

By the Committee on Governmental Oversight and Accountability;  
and Senator Gaetz

585-02305-16

2016582c1

1 A bill to be entitled

2 An act relating to public corruption; amending s.  
3 838.014, F.S.; revising and providing definitions;  
4 amending s. 838.015, F.S.; revising the definition of  
5 the term "bribery"; revising requirements for  
6 prosecution; amending s. 838.016, F.S.; revising the  
7 prohibition against unlawful compensation or reward  
8 for official behavior to conform to changes made by  
9 the act; amending s. 838.022, F.S.; revising the  
10 prohibition against official misconduct to conform to  
11 changes made by the act; revising applicability of the  
12 offense to include public contractors; amending s.  
13 838.22, F.S.; revising the prohibition against bid  
14 tampering to conform to changes made by the act;  
15 revising applicability of the offense to include  
16 specified public contractors; reenacting s.  
17 112.534(2)(a), F.S., relating to official misconduct,  
18 and s. 117.01(4)(d), F.S., relating to appointment,  
19 application, suspension, revocation, application fee,  
20 bond, and oath of notaries public, to incorporate the  
21 amendment made by the act to s. 838.022, F.S., in  
22 references thereto; reenacting s. 817.568(11), F.S.,  
23 relating to criminal use of personal identification  
24 information, to incorporate the amendment made by the  
25 act to s. 838.014, F.S., in a reference thereto;  
26 reenacting s. 921.0022(3)(d) and (g), F.S., relating  
27 to the Criminal Punishment Code offense severity  
28 ranking chart, to incorporate the amendments made by  
29 the act to ss. 838.015, 838.016, 838.022, and 838.22,  
30 F.S., in references thereto; providing an effective  
31 date.

585-02305-16

2016582c1

32  
33 Be It Enacted by the Legislature of the State of Florida:  
34

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

39 838.014 Definitions.—As used in this chapter, the term:

40 (4) “Governmental entity” means an agency or entity of the  
41 state, a county, municipality, or special district or any other  
42 public entity created or authorized by law ~~“Corruptly” or “with~~  
43 ~~corrupt intent” means acting knowingly and dishonestly for a~~  
44 ~~wrongful purpose.~~

45 (6) “Public contractor” means, for purposes of ss. 838.022  
46 and 838.22 only:

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

49 (b) Any officer or employee of a person, as defined in s.  
50 1.01(3), who has entered into a contract with a governmental  
51 entity.

52 (7)~~(6)~~ “Public servant” means:

53 (a) Any officer or employee of a governmental state,  
54 ~~county, municipal, or special district agency or entity,~~  
55 including

56 ~~(b)~~ any executive, legislative, or judicial branch officer  
57 or employee;

58 (b)~~(e)~~ Any person, except a witness, who acts as a general  
59 or special magistrate, receiver, auditor, arbitrator, umpire,  
60 referee, consultant, or hearing officer while performing a

585-02305-16

2016582c1

61 governmental function; or

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

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

68 838.015 Bribery.—

69 (1) "Bribery" means ~~corruptly~~ to knowingly and  
70 intentionally give, offer, or promise to any public servant, or,  
71 if a public servant, ~~corruptly~~ to knowingly and intentionally  
72 request, solicit, accept, or agree to accept for himself or  
73 herself or another, any pecuniary or other benefit not  
74 authorized by law with an intent or purpose to influence the  
75 performance of any act or omission which the person believes to  
76 be, or the public servant represents as being, within the  
77 official discretion of a public servant, in violation of a  
78 public duty, or in performance of a public duty.

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

81 838.016 Unlawful compensation or reward for official  
82 behavior.—

83 (1) It is unlawful for any person ~~corruptly~~ to knowingly  
84 and intentionally give, offer, or promise to any public servant,  
85 or, if a public servant, ~~corruptly~~ to knowingly and  
86 intentionally request, solicit, accept, or agree to accept, any  
87 pecuniary or other benefit not authorized by law, for the past,  
88 present, or future performance, nonperformance, or violation of  
89 any act or omission which the person believes to have been, or

585-02305-16

2016582c1

90 the public servant represents as having been, either within the  
 91 official discretion of the public servant, in violation of a  
 92 public duty, or in performance of a public duty. This section  
 93 does not ~~Nothing herein shall be construed to~~ preclude a public  
 94 servant from accepting rewards for services performed in  
 95 apprehending any criminal.

