

By Senator Soto

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A bill to be entitled
 An act relating to assault or battery on a utility
 worker; amending s. 784.07, F.S.; defining the term
 "utility worker"; providing for reclassification of
 certain offenses committed against a utility worker;
 amending ss. 901.15, 921.0022, 943.051, 985.11, and
 985.644, F.S.; conforming provisions to changes made
 by the act; providing an effective date.

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

Section 1. Section 784.07, Florida Statutes, is amended to
 read:

784.07 Assault or battery of law enforcement officers,
 firefighters, emergency medical care providers, public transit
 employees or agents, or other specified persons ~~officers~~;
 reclassification of offenses; minimum sentences.-

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

(a) "Emergency medical care provider" means an ambulance
 driver, emergency medical technician, paramedic, registered
 nurse, physician as defined in s. 401.23, medical director as
 defined in s. 401.23, or any person authorized by an emergency
 medical service licensed under chapter 401 who is engaged in the
 performance of his or her duties. The term "emergency medical
 care provider" also includes physicians, employees, agents, or
 volunteers of hospitals as defined in chapter 395, who are
 employed, under contract, or otherwise authorized by a hospital
 to perform duties directly associated with the care and
 treatment rendered by the hospital's emergency department or the

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30 security thereof.

31 (b) "Firefighter" means any person employed by any public
32 employer of this state whose duty it is to extinguish fires; to
33 protect life or property; or to enforce municipal, county, and
34 state fire prevention codes, as well as any law pertaining to
35 the prevention and control of fires.

36 (c) "Law enforcement explorer" means any person who is a
37 current member of a law enforcement agency's explorer program
38 and who is performing functions other than those required to be
39 performed by sworn law enforcement officers on behalf of a law
40 enforcement agency while under the direct physical supervision
41 of a sworn officer of that agency and wearing a uniform that
42 bears at least one patch that clearly identifies the law
43 enforcement agency that he or she represents.

44 (d) "Law enforcement officer" includes a law enforcement
45 officer, a correctional officer, a correctional probation
46 officer, a part-time law enforcement officer, a part-time
47 correctional officer, an auxiliary law enforcement officer, and
48 an auxiliary correctional officer, as those terms are
49 respectively defined in s. 943.10, and any county probation
50 officer; an employee or agent of the Department of Corrections
51 who supervises or provides services to inmates; an officer of
52 the Florida Commission on Offender Review; a federal law
53 enforcement officer as defined in s. 901.1505; and law
54 enforcement personnel of the Fish and Wildlife Conservation
55 Commission or the Department of Law Enforcement.

56 (e) "Public transit employees or agents" means bus
57 operators, train operators, revenue collectors, security
58 personnel, equipment maintenance personnel, or field

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59 supervisors, who are employees or agents of a transit agency as
60 described in s. 812.015(1)(1).

61 (f) "Railroad special officer" means a person employed by a
62 Class I, Class II, or Class III railroad and appointed or
63 pending appointment by the Governor pursuant to s. 354.01.

64 (g) "Utility worker" means a person who at all times
65 displays at least one visible patch or emblem that clearly
66 identifies the person as a utility worker under contract with or
67 employed by an entity that owns, operates, leases, or controls a
68 plant, property, or facility for the generation, transmission,
69 or furnishing of electricity to or for the public, including two
70 or more utilities rendering joint service, and that identifies
71 the employing or contracting utility.

