



248166

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/19/2016	.	
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	.	

The Committee on Governmental Oversight and Accountability
(Latvala) recommended the following:

1 **Senate Substitute for Amendment (401016) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Subsection (7) of section 838.014, Florida
7 Statutes, is renumbered as subsection (8), present subsections
8 (4) and (6) are amended, and a new subsection (6) is added to
9 that section, to read:

10 838.014 Definitions.—As used in this chapter, the term:



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11 (4) "Governmental entity" means an agency or entity of the
12 state, a county, municipality, or special district or any other
13 public entity created or authorized by law ~~"Corruptly" or "with~~
14 ~~corrupt intent" means acting knowingly and dishonestly for a~~
15 ~~wrongful purpose.~~

16 (6) "Public contractor" means, for purposes of ss. 838.022
17 and 838.22 only:

18 (a) Any person, as defined in s. 1.01(3), who has entered
19 into a contract with a governmental entity; or

20 (b) Any officer or employee of a person, as defined in s.
21 1.01(3), who has entered into a contract with a governmental
22 entity.

23 ~~(7)-(6)~~ "Public servant" means:

24 (a) Any officer or employee of a governmental state,
25 ~~county, municipal, or special district agency or entity,~~
26 including

27 ~~(b)~~ any executive, legislative, or judicial branch officer
28 or employee;

29 ~~(b)-(e)~~ Any person, except a witness, who acts as a general
30 or special magistrate, receiver, auditor, arbitrator, umpire,
31 referee, consultant, or hearing officer while performing a
32 governmental function; or

33 ~~(c)-(d)~~ A candidate for election or appointment to any of
34 the officer positions listed in this subsection, or an
35 individual who has been elected to, but has yet to officially
36 assume the responsibilities of, public office.

37 Section 2. Subsection (1) of section 838.015, Florida
38 Statutes, is amended to read:

39 838.015 Bribery.-



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40 (1) "Bribery" means ~~corruptly~~ to knowingly and
41 intentionally give, offer, or promise to any public servant, or,
42 if a public servant, ~~corruptly~~ to knowingly and intentionally
43 request, solicit, accept, or agree to accept for himself or
44 herself or another, any pecuniary or other benefit not
45 authorized by law with an intent or purpose to influence the
46 performance of any act or omission which the person believes to
47 be, or the public servant represents as being, within the
48 official discretion of a public servant, in violation of a
49 public duty, or in performance of a public duty.

50 Section 3. Subsections (1) and (2) of section 838.016,
51 Florida Statutes, are amended to read:

52 838.016 Unlawful compensation or reward for official
53 behavior.—

54 (1) It is unlawful for any person ~~corruptly~~ to knowingly
55 and intentionally give, offer, or promise to any public servant,
56 or, if a public servant, ~~corruptly~~ to knowingly and
57 intentionally request, solicit, accept, or agree to accept, any
58 pecuniary or other benefit not authorized by law, for the past,
59 present, or future performance, nonperformance, or violation of
60 any act or omission which the person believes to have been, or
61 the public servant represents as having been, either within the
62 official discretion of the public servant, in violation of a
63 public duty, or in performance of a public duty. This section
64 does not ~~Nothing herein shall be construed to~~ preclude a public
65 servant from accepting rewards for services performed in
66 apprehending any criminal.

67 (2) It is unlawful for any person ~~corruptly~~ to knowingly
68 and intentionally give, offer, or promise to any public servant,



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69 or, if a public servant, ~~corruptly~~ to knowingly and
70 intentionally request, solicit, accept, or agree to accept, any
71 pecuniary or other benefit not authorized by law for the past,
72 present, or future exertion of any influence upon or with any
73 other public servant regarding any act or omission which the
74 person believes to have been, or which is represented to him or
75 her as having been, either within the official discretion of the
76 other public servant, in violation of a public duty, or in
77 performance of a public duty.

78 Section 4. Subsection (1) of section 838.022, Florida
79 Statutes, is amended, and subsection (2) of that section is
80 republished, to read:

81 838.022 Official misconduct.—

82 (1) It is unlawful for a public servant or public
83 contractor, ~~with corrupt intent~~ to knowingly and intentionally
84 obtain a benefit for any person or to cause unlawful harm to
85 another, by ~~to~~:

86 (a) Falsifying ~~Falsify~~, or causing ~~cause~~ another person to
87 falsify, any official record or official document;

88 (b) Concealing, covering up, destroying, mutilating, or
89 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any
90 official record or official document, except as authorized by
91 law or contract, or causing ~~cause~~ another person to perform such
92 an act; or

93 (c) Obstructing, delaying, or preventing ~~Obstruct, delay,~~
94 ~~or prevent~~ the communication of information relating to the
95 commission of a felony that directly involves or affects the
96 government ~~public agency or public~~ entity served by the public
97 servant or public contractor.



