

By the Committees on Fiscal Policy; and Criminal Justice; and
Senators Flores and Soto

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1 A bill to be entitled

2 An act relating to fraudulent activities associated
3 with payment systems; amending s. 316.80, F.S.;
4 revising the felony classification for unlawful
5 conveyance of fuel; amending s. 525.07, F.S.;
6 specifying requirements for managers of petroleum fuel
7 measuring devices with respect to accurate
8 measurement; requiring retail petroleum fuel measuring
9 devices fitted with scanning devices to have certain
10 security measures; providing requirements for such
11 measures; requiring the owner or operator of a device
12 to have certain security measures in place within a
13 specified timeframe upon notice from the Department of
14 Agriculture and Consumer Services; authorizing the
15 department, under certain circumstances, to prohibit
16 use of or to remove from service such devices that are
17 noncompliant; defining terms; providing applicability;
18 amending s. 817.611, F.S.; defining the term "related
19 document"; revising the prohibition against
20 trafficking in or possession of counterfeit credit
21 cards; revising penalties; amending s. 921.0022, F.S.;
22 revising the ranking of unlawful conveyance or
23 fraudulent acquisition of fuel on the offense severity
24 ranking chart; ranking trafficking in or possession of
25 counterfeit credit cards; providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Subsection (2) of section 316.80, Florida
30 Statutes, is amended to read:

31 316.80 Unlawful conveyance of fuel; obtaining fuel

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32 fraudulently.-

33 (2) A ~~Any~~ person who violates subsection (1) commits a
34 felony of the second ~~third~~ degree, punishable as provided in s.
35 775.082, s. 775.083, or s. 775.084, if he or she has attempted
36 to or has fraudulently obtained motor or diesel fuel by:

37 (a) Presenting a credit card or a credit card account
38 number in violation of ss. 817.57-817.685;

39 (b) Using unauthorized access to any computer network in
40 violation of s. 815.06; or

41 (c) Using a fraudulently scanned or lost or stolen payment
42 access device, whether credit card or contactless device.

43 Section 2. Subsections (3) and (4) of section 525.07,
44 Florida Statutes, are amended, and subsection (10) is added to
45 that section, to read:

46 525.07 Powers and duties of department; inspections;
47 unlawful acts.-

48 (3) Each person who owns or manages ~~All persons who own or~~
49 ~~operate~~ a petroleum fuel measuring device shall be responsible
50 for ensuring accurate measure by the device within the
51 tolerances defined by the rule. An appropriate security seal
52 shall be placed on all measuring devices found to be giving
53 accurate measure within the tolerances defined by the department
54 in such a way that the metering adjustment cannot be changed
55 without breaking the seal.

56 (4) A ~~Any~~ measuring device that is found to be operating
57 outside the tolerances defined by the department shall be deemed
58 inaccurate and the department, at its discretion, shall either:

59 (a) Give, in writing, the ~~operator or~~ owner or manager of
60 the measuring device a reasonable time to repair the measuring

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61 device; or

62 (b) Condemn or prohibit the further use of the measuring
63 device by using an appropriate security seal to obstruct the
64 mechanism so that it cannot be operated without breaking the
65 seal. The measuring device shall not be operated in this state
66 again without the written consent of the department.

67 (10) (a) Each person who owns or manages a retail petroleum
68 fuel measuring device shall have affixed to or installed onto
69 the measuring device a security measure to restrict the
70 unauthorized access of customer payment card information. The
71 security measure must include one or more of the following:

72 1. The placement of pressure-sensitive security tape over
73 the panel opening that leads to the scanning device for the
74 retail petroleum fuel measuring device in a manner that will
75 restrict the unauthorized opening of the panel.

76 2. A device or system that will render the retail petroleum
77 fuel measuring device or the scanning device in the measuring
78 device inoperable if there is an unauthorized opening of the
79 panel.

80 3. A device or system that encrypts the customer payment
81 card information in the scanning device.

82 4. Another security measure approved by the department.

