

By Senator Joyner

19-00750-16

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1                   A bill to be entitled  
2           An act relating to theft; amending s. 812.014, F.S.;  
3           increasing the minimum monetary value that must be  
4           attributed to certain property for the theft of such  
5           property to reach the threshold for prosecution as a  
6           felony of the third degree or a misdemeanor of the  
7           first degree, under specified circumstances;  
8           authorizing a law enforcement officer who has probable  
9           cause to believe that an offender has committed retail  
10          theft to issue a notice to appear in lieu of arresting  
11          the offender under certain circumstances; authorizing  
12          a state attorney to establish a retail theft diversion  
13          program for the purpose of diverting offenders from  
14          criminal prosecution if the offender meets certain  
15          criteria; providing eligibility criteria for  
16          participation in a retail theft diversion program;  
17          requiring the state attorney to mail a notice to  
18          appear to an offender upon referral to a diversion  
19          program; requiring each participant in the retail  
20          theft diversion program to complete specified  
21          conditions; providing that an offender may be  
22          prosecuted for the retail theft if all conditions of  
23          the diversion program are not fulfilled; authorizing a  
24          state attorney to collect a fee from each participant  
25          in the program; setting a limit on the fee for each  
26          offender; amending s. 812.015, F.S.; increasing the  
27          minimum monetary value that must be attributed to  
28          retail property for the theft of such property to  
29          reach the threshold amount for prosecution as a felony

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30 of the third degree; amending s. 921.0022, F.S.;

31 conforming provisions to changes made by the act;

32 reenacting s. 943.051(3)(b), F.S., relating to the

33 Criminal Justice Information Program, to incorporate

34 the amendment made to s. 812.014, F.S., in a reference

35 thereto; providing an effective date.

36

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

38

39 Section 1. Subsection (2) of section 812.014, Florida

40 Statutes, is amended, paragraph (a) of subsection (3) of that

41 section is republished, and paragraphs (e) and (f) are added to

42 that subsection, to read:

43 812.014 Theft.—

44 (2)(a)1. If the property stolen is valued at \$100,000 or

45 more or is a semitrailer that was deployed by a law enforcement

46 officer; or

47 2. If the property stolen is cargo valued at \$50,000 or

48 more that has entered the stream of interstate or intrastate

49 commerce from the shipper's loading platform to the consignee's

50 receiving dock; or

51 3. If the offender commits any grand theft and:

52 a. In the course of committing the offense the offender

53 uses a motor vehicle as an instrumentality, other than merely as

54 a getaway vehicle, to assist in committing the offense and

55 thereby damages the real property of another; or

56 b. In the course of committing the offense the offender

57 causes damage to the real or personal property of another in

58 excess of \$1,000,

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the offender commits grand theft in the first degree, punishable as a felony of the first degree, as provided in s. 775.082, s. 775.083, or s. 775.084.

(b)1. If the property stolen is valued at \$20,000 or more, but less than \$100,000;

2. The property stolen is cargo valued at less than \$50,000 which ~~that~~ has entered the stream of interstate or intrastate commerce from the shipper's loading platform to the consignee's receiving dock;

3. The property stolen is emergency medical equipment, valued at \$300 or more, which ~~that~~ is taken from a facility licensed under chapter 395 or from an aircraft or vehicle permitted under chapter 401; or

4. The property stolen is law enforcement equipment, valued at \$300 or more, which ~~that~~ is taken from an authorized emergency vehicle, as defined in s. 316.003,

the offender commits grand theft in the second degree, punishable as a felony of the second degree, as provided in s. 775.082, s. 775.083, or s. 775.084. Emergency medical equipment means mechanical or electronic apparatus used to provide emergency services and care as defined in s. 395.002(9) or to treat medical emergencies. Law enforcement equipment means any property, device, or apparatus used by any law enforcement officer as defined in s. 943.10 in the officer's official business. However, if the property is stolen within a county that is subject to a state of emergency declared by the Governor under chapter 252, the theft is committed after the declaration

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88 of emergency is made, and the perpetration of the theft is  
89 facilitated by conditions arising from the emergency, the theft  
90 is a felony of the first degree, punishable as provided in s.  
91 775.082, s. 775.083, or s. 775.084. As used in this paragraph,  
92 the term "conditions arising from the emergency" means civil  
93 unrest, power outages, curfews, voluntary or mandatory  
94 evacuations, or a reduction in the presence of or response time  
95 for first responders or homeland security personnel. For  
96 purposes of sentencing under chapter 921, a felony offense that  
97 is reclassified under this paragraph is ranked one level above  
98 the ranking under s. 921.0022 or s. 921.0023 of the offense  
99 committed.