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98 (2) For the purposes of this section:

99 (a) The term "public servant" does not include a candidate
100 who does not otherwise qualify as a public servant.

101 (b) An official record or official document includes only
102 public records.

103 Section 5. Section 838.22, Florida Statutes, is amended to
104 read:

105 838.22 Bid tampering.—

106 (1) It is unlawful for a public servant or a public
107 contractor who has contracted with a governmental entity to
108 assist in a competitive procurement, ~~with corrupt intent to~~
109 knowingly and intentionally influence or attempt to influence
110 the competitive solicitation bidding process undertaken by any
111 governmental state, county, municipal, or special district
112 agency, or any other public entity, for the procurement of
113 commodities or services, by ~~to~~:

114 (a) Disclosing, except as authorized by law, Disclose
115 material information concerning a vendor's response, any
116 evaluation results, bid or other aspects of the competitive
117 solicitation bidding process when such information is not
118 publicly disclosed.

119 (b) Altering or amending ~~Alter or amend~~ a submitted
120 response bid, documents or other materials supporting a
121 submitted response bid, or any evaluation bid results relating
122 to the competitive solicitation for the purpose of intentionally
123 providing a competitive advantage to any person who submits a
124 response bid.

125 (2) It is unlawful for a public servant or a public
126 contractor who has contracted with a governmental entity to



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127 assist in a competitive procurement, ~~with corrupt intent~~ to
128 knowingly and intentionally obtain a benefit for any person or
129 to cause unlawful harm to another by circumventing, ~~to~~
130 ~~circumvent~~ a competitive solicitation bidding process required
131 by law or rule through the use of ~~by using~~ a sole-source
132 contract for commodities or services.

133 (3) It is unlawful for any person to knowingly agree,
134 conspire, combine, or confederate, directly or indirectly, with
135 a public servant or a public contractor who has contracted with
136 a governmental entity to assist in a competitive procurement to
137 violate subsection (1) or subsection (2).

138 (4) It is unlawful for any person to knowingly enter into a
139 contract for commodities or services which was secured by a
140 public servant or a public contractor who has contracted with a
141 governmental entity to assist in a competitive procurement
142 acting in violation of subsection (1) or subsection (2).

143 (5) Any person who violates this section commits a felony
144 of the second degree, punishable as provided in s. 775.082, s.
145 775.083, or s. 775.084.

146 Section 6. Section 838.24, Florida Statutes, is created to
147 read:

148 838.24 Attorney fees.—Public servants and public
149 contractors prosecuted for a violation under this act may
150 recover attorney fees in the same manner as provided by common
151 law for public officers and employees with respect to the
152 enforcement of public corruption laws.

153 Section 7. For the purpose of incorporating the amendment
154 made by this act to section 838.022, Florida Statutes, in a
155 reference thereto, paragraph (a) of subsection (2) of section



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156 112.534, Florida Statutes, is reenacted to read:
157 112.534 Failure to comply; official misconduct.—
158 (2) (a) All the provisions of s. 838.022 shall apply to this
159 part.
160 Section 8. For the purpose of incorporating the amendment
161 made by this act to section 838.022, Florida Statutes, in a
162 reference thereto, paragraph (d) of subsection (4) of section
163 117.01, Florida Statutes, is reenacted to read:
164 117.01 Appointment, application, suspension, revocation,
165 application fee, bond, and oath.—
166 (4) The Governor may suspend a notary public for any of the
167 grounds provided in s. 7, Art. IV of the State Constitution.
168 Grounds constituting malfeasance, misfeasance, or neglect of
169 duty include, but are not limited to, the following:
170 (d) Official misconduct as defined in s. 838.022.
171 Section 9. For the purpose of incorporating the amendment
172 made by this act to section 838.014, Florida Statutes, in a
173 reference thereto, subsection (11) of section 817.568, Florida
174 Statutes, is reenacted to read:
175 817.568 Criminal use of personal identification
176 information.—
177 (11) A person who willfully and without authorization
178 fraudulently uses personal identification information concerning
179 an individual who is 60 years of age or older; a disabled adult
180 as defined in s. 825.101; a public servant as defined in s.
181 838.014; a veteran as defined in s. 1.01; a first responder as
182 defined in s. 125.01045; an individual who is employed by the
183 State of Florida; or an individual who is employed by the
184 Federal Government without first obtaining the consent of that



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185 individual commits a felony of the second degree, punishable as
186 provided in s. 775.082, s. 775.083, or s. 775.084.