83 (b) The owner or manager of a retail petroleum fuel
84 measuring device without a security measure or with an altered
85 or damaged security measure, upon written notice from the
86 department of such noncompliance, shall have 5 calendar days to
87 comply with this subsection. After the fifth day of
88 noncompliance, the department may prohibit further use of the
89 retail petroleum fuel measuring device until a security measure

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90 is installed, replaced, or repaired. A repeat violation found on
91 the same retail petroleum fuel measuring device will be cause
92 for the department to immediately take the measuring device out
93 of service.

94 (c) For purposes of this subsection, the terms "scanning
95 device" and "payment card" have the same meanings as defined in
96 s. 817.625.

97 (d) This subsection applies only to retail petroleum fuel
98 measuring devices that have a scanning device.

99 Section 3. Section 817.611, Florida Statutes, is amended to
100 read:

101 817.611 Traffic in or possess counterfeit credit cards.—

102 (1) As used in this section, the term "related document"
103 means an invoice, a voucher, a sales draft, or other
104 representation or manifestation of a counterfeit credit card or
105 a credit card number of a cardholder if not authorized by the
106 cardholder.

107 (2) A ~~Any~~ person who traffics in, ~~or~~ attempts to traffic
108 in, or possesses ~~10 or more~~ counterfeit credit cards or related
109 documents, invoices, vouchers, sales drafts, or other
110 representations or manifestations of counterfeit credit cards,
111 or credit card account numbers of another in any 6-month period
112 is guilty of:

113 (a) A felony of the second degree, punishable as provided
114 in s. 775.082, s. 775.083, or s. 775.084, if the person traffics
115 in, attempts to traffic in, or possesses 5 to 14 counterfeit
116 credit cards or related documents.

117 (b) A felony of the first degree, punishable as provided in
118 s. 775.082, s. 775.083, or s. 775.084, if the person traffics

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119 in, attempts to traffic in, or possesses 15 to 49 counterfeit
 120 credit cards or related documents.

121 (c) A felony of the first degree, punishable as provided in
 122 s. 775.082, s. 775.083, or s. 775.084, if the person traffics
 123 in, attempts to traffic in, or possesses 50 or more counterfeit
 124 credit cards or related documents.

125 Section 4. Paragraphs (e), (g), and (i) of subsection (3)
 126 of section 921.0022, Florida Statutes, are amended to read:

127 921.0022 Criminal Punishment Code; offense severity ranking
 128 chart.—

129 (3) OFFENSE SEVERITY RANKING CHART

130 (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.
<u>316.80 (2)</u>	<u>2nd</u>	<u>Unlawful conveyance;</u> <u>obtaining fuel</u> <u>fraudulently.</u>

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322.34 (6)

3rd

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

136

327.30 (5)

3rd

Vessel accidents involving personal injury; leaving scene.

137

379.367 (4)

3rd

Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

138

379.3671
(2) (c) 3.

3rd

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

139

381.0041 (11) (b)

3rd

Donate blood, plasma, or organs knowing HIV positive.

140

440.10 (1) (g)

2nd

Failure to obtain workers' compensation coverage.

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141

440.105 (5) 2nd Unlawful solicitation for the purpose of making workers' compensation claims.

142

440.381 (2) 2nd Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.

143

624.401 (4) (b) 2. 2nd Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

144

626.902 (1) (c) 2nd Representing an unauthorized insurer; repeat offender.

145

790.01 (2) 3rd Carrying a concealed firearm.

146

790.162 2nd Threat to throw or

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discharge destructive
device.

147

790.163 (1)

2nd

False report of deadly
explosive or weapon of
mass destruction.

148

790.221 (1)

2nd

Possession of short-
barreled shotgun or
machine gun.

149

790.23

2nd

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

150

796.05 (1)

2nd

Live on earnings of a
prostitute; 1st offense.

151

800.04 (6) (c)

3rd

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

152

800.04 (7) (b)

2nd

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

153

806.111 (1)

3rd

Possess, manufacture, or
dispense fire bomb with

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intent to damage any
structure or property.

154

812.0145 (2) (b)

2nd

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

155

812.015 (8)

3rd

Retail theft; property
stolen is valued at \$300
or more and one or more
specified acts.

156

812.019 (1)

2nd

Stolen property; dealing
in or trafficking in.