96 (2) It is unlawful for any person ~~corruptly~~ to knowingly  
 97 and intentionally give, offer, or promise to any public servant,  
 98 or, if a public servant, ~~corruptly~~ to knowingly and  
 99 intentionally request, solicit, accept, or agree to accept, any  
 100 pecuniary or other benefit not authorized by law for the past,  
 101 present, or future exertion of any influence upon or with any  
 102 other public servant regarding any act or omission which the  
 103 person believes to have been, or which is represented to him or  
 104 her as having been, either within the official discretion of the  
 105 other public servant, in violation of a public duty, or in  
 106 performance of a public duty.

107 Section 4. Subsection (1) of section 838.022, Florida  
 108 Statutes, is amended, and subsection (2) of that section is  
 109 republished, to read:

110 838.022 Official misconduct.—

111 (1) It is unlawful for a public servant or public  
 112 contractor, ~~with corrupt intent~~ to knowingly and intentionally  
 113 obtain a benefit for any person or to cause unlawful harm to  
 114 another, by ~~to~~:

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

117 (b) Concealing, covering up, destroying, mutilating, or  
 118 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any

585-02305-16

2016582c1

119 official record or official document, except as authorized by  
120 law or contract, or causing ~~cause~~ another person to perform such  
121 an act; or

122 (c) Obstructing, delaying, or preventing ~~Obstruct, delay,~~  
123 ~~or prevent~~ the communication of information relating to the  
124 commission of a felony that directly involves or affects the  
125 government ~~public agency or public~~ entity served by the public  
126 servant or public contractor.

127 (2) For the purposes of this section:

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

130 (b) An official record or official document includes only  
131 public records.

132 Section 5. Section 838.22, Florida Statutes, is amended to  
133 read:

134 838.22 Bid tampering.—

135 (1) It is unlawful for a public servant or a public  
136 contractor who has contracted with a governmental entity to  
137 assist in a competitive procurement, ~~with corrupt intent to~~  
138 knowingly and intentionally influence or attempt to influence  
139 the competitive solicitation ~~bidding process~~ undertaken by any  
140 governmental ~~state, county, municipal, or special district~~  
141 ~~agency, or any other public entity~~, for the procurement of  
142 commodities or services, by ~~to~~:

143 (a) Disclosing, except as authorized by law, ~~Disclose~~  
144 material information concerning a vendor's response, any  
145 evaluation results, ~~bid~~ or other aspects of the competitive  
146 solicitation ~~bidding process~~ when such information is not  
147 publicly disclosed.

585-02305-16

2016582c1

148           (b) Altering or amending ~~Alter or amend~~ a submitted  
149 response bid, documents or other materials supporting a  
150 submitted response bid, or any evaluation bid results relating  
151 to the competitive solicitation for the purpose of intentionally  
152 providing a competitive advantage to any person who submits a  
153 response bid.

154           (2) It is unlawful for a public servant or a public  
155 contractor who has contracted with a governmental entity to  
156 assist in a competitive procurement, ~~with corrupt intent~~ to  
157 knowingly and intentionally obtain a benefit for any person or  
158 to cause unlawful harm to another by circumventing, ~~to~~  
159 ~~circumvent~~ a competitive solicitation bidding process required  
160 by law or rule through the use of ~~by using~~ a sole-source  
161 contract for commodities or services.

162           (3) It is unlawful for any person to knowingly agree,  
163 conspire, combine, or confederate, directly or indirectly, with  
164 a public servant or a public contractor who has contracted with  
165 a governmental entity to assist in a competitive procurement to  
166 violate subsection (1) or subsection (2).

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

172           (5) Any person who violates this section commits a felony  
173 of the second degree, punishable as provided in s. 775.082, s.  
174 775.083, or s. 775.084.

175           Section 6. For the purpose of incorporating the amendment  
176 made by this act to section 838.022, Florida Statutes, in a

585-02305-16

2016582c1

177 reference thereto, paragraph (a) of subsection (2) of section  
178 112.534, Florida Statutes, is reenacted to read:

179 112.534 Failure to comply; official misconduct.—

180 (2) (a) All the provisions of s. 838.022 shall apply to this  
181 part.