187 Section 10. For the purpose of incorporating the amendments
188 made by this act to sections 838.015, 838.016, and 838.22,
189 Florida Statutes, in references thereto, paragraph (g) of
190 subsection (3) of section 921.0022, Florida Statutes, is
191 reenacted to read:

192 921.0022 Criminal Punishment Code; offense severity ranking
193 chart.—

194 (3) OFFENSE SEVERITY RANKING CHART

195 (g) LEVEL 7

196
197

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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

198
199
200



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siren and lights activated.

201

327.35(3)(c)2. 3rd Vessel BUI resulting in serious
bodily injury.

202

402.319(2) 2nd Misrepresentation and
negligence or intentional act
resulting in great bodily harm,
permanent disfiguration,
permanent disability, or death.

203

409.920 3rd Medicaid provider fraud;
(2)(b)1.a. \$10,000 or less.

204

409.920 2nd Medicaid provider fraud; more
(2)(b)1.b. than \$10,000, but less than
\$50,000.

205

456.065(2) 3rd Practicing a health care
profession without a license.

206

456.065(2) 2nd Practicing a health care
profession without a license
which results in serious bodily
injury.

207

458.327(1) 3rd Practicing medicine without a
license.

208



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209	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
210	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
211	461.012 (1)	3rd	Practicing podiatric medicine without a license.
212	462.17	3rd	Practicing naturopathy without a license.
213	463.015 (1)	3rd	Practicing optometry without a license.
214	464.016 (1)	3rd	Practicing nursing without a license.
215	465.015 (2)	3rd	Practicing pharmacy without a license.
216	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
217	467.201	3rd	Practicing midwifery without a license.
	468.366	3rd	Delivering respiratory care services without a license.



218	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
219	483.901 (9)	3rd	Practicing medical physics without a license.
220	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
221	484.053	3rd	Dispensing hearing aids without a license.
222	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
223	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.
224	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments



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of court order.

238

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

239

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

240

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

241

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

242

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

243

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

244

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

245

787.06(3)(e)2. 1st Human trafficking using coercion for labor and services by the transfer or transport of



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253	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
254	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.
255	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
256	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
257	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
258	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.



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- 259 800.04 (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 offense.
- 260 806.01 (2) 2nd Maliciously damage structure by
fire or explosive.
- 261 810.02 (3) (a) 2nd Burglary of occupied dwelling;
unarmed; no assault or battery.
- 262 810.02 (3) (b) 2nd Burglary of unoccupied
dwelling; unarmed; no assault
or battery.
- 263 810.02 (3) (d) 2nd Burglary of occupied
conveyance; unarmed; no assault
or battery.
- 264 810.02 (3) (e) 2nd Burglary of authorized
emergency vehicle.
- 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



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property damage; 1st degree
grand theft.

265

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

266

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

267

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

268

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

269

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

270

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

271

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

272

817.034 (4) (a) 1. 1st Communications fraud, value



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280	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.
281	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
282	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
283	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
284	838.015	2nd	Bribery.
285	838.016	2nd	Unlawful compensation or reward for official behavior.
286	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
287	838.22	2nd	Bid tampering.
	843.0855 (2)	3rd	Impersonation of a public officer or employee.



288	843.0855 (3)	3rd	Unlawful simulation of legal process.
289	843.0855 (4)	3rd	Intimidation of a public officer or employee.
290	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
291	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
292	872.06	2nd	Abuse of a dead human body.
293	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
294	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
295	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s.



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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.

296

893.13(1)(e)1. 1st Sell, manufacture, or deliver
cocaine or other drug
prohibited under s.
893.03(1)(a), (1)(b), (1)(d),
(2)(a), (2)(b), or (2)(c)4.,
within 1,000 feet of property
used for religious services or
a specified business site.

297

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).

298

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

299

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



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grams.