157

812.131 (2) (b)

3rd

Robbery by sudden
snatching.

158

812.16 (2)

3rd

Owning, operating, or
conducting a chop shop.

159

817.034 (4) (a) 2.

2nd

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

160

817.234 (11) (b)

2nd

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

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\$100,000.

161

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.

162

817.611 (2) (a)

2nd

Traffic in or possess 5 to 14 counterfeit credit cards or related documents.

163

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.

164

817.625 (2) (b)

2nd

Second or subsequent

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fraudulent use of
scanning device or
reencoder.

165

825.1025 (4)

3rd

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

166

827.071 (4)

2nd

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

167

827.071 (5)

3rd

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

168

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.

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13 years of age to join
a criminal gang.

175

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).

176

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.,
(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.

177

893.13(1)(d)1.

1st

Sell, manufacture, or
deliver cocaine (or
other s. 893.03(1)(a),

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(1) (b), (1) (d), (2) (a),
 (2) (b), or (2) (c) 4.
 drugs) within 1,000 feet
 of university.

178

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
 religious services or a
 specified business site.

179

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.

180

893.13 (4) (b)

2nd

Deliver to minor
 cannabis (or other s.

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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).

181

893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
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182

183

184 (g) LEVEL 7

185

Florida Statute	Felony Degree	Description
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186

316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
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187

316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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188

316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton
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disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

189

327.35 (3) (c) 2.

3rd

Vessel BUI resulting in serious bodily injury.

190

402.319 (2)

2nd

Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

191

409.920
(2) (b) 1.a.

3rd

Medicaid provider fraud; \$10,000 or less.

192

409.920
(2) (b) 1.b.

2nd

Medicaid provider fraud; more than \$10,000, but less than \$50,000.

193

456.065 (2)

3rd

Practicing a health care profession without a license.

194

456.065 (2)

2nd

Practicing a health care

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profession without a
license which results in
serious bodily injury.

195

458.327 (1)

3rd

Practicing medicine
without a license.

196

459.013 (1)

3rd

Practicing osteopathic
medicine without a
license.

197

460.411 (1)

3rd

Practicing chiropractic
medicine without a
license.

198

461.012 (1)

3rd

Practicing podiatric
medicine without a
license.

199

462.17

3rd

Practicing naturopathy
without a license.

200

463.015 (1)

3rd

Practicing optometry
without a license.

201

464.016 (1)

3rd

Practicing nursing without
a license.

202

465.015 (2)

3rd

Practicing pharmacy

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			without a license.
203	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
204	467.201	3rd	Practicing midwifery without a license.
205	468.366	3rd	Delivering respiratory care services without a license.
206	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
207	483.901 (9)	3rd	Practicing medical physics without a license.
208	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
209	484.053	3rd	Dispensing hearing aids without a license.
210	494.0018 (2)	1st	Conviction of any violation of chapter 494

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in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

211

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.

212

560.125 (5) (a)

3rd

Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

213

655.50 (10) (b) 1.

3rd

Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

214

775.21 (10) (a)

3rd

Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.

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215
216
217
218
219
220

775.21 (10) (b)

3rd

Sexual predator working where children regularly congregate.

775.21 (10) (g)

3rd

Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.

782.051 (3)

2nd

Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

782.07 (1)

2nd

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

782.071

2nd

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

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	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
221	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
222	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
223	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
224	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
225	784.048 (7)	3rd	Aggravated stalking; violation of court order.
226	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
227	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators

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facility staff.

228

784.08 (2) (a)

1st

Aggravated battery on a person 65 years of age or older.

229

784.081 (1)

1st

Aggravated battery on specified official or employee.

230

784.082 (1)

1st

Aggravated battery by detained person on visitor or other detainee.

231

784.083 (1)

1st

Aggravated battery on code inspector.

232

787.06 (3) (a) 2.

1st

Human trafficking using coercion for labor and services of an adult.

233

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.

234

790.07 (4)

1st

Specified weapons

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violation subsequent to
previous conviction of s.
790.07(1) or (2).

235

790.16(1)

1st

Discharge of a machine gun
under specified
circumstances.