182 Section 7. For the purpose of incorporating the amendment  
183 made by this act to section 838.022, Florida Statutes, in a  
184 reference thereto, paragraph (d) of subsection (4) of section  
185 117.01, Florida Statutes, is reenacted to read:

186 117.01 Appointment, application, suspension, revocation,  
187 application fee, bond, and oath.—

188 (4) The Governor may suspend a notary public for any of the  
189 grounds provided in s. 7, Art. IV of the State Constitution.  
190 Grounds constituting malfeasance, misfeasance, or neglect of  
191 duty include, but are not limited to, the following:

192 (d) Official misconduct as defined in s. 838.022.

193 Section 8. For the purpose of incorporating the amendment  
194 made by this act to section 838.014, Florida Statutes, in a  
195 reference thereto, subsection (11) of section 817.568, Florida  
196 Statutes, is reenacted to read:

197 817.568 Criminal use of personal identification  
198 information.—

199 (11) A person who willfully and without authorization  
200 fraudulently uses personal identification information concerning  
201 an individual who is 60 years of age or older; a disabled adult  
202 as defined in s. 825.101; a public servant as defined in s.  
203 838.014; a veteran as defined in s. 1.01; a first responder as  
204 defined in s. 125.01045; an individual who is employed by the  
205 State of Florida; or an individual who is employed by the

585-02305-16

2016582c1

206 Federal Government without first obtaining the consent of that  
 207 individual commits a felony of the second degree, punishable as  
 208 provided in s. 775.082, s. 775.083, or s. 775.084.

209 Section 9. For the purpose of incorporating the amendments  
 210 made by this act to sections 838.015, 838.016, and 838.22,  
 211 Florida Statutes, in references thereto, paragraph (g) of  
 212 subsection (3) of section 921.0022, Florida Statutes, is  
 213 reenacted to read:

214 921.0022 Criminal Punishment Code; offense severity ranking  
 215 chart.—

216 (3) OFFENSE SEVERITY RANKING CHART

217 (g) LEVEL 7

218

219

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

220

221

222

585-02305-16

2016582c1

who is in a patrol vehicle with  
siren and lights activated.

223

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

224

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

225

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

226

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

227

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

228

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

229

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

585-02305-16

2016582c1

230

459.013 (1) 3rd Practicing osteopathic medicine  
without a license.

231

460.411 (1) 3rd Practicing chiropractic  
medicine without a license.

232

461.012 (1) 3rd Practicing podiatric medicine  
without a license.

233

462.17 3rd Practicing naturopathy without  
a license.

234

463.015 (1) 3rd Practicing optometry without a  
license.

235

464.016 (1) 3rd Practicing nursing without a  
license.

236

465.015 (2) 3rd Practicing pharmacy without a  
license.

237

466.026 (1) 3rd Practicing dentistry or dental  
hygiene without a license.

238

467.201 3rd Practicing midwifery without a  
license.

239

468.366 3rd Delivering respiratory care

585-02305-16

2016582c1

services without a license.

240

483.828 (1)

3rd

Practicing as clinical laboratory personnel without a license.

241

483.901 (9)

3rd

Practicing medical physics without a license.

242

484.013 (1) (c)

3rd

Preparing or dispensing optical devices without a prescription.

243

484.053

3rd

Dispensing hearing aids without a license.

244

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.

245

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.

246

560.125 (5) (a)

3rd

Money services business by unauthorized person, currency

585-02305-16

2016582c1

or payment instruments  
 exceeding \$300 but less than  
 \$20,000.

247

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

248

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

249

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

250

775.21(10)(g)            3rd    Failure to report or providing  
 false information about a  
 sexual predator; harbor or  
 conceal a sexual predator.

251

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

252

585-02305-16

2016582c1

253

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

254

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

255

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

256

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

257

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

258

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

259

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

585-02305-16

2016582c1

260

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

261

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

262

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

263

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

264

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

265

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

266

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

267

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

787.06 (3) (e) 2. 1st Human trafficking using coercion for labor and services

585-02305-16

2016582c1

by the transfer or transport of  
 an adult from outside Florida  
 to within the state.

268

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

269

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

270

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

271

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

272

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

273

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

585-02305-16

2016582c1

274

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

275

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.

276

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

277

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

278

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

279

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.