72 (2) Whenever any person is charged with knowingly
73 committing an assault or battery upon a law enforcement officer,
74 a firefighter, an emergency medical care provider, a railroad
75 special officer, a traffic accident investigation officer as
76 described in s. 316.640, a nonsworn law enforcement agency
77 employee who is certified as an agency inspector, a blood
78 alcohol analyst, or a breath test operator while such employee
79 is in uniform and engaged in processing, testing, evaluating,
80 analyzing, or transporting a person who is detained or under
81 arrest for DUI, a law enforcement explorer, a traffic infraction
82 enforcement officer as described in s. 316.640, a parking
83 enforcement specialist as defined in s. 316.640, a person
84 licensed as a security officer as defined in s. 493.6101 and
85 wearing a uniform that bears at least one patch or emblem that
86 is visible at all times that clearly identifies the employing
87 agency and that clearly identifies the person as a licensed

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88 security officer, ~~or~~ a security officer employed by the board of
89 trustees of a community college, or a utility worker, while the
90 officer, firefighter, emergency medical care provider, railroad
91 special officer, traffic accident investigation officer, traffic
92 infraction enforcement officer, inspector, analyst, operator,
93 law enforcement explorer, parking enforcement specialist, public
94 transit employee or agent, ~~or~~ security officer, or utility
95 worker is engaged in the lawful performance of his or her
96 duties, the offense for which the person is charged shall be
97 reclassified as follows:

98 (a) In the case of assault, from a misdemeanor of the
99 second degree to a misdemeanor of the first degree.

100 (b) In the case of battery, from a misdemeanor of the first
101 degree to a felony of the third degree.

102 (c) In the case of aggravated assault, from a felony of the
103 third degree to a felony of the second degree. Notwithstanding
104 any other provision of law, any person convicted of aggravated
105 assault upon a law enforcement officer shall be sentenced to a
106 minimum term of imprisonment of 3 years.

107 (d) In the case of aggravated battery, from a felony of the
108 second degree to a felony of the first degree. Notwithstanding
109 any other provision of law, any person convicted of aggravated
110 battery of a law enforcement officer shall be sentenced to a
111 minimum term of imprisonment of 5 years.

112 (3) Any person who is convicted of a battery under
113 paragraph (2)(b) and, during the commission of the offense, such
114 person possessed:

115 (a) A "firearm" or "destructive device" as those terms are
116 defined in s. 790.001, shall be sentenced to a minimum term of

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117 imprisonment of 3 years.

118 (b) A semiautomatic firearm and its high-capacity
119 detachable box magazine, as defined in s. 775.087(3), or a
120 machine gun as defined in s. 790.001, shall be sentenced to a
121 minimum term of imprisonment of 8 years.

122
123 Notwithstanding s. 948.01, adjudication of guilt or imposition
124 of sentence shall not be suspended, deferred, or withheld, and
125 the defendant is not eligible for statutory gain-time under s.
126 944.275 or any form of discretionary early release, other than
127 pardon or executive clemency, or conditional medical release
128 under s. 947.149, prior to serving the minimum sentence.

129 Section 2. Subsection (15) of section 901.15, Florida
130 Statutes, is amended to read:

131 901.15 When arrest by officer without warrant is lawful.—A
132 law enforcement officer may arrest a person without a warrant
133 when:

134 (15) There is probable cause to believe that the person has
135 committed assault upon a law enforcement officer, a firefighter,
136 an emergency medical care provider, public transit employees or
137 agents, or other specified persons ~~officers~~ as set forth in s.
138 784.07 or has committed assault or battery upon any employee of
139 a receiving facility as defined in s. 394.455 who is engaged in
140 the lawful performance of his or her duties.

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

143 921.0022 Criminal Punishment Code; offense severity ranking
144 chart.—

145 (3) OFFENSE SEVERITY RANKING CHART

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(d) LEVEL 4

Florida
Statute

Felony
Degree

Description

316.1935 (3) (a)

2nd

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.

499.0051 (1)

3rd

Failure to maintain or deliver pedigree papers.

499.0051 (2)

3rd

Failure to authenticate pedigree papers.

499.0051 (6)

2nd

Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.

517.07 (1)

3rd

Failure to register securities.

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154	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
155	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, <u>utility worker</u> , etc.
156	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
157	784.075	3rd	Battery on detention or commitment facility staff.
158	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
159	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
	784.081 (3)	3rd	Battery on specified official or employee.