100 (c) It is grand theft of the third degree and a felony of  
101 the third degree, punishable as provided in s. 775.082, s.  
102 775.083, or s. 775.084, if the property stolen is:

- 103 1. Valued at \$1,000 ~~\$300~~ or more, but less than \$5,000.
- 104 2. Valued at \$5,000 or more, but less than \$10,000.
- 105 3. Valued at \$10,000 or more, but less than \$20,000.
- 106 4. A will, codicil, or other testamentary instrument.
- 107 5. A firearm.
- 108 6. A motor vehicle, except as provided in paragraph (a).
- 109 7. Any commercially farmed animal, including any animal of  
110 the equine, bovine, or swine class or other grazing animal; a  
111 bee colony of a registered beekeeper; and aquaculture species  
112 raised at a certified aquaculture facility. If the property  
113 stolen is aquaculture species raised at a certified aquaculture  
114 facility, then a \$10,000 fine shall be imposed.
- 115 8. Any fire extinguisher.
- 116 9. Any amount of citrus fruit consisting of 2,000 or more

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117 individual pieces of fruit.

118 10. Taken from a designated construction site identified by  
119 the posting of a sign as provided for in s. 810.09(2)(d).

120 11. Any stop sign.

121 12. Anhydrous ammonia.

122 13. Any amount of a controlled substance as defined in s.  
123 893.02. Notwithstanding any other law, separate judgments and  
124 sentences for theft of a controlled substance under this  
125 subparagraph and for any applicable possession of controlled  
126 substance offense under s. 893.13 or trafficking in controlled  
127 substance offense under s. 893.135 may be imposed when all such  
128 offenses involve the same amount or amounts of a controlled  
129 substance.

130

131 However, if the property is stolen within a county that is  
132 subject to a state of emergency declared by the Governor under  
133 chapter 252, the property is stolen after the declaration of  
134 emergency is made, and the perpetration of the theft is  
135 facilitated by conditions arising from the emergency, the  
136 offender commits a felony of the second degree, punishable as  
137 provided in s. 775.082, s. 775.083, or s. 775.084, if the  
138 property is valued at \$5,000 or more, but less than \$10,000, as  
139 provided under subparagraph 2., or if the property is valued at  
140 \$10,000 or more, but less than \$20,000, as provided under  
141 subparagraph 3. As used in this paragraph, the term "conditions  
142 arising from the emergency" means civil unrest, power outages,  
143 curfews, voluntary or mandatory evacuations, or a reduction in  
144 the presence of or the response time for first responders or  
145 homeland security personnel. For purposes of sentencing under

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146 chapter 921, a felony offense that is reclassified under this  
147 paragraph is ranked one level above the ranking under s.  
148 921.0022 or s. 921.0023 of the offense committed.

149 (d) It is grand theft of the third degree and a felony of  
150 the third degree, punishable as provided in s. 775.082, s.  
151 775.083, or s. 775.084, if the property stolen is valued at \$600  
152 ~~\$100~~ or more, but less than \$1,000 ~~\$300~~, and is taken from a  
153 dwelling as defined in s. 810.011(2) or from the unenclosed  
154 curtilage of a dwelling pursuant to s. 810.09(1).

155 (e) Except as provided in paragraph (d), if the property  
156 stolen is valued at \$600 ~~\$100~~ or more, but less than \$1,000  
157 ~~\$300~~, the offender commits petit theft of the first degree,  
158 punishable as a misdemeanor of the first degree, as provided in  
159 s. 775.082 or s. 775.083.

160 (3) (a) Theft of any property not specified in subsection  
161 (2) is petit theft of the second degree and a misdemeanor of the  
162 second degree, punishable as provided in s. 775.082 or s.  
163 775.083, and as provided in subsection (5), as applicable.

164 (e) If a law enforcement officer has probable cause to  
165 believe that a person has committed retail theft as defined in  
166 s. 812.015(1), the officer may issue a notice to appear in lieu  
167 of arresting the offender if the aggregate value of the  
168 merchandise stolen is less than \$1,000 and the offender has no  
169 previous criminal convictions. The officer may lawfully detain  
170 the offender until the offender's identity and criminal history  
171 have been provided to the officer to allow him or her to make an  
172 informed decision regarding whether to issue the notice to  
173 appear in lieu of arrest.

174 (f) A state attorney may establish a retail theft diversion

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175 program in the state attorney's office or may use an independent  
176 contractor for the purpose of diverting from prosecution  
177 offenders who meet the criteria set forth in paragraph (e).  
178 However, the establishment and operation of a diversion program  
179 does not supersede the authority of the state attorney to  
180 prosecute an offender for committing retail theft.

