
deadly weapon.

547

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

548

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

549

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

550

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

551

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

552

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

553

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|     |                |     |  |
|-----|----------------|-----|--|
| 554 | 784.081(1)     | 1st | Aggravated battery on specified official or employee.  |
| 555 | 784.082(1)     | 1st | Aggravated battery by detained person on visitor or other detainee.  |
| 556 | 784.083(1)     | 1st | Aggravated battery on code inspector.  |
| 557 | 787.06(3)(a)2. | 1st | Human trafficking using coercion for labor and services of an adult.   |
| 558 | 787.06(3)(e)2. | 1st | Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state. |
| 559 | 790.07(4)      | 1st | Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).  |
|     | 790.16(1)      | 1st | Discharge of a machine gun   |

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under specified circumstances.

560

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

561

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

562

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

563

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

564

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

565

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.

566

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

567

796.05(1) 1st Live on earnings of a  
prostitute; 3rd and subsequent  
offense.

568

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

569

800.04(5)(c)2. 2nd Lewd or lascivious molestation;  
victim 12 years of age or older  
but younger than 16 years of  
age; offender 18 years of age  
or older.

570

800.04(5)(e) 1st Lewd or lascivious molestation;  
victim 12 years of age or older  
but younger than 16 years;



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offender 18 years or older;  
 prior conviction for specified  
 sex offense.

571 806.01 (2) 2nd Maliciously damage structure by  
 fire or explosive.

572 810.02 (3) (a) 2nd Burglary of occupied dwelling;  
 unarmed; no assault or battery.

573 810.02 (3) (b) 2nd Burglary of unoccupied  
 dwelling; unarmed; no assault  
 or battery.

574 810.02 (3) (d) 2nd Burglary of occupied  
 conveyance; unarmed; no assault  
 or battery.

575 810.02 (3) (e) 2nd Burglary of authorized  
 emergency vehicle.

576 812.014 (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.

577

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

578

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

579

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

580

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

581

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

582

812.131 (2) (a) 2nd Robbery by sudden snatching.

583

812.133 (2) (b) 1st Carjacking; no firearm, deadly

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weapon, or other weapon.

584

817.034 (4) (a) 1. 1st Communications fraud, value greater than \$50,000.

585

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

586

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

587

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

588

817.2341 1st Making false entries of  
 (2) (b) & material fact or false  
 (3) (b) statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.

589

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

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|     |                 |     |  |
|-----|-----------------|-----|--|
| 590 | 825.102 (3) (b) | 2nd | Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.            |
| 591 | 825.103 (3) (b) | 2nd | Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000. |
| 592 | 827.03 (2) (b)  | 2nd | Neglect of a child causing great bodily harm, disability, or disfigurement.  |
| 593 | 827.04 (3)      | 3rd | Impregnation of a child under 16 years of age by person 21 years of age or older.                                  |
| 594 | 837.05 (2)      | 3rd | Giving false information about alleged capital felony to a law enforcement officer.                                |
| 595 | 838.015         | 2nd | Bribery.   |
| 596 | 838.016         | 2nd | Unlawful compensation or reward  |

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for official behavior.

597

838.021 (3) (a) 2nd Unlawful harm to a public servant.

598

838.22 2nd Bid tampering.

599

843.0855 (2) 3rd Impersonation of a public officer or employee.

600

843.0855 (3) 3rd Unlawful simulation of legal process.

601

843.0855 (4) 3rd Intimidation of a public officer or employee.

602

847.0135 (3) 3rd Solicitation of a child, via a computer service, to commit an unlawful sex act.

603

847.0135 (4) 2nd Traveling to meet a minor to commit an unlawful sex act.

604

872.06 2nd Abuse of a dead human body.

605

874.05 (2) (b) 1st Encouraging or recruiting

|     |                |          |   |
|-----|----------------|----------|---|
| 606 | 874.10         | 1st, PBL | <p>person under 13 to join a criminal gang; second or subsequent offense.</p> <p>Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.</p>   |
| 607 | 893.13(1)(c)1. | 1st      | <p>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.</p> |
| 608 | 893.13(1)(e)1. | 1st      | <p>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.,</p>   |

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within 1,000 feet of property  
used for religious services or  
a specified business site.

609

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).

610

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

611

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

612

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

613

893.135 1st Trafficking in hydrocodone, 14  
(1)(c)2.a. grams or more, less than 28  
grams.

614

893.135 1st Trafficking in hydrocodone, 28

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|     |                         |     |  |
|-----|-------------------------|-----|--|
| 615 | (1) (c) 2.b.            |     | grams or more, less than 50<br>grams.  |
| 616 | 893.135<br>(1) (c) 3.a. | 1st | Trafficking in oxycodone, 7<br>grams or more, less than 14<br>grams.           |
| 617 | 893.135<br>(1) (c) 3.b. | 1st | Trafficking in oxycodone, 14<br>grams or more, less than 25<br>grams.          |
| 618 | 893.135 (1) (d) 1.      | 1st | Trafficking in phencyclidine,<br>more than 28 grams, less than<br>200 grams.   |
| 619 | 893.135 (1) (e) 1.      | 1st | Trafficking in methaqualone,<br>more than 200 grams, less than<br>5 kilograms. |
| 620 | 893.135 (1) (f) 1.      | 1st | Trafficking in amphetamine,<br>more than 14 grams, less than<br>28 grams.      |
|     | 893.135<br>(1) (g) 1.a. | 1st | Trafficking in flunitrazepam, 4<br>grams or more, less than 14<br>grams.       |



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|     |                         |     |  |
|-----|-------------------------|-----|--|
| 621 | 893.135<br>(1) (h) 1.a. | 1st | Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.                           |
| 622 | 893.135<br>(1) (j) 1.a. | 1st | Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.  |
| 623 | 893.135<br>(1) (k) 2.a. | 1st | Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.   |
| 624 | 893.1351 (2)            | 2nd | Possession of place for trafficking in or manufacturing of controlled substance.                                     |
| 625 | 896.101 (5) (a)         | 3rd | Money laundering, financial transactions exceeding \$300 but less than \$20,000.                                     |
| 626 | 896.104 (4) (a) 1.      | 3rd | Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but |

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less than \$20,000.

627

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

628

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

629

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

630

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

631

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

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632

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

633

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

634

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

635

944.607(13) 3rd Sexual offender; failure to  
report and reregister; failure  
to respond to address  
verification; providing false  
registration information.

636

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

637

985.4815(12) 3rd Failure to report or providing  
false information about a

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sexual offender; harbor or  
conceal a sexual offender.

638

985.4815(13)

3rd

Sexual offender; failure to  
report and reregister; failure  
to respond to address  
verification; providing false  
registration information.

639

640

Section 15. This act shall take effect July 1, 2015.