300

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

301

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

302

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

303

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

304

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

305

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

306

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



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307	893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
308	893.135(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
309	893.135(1)(h)1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
310	893.135(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
311	893.135(1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
312	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
313	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.



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- 314 896.104 (4) (a) 1. 3rd Structuring transactions to
evade reporting or registration
requirements, financial
transactions exceeding \$300 but
less than \$20,000.
- 315 943.0435 (4) (c) 2nd Sexual offender vacating
permanent residence; failure to
comply with reporting
requirements.
- 316 943.0435 (8) 2nd Sexual offender; remains in
state after indicating intent
to leave; failure to comply
with reporting requirements.
- 317 943.0435 (9) (a) 3rd Sexual offender; failure to
comply with reporting
requirements.
- 318 943.0435 (13) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.
- 319 943.0435 (14) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address



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verification; providing false
registration information.

320

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

321

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

322

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

323

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

324

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

325

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



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conceal a sexual offender.

326

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

327

328

329

330 Section 11. For the purpose of incorporating the amendment
331 made by this act to section 838.022, Florida Statutes, in a
332 reference thereto, paragraph (d) of subsection (3) of section
333 921.0022, Florida Statutes, is reenacted to read:

334 921.0022 Criminal Punishment Code; offense severity ranking
335 chart.—

336 (3) OFFENSE SEVERITY RANKING CHART

337 (d) LEVEL 4

338

339

Florida Statute	Felony Degree	Description
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340

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.
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341	499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
342	499.0051(2)	3rd	Failure to authenticate pedigree papers.
343	499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
344	517.07(1)	3rd	Failure to register securities.
345	517.12(1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
346	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
347	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
348	784.075	3rd	Battery on detention or commitment facility staff.
349	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.



350	784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
351	784.081(3)	3rd	Battery on specified official or employee.
352	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
353	784.083(3)	3rd	Battery on code inspector.
354	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
355	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
356	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
357	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.

358

787.07 3rd Human smuggling.

359

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

360

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

361

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

362

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

363

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

364

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

365



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366	810.06	3rd	Burglary; possession of tools.
367	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
368	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
369	812.014(2)(c)4.- 10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
370	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
371	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
372	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
373	817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
	828.125(1)	2nd	Kill, maim, or cause great



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bodily harm or permanent
breeding disability to any
registered horse or cattle.

374

837.02 (1) 3rd Perjury in official
proceedings.

375

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

376

838.022 3rd Official misconduct.

377

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

378

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

379

843.021 3rd Possession of a concealed
handcuff key by a person in
custody.

380

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

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382	843.15(1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
383	847.0135(5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
384	874.05(1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
385	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).
386	914.14(2)	3rd	Witnesses accepting bribes.
387	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
388	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
389	918.12	3rd	Tampering with jurors.
	934.215	3rd	Use of two-way communications



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device to facilitate commission
of a crime.

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Section 12. This act shall take effect October 1, 2016.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to public corruption; amending s.
838.014, F.S.; revising and providing definitions;
amending s. 838.015, F.S.; revising the definition of
the term "bribery"; revising requirements for
prosecution; amending s. 838.016, F.S.; revising the
prohibition against unlawful compensation or reward
for official behavior to conform to changes made by
the act; amending s. 838.022, F.S.; revising the
prohibition against official misconduct to conform to
changes made by the act; revising applicability of the
offense to include public contractors; amending s.
838.22, F.S.; revising the prohibition against bid
tampering to conform to changes made by the act;
revising applicability of the offense to include
specified public contractors; creating s. 838.24,
F.S.; authorizing the award of attorney fees to public
servants and public contractors under certain



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417 conditions; reenacting s. 112.534(2)(a), F.S.,
418 relating to official misconduct, and s. 117.01(4)(d),
419 F.S., relating to appointment, application,
420 suspension, revocation, application fee, bond, and
421 oath of notaries public, to incorporate the amendment
422 made by the act to s. 838.022, F.S., in references
423 thereto; reenacting s. 817.568(11), F.S., relating to
424 criminal use of personal identification information,
425 to incorporate the amendment made by the act to s.
426 838.014, F.S., in a reference thereto; reenacting s.
427 921.0022(3)(d) and (g), F.S., relating to the Criminal
428 Punishment Code offense severity ranking chart, to
429 incorporate the amendments made by the act to ss.
430 838.015, 838.016, 838.022, and 838.22, F.S., in
431 references thereto; providing an effective date.