181 1. Upon receipt of a complaint or notice to appear alleging  
182 the crime of retail theft, a state attorney who operates a  
183 retail theft diversion program shall determine whether the  
184 offender is eligible for referral to the retail theft diversion  
185 program. In making such a determination, the state attorney  
186 shall consider:

187 a. The value of the merchandise stolen in the retail theft;  
188 b. The existence of other pending complaints or criminal  
189 charges against the offender;  
190 c. The strength of the evidence of the retail theft; and  
191 d. The victim's input.

192 2. Upon referral of the offender to the retail theft  
193 diversion program, the state attorney shall mail a copy of the  
194 notice to appear to the offender. The notice must contain:

195 a. The date and location of the alleged retail theft;  
196 b. The date before which the offender must contact the  
197 retail theft diversion program concerning the notice to appear;  
198 and  
199 c. A statement of the maximum penalty for the retail theft.

200 3. If the state attorney allows the offender to enter the  
201 retail theft diversion program, the state attorney shall enter  
202 into a written agreement with the offender to divert him or her  
203 from prosecution for retail theft. The diversion agreement must

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204 include all of the following conditions, which must be accepted  
205 by the offender:

206 a. Attendance and proof of completion of a program designed  
207 to assist, educate, and prevent future unlawful conduct by the  
208 offender;

209 b. Full restitution of the value of the retail theft, if a  
210 value is established;

211 c. Full payment of fees due under subparagraph 5.; and

212 d. A knowing and intelligent waiver of his or her right to  
213 a speedy trial for the period of his or her diversion.

214 4. An offender who does not fulfill all of the conditions  
215 imposed under subparagraph 3. may be prosecuted for the crime of  
216 retail theft.

217 5. The state attorney may collect a fee from each  
218 participating offender to fund the retail theft diversion  
219 program. The fee may not exceed \$250.

220 Section 2. Subsection (8) of section 812.015, Florida  
221 Statutes, is amended, and subsection (9) of that section is  
222 republished, to read:

223 812.015 Retail and farm theft; transit fare evasion;  
224 mandatory fine; alternative punishment; detention and arrest;  
225 exemption from liability for false arrest; resisting arrest;  
226 penalties.—

227 (8) Except as provided in subsection (9), a person who  
228 commits retail theft commits a felony of the third degree,  
229 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
230 if the property stolen is valued at \$1,000 ~~\$300~~ or more, and the  
231 person:

232 (a) Individually, or in concert with one or more other



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233 persons, coordinates the activities of one or more individuals  
234 in committing the offense, in which case the amount of each  
235 individual theft is aggregated to determine the value of the  
236 property stolen;

237 (b) Commits theft from more than one location within a 48-  
238 hour period, in which case the amount of each individual theft  
239 is aggregated to determine the value of the property stolen;

240 (c) Acts in concert with one or more other individuals  
241 within one or more establishments to distract the merchant,  
242 merchant's employee, or law enforcement officer in order to  
243 carry out the offense, or acts in other ways to coordinate  
244 efforts to carry out the offense; or

245 (d) Commits the offense through the purchase of merchandise  
246 in a package or box that contains merchandise other than, or in  
247 addition to, the merchandise purported to be contained in the  
248 package or box.

249 (9) A person commits a felony of the second degree,  
250 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
251 if the person:

252 (a) Violates subsection (8) and has previously been  
253 convicted of a violation of subsection (8); or

254 (b) Individually, or in concert with one or more other  
255 persons, coordinates the activities of one or more persons in  
256 committing the offense of retail theft where the stolen property  
257 has a value in excess of \$3,000.

258 Section 3. Paragraphs (b) and (e) of subsection (3) of  
259 section 921.0022, Florida Statutes, are amended to read:

260 921.0022 Criminal Punishment Code; offense severity ranking  
261 chart.-

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262 (3) OFFENSE SEVERITY RANKING CHART

263 (b) LEVEL 2

264

Florida  
Statute

Felony  
Degree

Description

265

379.2431  
(1) (e) 3.

3rd

Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.

266

379.2431  
(1) (e) 4.

3rd

Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.

267

403.413 (6) (c)

3rd

Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.

268

517.07 (2)

3rd

Failure to furnish a prospectus meeting requirements.

269

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270	590.28 (1)	3rd	Intentional burning of lands.
271	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
272	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
273	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
274	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
275	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.

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276 812.014 (2) (c) 1. 3rd Grand theft, 3rd degree;  
\$1,000 ~~\$300~~ or more but  
less than \$5,000.