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160

784.082 (3) 3rd Battery by detained person on visitor or other detainee.

161

784.083 (3) 3rd Battery on code inspector.

162

784.085 3rd Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.

163

787.03 (1) 3rd Interference with custody; wrongly takes minor from appointed guardian.

164

787.04 (2) 3rd Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.

165

787.04 (3) 3rd Carrying child beyond state lines with criminal intent to avoid producing child at

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custody hearing or
delivering to designated
person.

166

787.07

3rd

Human smuggling.

167

790.115 (1)

3rd

Exhibiting firearm or
weapon within 1,000 feet
of a school.

168

790.115 (2) (b)

3rd

Possessing electric
weapon or device,
destructive device, or
other weapon on school
property.

169

790.115 (2) (c)

3rd

Possessing firearm on
school property.

170

800.04 (7) (c)

3rd

Lewd or lascivious
exhibition; offender
less than 18 years.

171

810.02 (4) (a)

3rd

Burglary, or attempted
burglary, of an
unoccupied structure;
unarmed; no assault or
battery.

172

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	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
173	810.06	3rd	Burglary; possession of tools.
174	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
175	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
176	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
177	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
178	817.563 (1)	3rd	Sell or deliver substance other than controlled substance

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179			agreed upon, excluding s. 893.03(5) drugs.
	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
180			
	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
181			
	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
182			
	837.02 (1)	3rd	Perjury in official proceedings.
183			
	837.021 (1)	3rd	Make contradictory statements in official proceedings.
184			
	838.022	3rd	Official misconduct.
185			
	839.13 (2) (a)	3rd	Falsifying records of an individual in the care

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			and custody of a state agency.
186	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Families.
187	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
188	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
189	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
190	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
191	874.05(1)(a)	3rd	Encouraging or

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recruiting another to
join a criminal gang.

192

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).

193

914.14(2)

3rd

Witnesses accepting
bribes.

194

914.22(1)

3rd

Force, threaten, etc.,
witness, victim, or
informant.

195

914.23(2)

3rd

Retaliation against a
witness, victim, or
informant, no bodily
injury.

196

918.12

3rd

Tampering with jurors.

197

934.215

3rd

Use of two-way
communications device to
facilitate commission of
a crime.

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(f) LEVEL 6

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Florida Statute	Felony Degree	Description
316.027 (2) (b)	2nd	Leaving the scene of a crash involving serious bodily injury.
316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
499.0051 (3)	2nd	Knowing forgery of pedigree papers.
499.0051 (4)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
499.0051 (5)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
775.0875 (1)	3rd	Taking firearm from law enforcement officer.
784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.

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784.041	3rd	Felony battery; domestic battery by strangulation.
784.048 (3)	3rd	Aggravated stalking; credible threat.
784.048 (5)	3rd	Aggravated stalking of person under 16.
784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer, <u>firefighter, utility worker, etc.</u>
784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
784.081 (2)	2nd	Aggravated assault on specified official or employee.
784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
784.083 (2)	2nd	Aggravated assault on code inspector.

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218

787.02 (2) 3rd False imprisonment; restraining with purpose other than those in s. 787.01.

219

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

220

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

221

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

222

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

223

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

224

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

225

800.04 (5) (d) 3rd Lewd or lascivious molestation;

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victim 12 years of age or older
but less than 16 years of age;
offender less than 18 years.

226

800.04 (6) (b) 2nd Lewd or lascivious conduct;
offender 18 years of age or older.

227

806.031 (2) 2nd Arson resulting in great bodily
harm to firefighter or any other
person.

228

810.02 (3) (c) 2nd Burglary of occupied structure;
unarmed; no assault or battery.

229

810.145 (8) (b) 2nd Video voyeurism; certain minor
victims; 2nd or subsequent
offense.

230

812.014 (2) (b) 1. 2nd Property stolen \$20,000 or more,
but less than \$100,000, grand
theft in 2nd degree.