585-02305-16

2016582c1

280

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.

281

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

282

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

283

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

284

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

285

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

286

812.014 (2) (a) 1. 1st Property stolen, valued at  
\$100,000 or more or a  
semitrailer deployed by a law  
enforcement officer; property

585-02305-16

2016582c1

stolen while causing other  
property damage; 1st degree  
grand theft.

287

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

288

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

289

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

290

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

291

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

292

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

293

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

294

585-02305-16

2016582c1

295

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

296

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

297

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

298

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

299

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

300

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

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

585-02305-16

2016582c1

301	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.
302	827.03(2)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
303	827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
304	837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
305	838.015	2nd	Bribery.
306	838.016	2nd	Unlawful compensation or reward for official behavior.
307	838.021(3)(a)	2nd	Unlawful harm to a public servant.
308	838.22	2nd	Bid tampering.
309	843.0855(2)	3rd	Impersonation of a public

585-02305-16

2016582c1

officer or employee.

310

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

311

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

312

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

313

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

314

872.06 2nd Abuse of a dead human body.

315

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

316

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

317

893.13 (1) (c) 1. 1st Sell, manufacture, or deliver cocaine (or other drug

585-02305-16

2016582c1

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.

318

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.

319

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).

320

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

321

893.135(1)(b)1.a.      1st    Trafficking in cocaine, more

585-02305-16

2016582c1

than 28 grams, less than 200  
grams.

322

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

323

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

324

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

325

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

326

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

327

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

328

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

585-02305-16

2016582c1

5 kilograms.

329

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

330

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

331

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

332

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

333

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

334

893.1351(2) 2nd Possession of place for  
trafficking in or manufacturing  
of controlled substance.

335

896.101(5)(a) 3rd Money laundering, financial  
transactions exceeding \$300 but

585-02305-16

2016582c1

less than \$20,000.

336

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

337

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

338

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

339

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

340

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

341

943.0435 (14)               3rd    Sexual offender; failure to report and reregister; failure

585-02305-16

2016582c1

to respond to address  
verification; providing false  
registration information.

342

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

343

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

344

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

345

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

346

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

347

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

585-02305-16

2016582c1

sexual offender; harbor or  
conceal a sexual offender.

348

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

349

350            Section 10. For the purpose of incorporating the amendment  
351 made by this act to section 838.022, Florida Statutes, in a  
352 reference thereto, paragraph (d) of subsection (3) of section  
353 921.0022, Florida Statutes, is reenacted to read:

354            921.0022 Criminal Punishment Code; offense severity ranking  
355 chart.—

356            (3) OFFENSE SEVERITY RANKING CHART

357            (d) LEVEL 4

358

359

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

360

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.
----------------	-----	---

361

585-02305-16

2016582c1

362  
363  
364  
365  
366  
367  
368  
369  
370

- 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.
- 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.

585-02305-16

2016582c1

371  
372  
373  
374  
375  
376  
377

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.

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

784.083 (3) 3rd Battery on code inspector.

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

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

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

585-02305-16

2016582c1

to designated person.

378

787.07 3rd Human smuggling.

379

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

380

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

381

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

382

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

383

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

384

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

385

810.06 3rd Burglary; possession of tools.

585-02305-16

2016582c1

386

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

387

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

388

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

389

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

390

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

391

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

392

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

393

828.125 (1) 2nd Kill, maim, or cause great  
bodily harm or permanent

585-02305-16

2016582c1

breeding disability to any  
registered horse or cattle.

394

837.02 (1) 3rd Perjury in official  
proceedings.

395

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

396

838.022 3rd Official misconduct.

397

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

398

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

399

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

400

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

401

843.15 (1) (a) 3rd Failure to appear while on bail

585-02305-16

2016582c1

for felony (bond estreature or  
bond jumping).

402

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

403

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

404

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).

405

914.14 (2) 3rd Witnesses accepting bribes.

406

914.22 (1) 3rd Force, threaten, etc., witness,  
victim, or informant.

407

914.23 (2) 3rd Retaliation against a witness,  
victim, or informant, no bodily  
injury.

408

918.12 3rd Tampering with jurors.

409

934.215 3rd Use of two-way communications  
device to facilitate commission

585-02305-16

2016582c1

of a crime.

410

411

Section 11. This act shall take effect October 1, 2016.