277 812.014 (2) (d) 3rd Grand theft, 3rd degree;  
\$600 ~~\$100~~ or more but  
less than \$1,000 ~~\$300~~,  
taken from unenclosed  
curtilage of dwelling.

278 812.015 (7) 3rd Possession, use, or  
attempted use of an  
antishoplifting or  
inventory control device  
countermeasure.

279 817.234 (1) (a) 2. 3rd False statement in  
support of insurance  
claim.

280 817.481 (3) (a) 3rd Obtain credit or  
purchase with false,  
expired, counterfeit,  
etc., credit card, value  
over \$300.

281 817.52 (3) 3rd Failure to redeliver  
hired vehicle.

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	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
282	817.60 (5)	3rd	Dealing in credit cards of another.
283	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
284	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
285	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
286	831.01	3rd	Forgery.
287	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
288	831.07	3rd	Forging bank bills, checks, drafts, or

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promissory notes.

289

831.08

3rd

Possessing 10 or more  
forged notes, bills,  
checks, or drafts.

290

831.09

3rd

Uttering forged notes,  
bills, checks, drafts,  
or promissory notes.

291

831.11

3rd

Bringing into the state  
forged bank bills,  
checks, drafts, or  
notes.

292

832.05 (3) (a)

3rd

Cashing or depositing  
item with intent to  
defraud.

293

843.08

3rd

False personation.

294

893.13 (2) (a) 2.

3rd

Purchase of any s.  
893.03 (1) (c), (2) (c) 1.,  
(2) (c) 2., (2) (c) 3.,  
(2) (c) 5., (2) (c) 6.,  
(2) (c) 7., (2) (c) 8.,  
(2) (c) 9., (3), or (4)  
drugs other than  
cannabis.

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303

893.147(2)

3rd

Manufacture or delivery  
of drug paraphernalia.

(e) LEVEL 5

Florida  
Statute

Felony  
Degree

Description

316.027(2)(a)

3rd

Accidents involving  
personal injuries other  
than serious bodily  
injury, failure to stop;  
leaving scene.

316.1935(4)(a)

2nd

Aggravated fleeing or  
eluding.

322.34(6)

3rd

Careless operation of  
motor vehicle with  
suspended license,  
resulting in death or  
serious bodily injury.

327.30(5)

3rd

Vessel accidents  
involving personal  
injury; leaving scene.

379.367(4)

3rd

Willful molestation of a

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commercial harvester's  
 spiny lobster trap,  
 line, or buoy.

304

379.3671  
 (2) (c) 3.

3rd

Willful molestation,  
 possession, or removal  
 of a commercial  
 harvester's trap  
 contents or trap gear by  
 another harvester.

305

381.0041 (11) (b)

3rd

Donate blood, plasma, or  
 organs knowing HIV  
 positive.

306

440.10 (1) (g)

2nd

Failure to obtain  
 workers' compensation  
 coverage.

307

440.105 (5)

2nd

Unlawful solicitation  
 for the purpose of  
 making workers'  
 compensation claims.

308

440.381 (2)

2nd

Submission of false,  
 misleading, or  
 incomplete information  
 with the purpose of  
 avoiding or reducing



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workers' compensation  
premiums.

309

624.401 (4) (b) 2.

2nd

Transacting insurance  
without a certificate or  
authority; premium  
collected \$20,000 or  
more but less than  
\$100,000.

310

626.902 (1) (c)

2nd

Representing an  
unauthorized insurer;  
repeat offender.

311

790.01 (2)

3rd

Carrying a concealed  
firearm.

312

790.162

2nd

Threat to throw or  
discharge destructive  
device.

313

790.163 (1)

2nd

False report of deadly  
explosive or weapon of  
mass destruction.

314

790.221 (1)

2nd

Possession of short-  
barreled shotgun or  
machine gun.

315

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790.23

2nd

Felons in possession of firearms, ammunition, or electronic weapons or devices.

316

796.05 (1)

2nd

Live on earnings of a prostitute; 1st offense.

317

800.04 (6) (c)

3rd

Lewd or lascivious conduct; offender less than 18 years of age.

318

800.04 (7) (b)

2nd

Lewd or lascivious exhibition; offender 18 years of age or older.

319

806.111 (1)

3rd

Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.

320

812.0145 (2) (b)

2nd

Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.

321

812.015 (8)

3rd

Retail theft; property stolen is valued at \$1,000 ~~\$300~~ or more and

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one or more specified  
acts.

322

812.019(1)

2nd

Stolen property; dealing  
in or trafficking in.

323

812.131(2)(b)

3rd

Robbery by sudden  
snatching.

324

812.16(2)

3rd

Owning, operating, or  
conducting a chop shop.