231

812.014 (6) 2nd Theft; property stolen \$3,000 or
more; coordination of others.

232

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

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234	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
235	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
236	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
237	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
238	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
239	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
240	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
241	827.03 (2) (c)	3rd	Abuse of a child.
242	827.03 (2) (d)	3rd	Neglect of a child.

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243	827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
244	836.05	2nd	Threats; extortion.
245	836.10	2nd	Written threats to kill or do bodily injury.
246	843.12	3rd	Aids or assists person to escape.
247	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
248	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
249	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
250	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
	944.35(3)(a)2.	3rd	Committing malicious battery upon

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or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.

251

944.40 2nd Escapes.

252

944.46 3rd Harboring, concealing, aiding escaped prisoners.

253

944.47 (1) (a) 5. 2nd Introduction of contraband (firearm, weapon, or explosive) into correctional facility.

254

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

255

256 (g) LEVEL 7

257

Florida	Felony	
Statute	Degree	Description

258

316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
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259

316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
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261	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.
262	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
263	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
264	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
265	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
266	456.065 (2)	3rd	Practicing a health care profession without a license.
	456.065 (2)	2nd	Practicing a health care profession without a license which

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results in serious bodily injury.

267

458.327(1)

3rd

Practicing medicine without a license.

268

459.013(1)

3rd

Practicing osteopathic medicine without a license.

269

460.411(1)

3rd

Practicing chiropractic medicine without a license.

270

461.012(1)

3rd

Practicing podiatric medicine without a license.

271

462.17

3rd

Practicing naturopathy without a license.

272

463.015(1)

3rd

Practicing optometry without a license.

273

464.016(1)

3rd

Practicing nursing without a license.

274

465.015(2)

3rd

Practicing pharmacy without a license.

275

466.026(1)

3rd

Practicing dentistry or dental hygiene without a license.

276

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277	467.201	3rd	Practicing midwifery without a license.
278	468.366	3rd	Delivering respiratory care services without a license.
279	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
280	483.901 (9)	3rd	Practicing medical physics without a license.
281	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
282	484.053	3rd	Dispensing hearing aids without a license.
283	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.
	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.

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560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

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291	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
292	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
293	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
294	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
295	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
296	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
297	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
297	784.048 (7)	3rd	Aggravated stalking; violation of court order.

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298

784.07 (2) (d) 1st Aggravated battery on law enforcement officer, firefighter, utility worker, etc.

299

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

300

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

301

784.081 (1) 1st Aggravated battery on specified official or employee.

302

784.082 (1) 1st Aggravated battery by detained person on visitor or other detainee.

303

784.083 (1) 1st Aggravated battery on code inspector.

304

787.06 (3) (a) 2. 1st Human trafficking using coercion for labor and services of an adult.

305

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

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state.

306

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

307

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

308

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

309

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

310

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

311

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

312

790.23 1st,PBL Possession of a firearm by a person who qualifies for the

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penalty enhancements provided for
in s. 874.04.

313

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.

314

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

315

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

316

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

317

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.

318

800.04(5)(e) 1st Lewd or lascivious molestation;
victim 12 years of age or older
but younger than 16 years;
offender 18 years or older; prior
conviction for specified sex

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offense.

319

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

320

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

321

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

322

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

323

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

324

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.

325

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

326

812.014 (2) (b) 3. 2nd Property stolen, emergency medical

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equipment; 2nd degree grand theft.

327

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

328

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

329

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

330

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

331

812.133 (2) (b) 1st Carjacking; no firearm, deadly
weapon, or other weapon.

332

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

333

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

334

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

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335

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

336

817.2341 1st Making false entries of material
(2) (b) & (3) (b) 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.

337

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

338

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

339

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.

340

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

341

827.04 (3) 3rd Impregnation of a child under 16

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years of age by person 21 years of age or older.

342
343
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351

837.05(2)

3rd

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

838.015

2nd

Bribery.

838.016

2nd

Unlawful compensation or reward for official behavior.

