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HB 7071, Engrossed 1

2016 Legislature

1
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 s. 117.01(4)(d), F.S., relating to appointment,
19 application, suspension, revocation, application fee,
20 bond, and oath, and s. 921.0022(3)(d), F.S., relating
21 to the Criminal Punishment Code offense severity
22 ranking chart, to incorporate amendments made by the
23 act to s. 838.022, F.S., in references thereto;
24 reenacting s. 817.568(11), F.S., relating to criminal
25 use of personal identification information, to
26 incorporate the amendment made by the act to s.



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

27 | 838.014, F.S., in a reference thereto; reenacting s.
 28 | 921.0022(3)(g), F.S., relating to the Criminal
 29 | Punishment Code offense severity ranking chart, to
 30 | incorporate the amendments made by the act to ss.
 31 | 838.015, 838.016, and 838.22, F.S., in references
 32 | thereto; providing an effective date.
 33 |

34 | Be It Enacted by the Legislature of the State of Florida:
 35 |

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

40 | 838.014 Definitions.—As used in this chapter, the term:

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

46 | (6) "Public contractor" means, for purposes of ss. 838.022
 47 | and 838.22 only:

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

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



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

53 ~~(7)~~~~(6)~~ "Public servant" means:

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

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

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

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

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

69 838.015 Bribery.—

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



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

79 public duty, or in performance of a public duty.

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

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

84 (1) It is unlawful for any person ~~corruptly~~ to knowingly
85 and intentionally give, offer, or promise to any public servant,
86 or, if a public servant, ~~corruptly~~ to knowingly and
87 intentionally request, solicit, accept, or agree to accept, any
88 pecuniary or other benefit not authorized by law, for the past,
89 present, or future performance, nonperformance, or violation of
90 any act or omission which the person believes to have been, or
91 the public servant represents as having been, either within the
92 official discretion of the public servant, in violation of a
93 public duty, or in performance of a public duty. This section
94 does not ~~Nothing herein shall be construed to~~ preclude a public
95 servant from accepting rewards for services performed in
96 apprehending any criminal.

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



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

105 her as having been, either within the official discretion of the
 106 other public servant, in violation of a public duty, or in
 107 performance of a public duty.

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

111 838.022 Official misconduct.—

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

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

118 (b) Concealing, covering up, destroying, mutilating, or
 119 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any
 120 official record or official document, except as authorized by
 121 law or contract, or causing ~~cause~~ another person to perform such
 122 an act; or

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

128 (2) For the purposes of this section:

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



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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

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

135 838.22 Bid tampering.—

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

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

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

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



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

157 assist in a competitive procurement, ~~with corrupt intent~~ to
 158 knowingly and intentionally obtain a benefit for any person or
 159 to cause unlawful harm to another, ~~to circumvent by~~
 160 circumventing a competitive solicitation ~~bidding~~ process
 161 required by law or rule through the use of ~~by using~~ a sole-
 162 source contract for commodities or services.

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

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

173 (5) Any person who violates this section commits a felony
 174 of the second degree, punishable as provided in s. 775.082, s.
 175 775.083, or s. 775.084.

176 Section 6. For the purpose of incorporating the amendment
 177 made by this act to section 838.022, Florida Statutes, in a
 178 reference thereto, paragraph (a) of subsection (2) of section
 179 112.534, Florida Statutes, is reenacted to read:

180 112.534 Failure to comply; official misconduct.—

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



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

183 Section 7. For the purpose of incorporating the amendment
 184 made by this act to section 838.022, Florida Statutes, in a
 185 reference thereto, paragraph (d) of subsection (4) of section
 186 117.01, Florida Statutes, is reenacted to read:

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

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

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

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

198 817.568 Criminal use of personal identification
 199 information.—

200 (11) A person who willfully and without authorization
 201 fraudulently uses personal identification information concerning
 202 an individual who is 60 years of age or older; a disabled adult
 203 as defined in s. 825.101; a public servant as defined in s.
 204 838.014; a veteran as defined in s. 1.01; a first responder as
 205 defined in s. 125.01045; an individual who is employed by the
 206 State of Florida; or an individual who is employed by the
 207 Federal Government without first obtaining the consent of that
 208 individual commits a felony of the second degree, punishable as



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

209 provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

217 (3) OFFENSE SEVERITY RANKING CHART

218 (g) LEVEL 7

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

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222



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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.