325

817.034(4)(a)2.

2nd

Communications fraud,  
value \$20,000 to  
\$50,000.

326

817.234(11)(b)

2nd

Insurance fraud;  
property value \$20,000  
or more but less than  
\$100,000.

327

817.2341(1),  
(2)(a) & (3)(a)

3rd

Filing false financial  
statements, making false  
entries of material fact  
or false statements  
regarding property  
values relating to the  
solvency of an insuring  
entity.

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328

817.568 (2) (b)

2nd

Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.

329

817.625 (2) (b)

2nd

Second or subsequent fraudulent use of scanning device or reencoder.

330

825.1025 (4)

3rd

Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

331

827.071 (4)

2nd

Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct

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by a child.

332

827.071 (5)

3rd

Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.

333

839.13 (2) (b)

2nd

Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.

334

843.01

3rd

Resist officer with violence to person; resist arrest with violence.

335

847.0135 (5) (b)

2nd

Lewd or lascivious exhibition using computer; offender 18 years or older.

336

847.0137  
(2) & (3)

3rd

Transmission of pornography by electronic device or equipment.

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337

847.0138  
(2) & (3)

3rd

Transmission of material harmful to minors to a minor by electronic device or equipment.

338

874.05 (1) (b)

2nd

Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

339

874.05 (2) (a)

2nd

Encouraging or recruiting person under 13 years of age to join a criminal gang.

340

893.13 (1) (a) 1.

2nd

Sell, manufacture, or deliver cocaine (or other s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4. drugs).

341

893.13 (1) (c) 2.

2nd

Sell, manufacture, or deliver cannabis (or other s. 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5.,

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(2) (c) 6., (2) (c) 7.,  
 (2) (c) 8., (2) (c) 9., (3),  
 or (4) drugs) within  
 1,000 feet of a child  
 care facility, school,  
 or state, county, or  
 municipal park or  
 publicly owned  
 recreational facility or  
 community center.

342

893.13(1)(d)1.

1st

Sell, manufacture, or  
 deliver cocaine (or  
 other s. 893.03(1)(a),  
 (1)(b), (1)(d), (2)(a),  
 (2)(b), or (2)(c)4.  
 drugs) within 1,000 feet  
 of university.

343

893.13(1)(e)2.

2nd

Sell, manufacture, or  
 deliver cannabis or  
 other drug prohibited  
 under s. 893.03(1)(c),  
 (2)(c)1., (2)(c)2.,  
 (2)(c)3., (2)(c)5.,  
 (2)(c)6., (2)(c)7.,  
 (2)(c)8., (2)(c)9., (3),  
 or (4) within 1,000 feet  
 of property used for

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religious services or a  
specified business site.

344

893.13(1)(f)1.

1st

Sell, manufacture, or  
deliver cocaine (or  
other s. 893.03(1)(a),  
(1)(b), (1)(d), or  
(2)(a), (2)(b), or  
(2)(c)4. drugs) within  
1,000 feet of public  
housing facility.

345

893.13(4)(b)

2nd

Deliver to minor  
cannabis (or other s.  
893.03(1)(c), (2)(c)1.,  
(2)(c)2., (2)(c)3.,  
(2)(c)5., (2)(c)6.,  
(2)(c)7., (2)(c)8.,  
(2)(c)9., (3), or (4)  
drugs).

346

893.1351(1)

3rd

Ownership, lease, or  
rental for trafficking  
in or manufacturing of  
controlled substance.

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Section 4. For the purpose of incorporating the amendment  
made by this act to section 812.014, Florida Statutes, in a  
reference thereto, paragraph (b) of subsection (3) of section



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351 943.051, Florida Statutes, is reenacted to read:

352 943.051 Criminal justice information; collection and  
353 storage; fingerprinting.—

354 (3)

355 (b) A minor who is charged with or found to have committed  
356 the following offenses shall be fingerprinted and the  
357 fingerprints shall be submitted electronically to the  
358 department, unless the minor is issued a civil citation pursuant  
359 to s. 985.12:

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

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

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

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

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

366 6. Assault or battery on a law enforcement officer, a  
367 firefighter, or other specified officers, as defined in s.  
368 784.07(2)(a) and (b).

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

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

371 9. Unlawful possession of a firearm, as defined in s.  
372 790.22(5).

373 10. Petit theft, as defined in s. 812.014(3).

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

375 12. Arson, as defined in s. 806.031(1).

376 13. Unlawful possession or discharge of a weapon or firearm  
377 at a school-sponsored event or on school property, as provided  
378 in s. 790.115.

379 Section 5. This act shall take effect July 1, 2016.