838.021(3)(a)

2nd

Unlawful harm to a public servant.

838.22

2nd

Bid tampering.

843.0855(2)

3rd

Impersonation of a public officer or employee.

843.0855(3)

3rd

Unlawful simulation of legal process.

843.0855(4)

3rd

Intimidation of a public officer or employee.

847.0135(3)

3rd

Solicitation of a child, via a computer service, to commit an unlawful sex act.

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352 847.0135(4) 2nd Traveling to meet a minor to
commit an unlawful sex act.

353 872.06 2nd Abuse of a dead human body.

354 874.05(2)(b) 1st Encouraging or recruiting person
under 13 to join a criminal gang;
second or subsequent offense.

355 874.10 1st,PBL Knowingly initiates, organizes,
plans, finances, directs, manages,
or supervises criminal gang-
related activity.

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.

356 893.13(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

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property used for religious services or a specified business site.

357

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).

358

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

359

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

360

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

361

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

362

893.135(1)(c)2.b. 1st Trafficking in hydrocodone, 28 grams or more, less than 50 grams.

363

893.135(1)(c)3.a. 1st Trafficking in oxycodone, 7 grams or more, less than 14 grams.

364

893.135(1)(c)3.b. 1st Trafficking in oxycodone, 14 grams or more, less than 25 grams.

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365

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

366

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

367

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

368

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

369

893.135(1)(h)1.a. 1st Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.

370

893.135(1)(j)1.a. 1st Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.

371

893.135(1)(k)2.a. 1st Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

372

893.1351(2) 2nd Possession of place for

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trafficking in or manufacturing of
controlled substance.

373

896.101 (5) (a) 3rd Money laundering, financial
transactions exceeding \$300 but
less than \$20,000.

374

896.104 (4) (a) 1. 3rd Structuring transactions to evade
reporting or registration
requirements, financial
transactions exceeding \$300 but
less than \$20,000.

375

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

376

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

377

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

378

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

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379

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

380

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

381

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

382

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

383

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

384

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

385

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

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offender; harbor or conceal a sexual offender.

386

985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

387

388 Section 4. Paragraph (b) of subsection (3) of section
389 943.051, Florida Statutes, is amended to read:

390 943.051 Criminal justice information; collection and
391 storage; fingerprinting.—

392 (3)

393 (b) A minor who is charged with or found to have committed
394 the following offenses shall be fingerprinted and the
395 fingerprints shall be submitted electronically to the
396 department, unless the minor is issued a civil citation pursuant
397 to s. 985.12:

398 1. Assault, as defined in s. 784.011.

399 2. Battery, as defined in s. 784.03.

400 3. Carrying a concealed weapon, as defined in s. 790.01(1).

401 4. Unlawful use of destructive devices or bombs, as defined
402 in s. 790.1615(1).

403 5. Neglect of a child, as defined in s. 827.03(1)(e).

404 6. Assault or battery on a law enforcement officer, a
405 firefighter, or other specified persons ~~officers~~, as defined in
406 s. 784.07(2)(a) ~~and (b)~~.

407 7. Open carrying of a weapon, as defined in s. 790.053.

408 8. Exposure of sexual organs, as defined in s. 800.03.

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- 409 9. Unlawful possession of a firearm, as defined in s.
410 790.22(5).
- 411 10. Petit theft, as defined in s. 812.014(3).
- 412 11. Cruelty to animals, as defined in s. 828.12(1).
- 413 12. Arson, as defined in s. 806.031(1).
- 414 13. Unlawful possession or discharge of a weapon or firearm
415 at a school-sponsored event or on school property, as provided
416 in s. 790.115.