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

229	458.327 (1)	3rd	Practicing medicine without a license.
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



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

238			hygiene without a license.
239	467.201	3rd	Practicing midwifery without a license.
240	468.366	3rd	Delivering respiratory care services without a license.
241	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
242	483.901 (9)	3rd	Practicing medical physics without a license.
243	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
244	484.053	3rd	Dispensing hearing aids without a license.
	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



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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 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.



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
253	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
254	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

homicide).

255

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

256

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

257

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

258

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

259

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

260

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

261

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

262

784.08 (2) (a) 1st Aggravated battery on a person



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

65 years of age or older.

263 784.081(1) 1st Aggravated battery on specified
official or employee.

264 784.082(1) 1st Aggravated battery by detained
person on visitor or other
detainee.

265 784.083(1) 1st Aggravated battery on code
inspector.

266 787.06(3)(a)2. 1st Human trafficking using
coercion for labor and services
of an adult.

267 787.06(3)(e)2. 1st Human trafficking using
coercion for labor and services
by the transfer or transport of
an adult from outside Florida
to within the state.

268 790.07(4) 1st Specified weapons violation
subsequent to previous
conviction of s. 790.07(1) or
(2).



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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.
274	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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.
280	800.04 (5) (e)	1st	Lewd or lascivious molestation;



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

enforcement officer; property
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.



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

293	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
294	817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
295	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
296	817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
297	817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.
298	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.

299



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

300	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
301	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
302	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.
303	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
304	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
305	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
	838.015	2nd	Bribery.



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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 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.



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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 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.



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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
 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.



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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 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



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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
less than \$20,000.

336

896.104(4)(a)1. 3rd Structuring transactions to
evade reporting or registration



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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 to respond to address



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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



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HB 7071, Engrossed 1

2016 Legislature

348

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

349

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

350

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

354

921.0022 Criminal Punishment Code; offense severity ranking chart.—

356

(3) OFFENSE SEVERITY RANKING CHART

357

(d) LEVEL 4

358

Florida	Felony	
Statute	Degree	Description

359

316.1935(3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to
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HB 7071, Engrossed 1

2016 Legislature

elude law enforcement officer
 who is in a patrol vehicle with
 siren and lights activated.

360

499.0051 (1) 3rd Failure to maintain or deliver
 pedigree papers.

361

499.0051 (2) 3rd Failure to authenticate
 pedigree papers.

362

499.0051 (6) 2nd Knowing sale or delivery, or
 possession with intent to sell,
 contraband prescription drugs.

363

517.07 (1) 3rd Failure to register securities.

364

517.12 (1) 3rd Failure of dealer, associated
 person, or issuer of securities
 to register.

365

784.07 (2) (b) 3rd Battery of law enforcement
 officer, firefighter, etc.

366

784.074 (1) (c) 3rd Battery of sexually violent
 predators facility staff.

367



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

368	784.075	3rd	Battery on detention or commitment facility staff.
369	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
370	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
371	784.081 (3)	3rd	Battery on specified official or employee.
372	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
373	784.083 (3)	3rd	Battery on code inspector.
374	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.



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

375	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
376	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
377	787.07	3rd	Human smuggling.
378	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
379	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
380	790.115 (2) (c)	3rd	Possessing firearm on school property.
381	800.04 (7) (c)	3rd	Lewd or lascivious exhibition;



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

offender less than 18 years.

382

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

383

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

384

810.06 3rd Burglary; possession of tools.

385

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

386

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

387

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

388

812.0195 (2) 3rd Dealing in stolen property by



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HB 7071, Engrossed 1

2016 Legislature

use of the Internet; property
stolen \$300 or more.

389 817.563 (1) 3rd Sell or deliver substance other
than controlled substance
agreed upon, excluding s.
893.03(5) drugs.

390 817.568 (2) (a) 3rd Fraudulent use of personal
identification information.

391 817.625 (2) (a) 3rd Fraudulent use of scanning
device or reencoder.

392 828.125 (1) 2nd Kill, maim, or cause great
bodily harm or permanent
breeding disability to any
registered horse or cattle.

393 837.02 (1) 3rd Perjury in official
proceedings.

394 837.021 (1) 3rd Make contradictory statements
in official proceedings.

395 838.022 3rd Official misconduct.



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

396	839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
397	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Families.
398	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
399	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
400	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
401	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
402			



ENROLLED

HB 7071, Engrossed 1

2016 Legislature

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 of a crime.
410	Section 11. This act shall take effect October 1, 2016.		