417 Section 5. Paragraph (b) of subsection (1) of section
418 985.11, Florida Statutes, is amended to read:

419 985.11 Fingerprinting and photographing.—

420 (1)

421 (b) Unless the child is issued a civil citation or is
422 participating in a similar diversion program pursuant to s.
423 985.12, a child who is charged with or found to have committed
424 one of the following offenses shall be fingerprinted, and the
425 fingerprints shall be submitted to the Department of Law
426 Enforcement as provided in s. 943.051(3)(b):

- 427 1. Assault, as defined in s. 784.011.
- 428 2. Battery, as defined in s. 784.03.
- 429 3. Carrying a concealed weapon, as defined in s. 790.01(1).
- 430 4. Unlawful use of destructive devices or bombs, as defined
431 in s. 790.1615(1).
- 432 5. Neglect of a child, as defined in s. 827.03(1)(e).
- 433 6. Assault on a law enforcement officer, a firefighter, or
434 other specified persons ~~officers~~, as defined in s. 784.07~~(2)(a)~~.
- 435 7. Open carrying of a weapon, as defined in s. 790.053.
- 436 8. Exposure of sexual organs, as defined in s. 800.03.
- 437 9. Unlawful possession of a firearm, as defined in s.

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438 790.22(5).

439 10. Petit theft, as defined in s. 812.014.

440 11. Cruelty to animals, as defined in s. 828.12(1).

441 12. Arson, resulting in bodily harm to a firefighter, as
442 defined in s. 806.031(1).443 13. Unlawful possession or discharge of a weapon or firearm
444 at a school-sponsored event or on school property as defined in
445 s. 790.115.

446

447 A law enforcement agency may fingerprint and photograph a child
448 taken into custody upon probable cause that such child has
449 committed any other violation of law, as the agency deems
450 appropriate. Such fingerprint records and photographs shall be
451 retained by the law enforcement agency in a separate file, and
452 these records and all copies thereof must be marked "Juvenile
453 Confidential." These records are not available for public
454 disclosure and inspection under s. 119.07(1) except as provided
455 in ss. 943.053 and 985.04(2), but shall be available to other
456 law enforcement agencies, criminal justice agencies, state
457 attorneys, the courts, the child, the parents or legal
458 custodians of the child, their attorneys, and any other person
459 authorized by the court to have access to such records. In
460 addition, such records may be submitted to the Department of Law
461 Enforcement for inclusion in the state criminal history records
462 and used by criminal justice agencies for criminal justice
463 purposes. These records may, in the discretion of the court, be
464 open to inspection by anyone upon a showing of cause. The
465 fingerprint and photograph records shall be produced in the
466 court whenever directed by the court. Any photograph taken

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467 pursuant to this section may be shown by a law enforcement
468 officer to any victim or witness of a crime for the purpose of
469 identifying the person who committed such crime.

470 Section 6. Paragraph (a) of subsection (3) of section
471 985.644, Florida Statutes, is amended to read:

472 985.644 Departmental contracting powers; personnel
473 standards and investigation.—

474 (3) (a) All employees of the department and all personnel of
475 contract providers for any program for children, including all
476 owners, operators, employees, persons who have access to
477 confidential juvenile records, and volunteers, must complete:

478 1. A level 2 employment screening pursuant to chapter 435
479 before employment. The security background investigation
480 conducted under this section must ensure that, in addition to
481 the disqualifying offenses listed in s. 435.04, no person
482 subject to the background screening provisions of this section
483 has an arrest awaiting final disposition for, been found guilty
484 of, regardless of adjudication, or entered a plea of nolo
485 contendere or guilty to, or been adjudicated delinquent and the
486 record has not been sealed or expunged for, any offense
487 prohibited under the following provisions of state law or
488 similar laws of another jurisdiction:

489 a. Section 784.07, relating to assault or battery of law
490 enforcement officers, firefighters, emergency medical care
491 providers, public transit employees or agents, or other
492 specified persons ~~officers~~.

493 b. Section 817.568, relating to criminal use of personal
494 identification information.

495 2. A national criminal records check by the Federal Bureau

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496 of Investigation every 5 years following the date of the
497 person's employment.

498 Section 7. This act shall take effect October 1, 2015.