236

790.165(2)

2nd

Manufacture, sell,
possess, or deliver hoax
bomb.

237

790.165(3)

2nd

Possessing, displaying, or
threatening to use any
hoax bomb while committing
or attempting to commit a
felony.

238

790.166(3)

2nd

Possessing, selling,
using, or attempting to
use a hoax weapon of mass
destruction.

239

790.166(4)

2nd

Possessing, displaying, or
threatening to use a hoax
weapon of mass destruction
while committing or
attempting to commit a
felony.

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younger than 16 years of age; offender 18 years of age or older.

246

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.

247

806.01 (2)

2nd

Maliciously damage structure by fire or explosive.

248

810.02 (3) (a)

2nd

Burglary of occupied dwelling; unarmed; no assault or battery.

249

810.02 (3) (b)

2nd

Burglary of unoccupied dwelling; unarmed; no assault or battery.

250

810.02 (3) (d)

2nd

Burglary of occupied conveyance; unarmed; no assault or battery.

251

810.02 (3) (e)

2nd

Burglary of authorized

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emergency vehicle.

252

812.014 (2) (a) 1.

1st

Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.

253

812.014 (2) (b) 2.

2nd

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

254

812.014 (2) (b) 3.

2nd

Property stolen, emergency medical equipment; 2nd degree grand theft.

255

812.014 (2) (b) 4.

2nd

Property stolen, law enforcement equipment from authorized emergency vehicle.

256

812.0145 (2) (a)

1st

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

257

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	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
258	812.131 (2) (a)	2nd	Robbery by sudden snatching.
259	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
260	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
261	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
262	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
263	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
264			

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817.2341

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.

(2) (b) & (3) (b)

265

817.535 (2) (a)

3rd

Filing false lien or other unauthorized document.

266

817.611 (2) (b)

1st

Traffic in or possess 15 to 49 counterfeit credit cards or related documents.

267

825.102 (3) (b)

2nd

Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

268

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.

269

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270 827.03 (2) (b) 2nd Neglect of a child causing
great bodily harm,
disability, or
disfigurement.

271 827.04 (3) 3rd Impregnation of a child
under 16 years of age by
person 21 years of age or
older.

272 837.05 (2) 3rd Giving false information
about alleged capital
felony to a law
enforcement officer.

273 838.015 2nd Bribery.

274 838.016 2nd Unlawful compensation or
reward for official
behavior.

275 838.021 (3) (a) 2nd Unlawful harm to a public
servant.

276 838.22 2nd Bid tampering.

277 843.0855 (2) 3rd Impersonation of a public
officer or employee.

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278	843.0855 (3)	3rd	Unlawful simulation of legal process.
279	843.0855 (4)	3rd	Intimidation of a public officer or employee.
280	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
281	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
282	872.06	2nd	Abuse of a dead human body.
283	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

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drugs).

287

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

288

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

289

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

290

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

291

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

292

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

293

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

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294
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299
300

893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.

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893.135

1st

Trafficking in
Phenethylamines, 10 grams
or more, less than 200
grams.

(1) (k) 2.a.

301

893.1351 (2)

2nd

Possession of place for
trafficking in or
manufacturing of
controlled substance.

302

896.101 (5) (a)

3rd

Money laundering,
financial transactions
exceeding \$300 but less
than \$20,000.

303

896.104 (4) (a) 1.

3rd

Structuring transactions
to evade reporting or
registration requirements,
financial transactions
exceeding \$300 but less
than \$20,000.

304

943.0435 (4) (c)

2nd

Sexual offender vacating
permanent residence;
failure to comply with
reporting requirements.

305

943.0435 (8)

2nd

Sexual offender; remains
in state after indicating

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intent to leave; failure to comply with reporting requirements.

306

943.0435 (9) (a)

3rd

Sexual offender; failure to comply with reporting requirements.

307

943.0435 (13)

3rd

Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

308

943.0435 (14)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

309

944.607 (9)

3rd

Sexual offender; failure to comply with reporting requirements.

310

944.607 (10) (a)

3rd

Sexual offender; failure to submit to the taking of a digitized photograph.

311

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312 944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

313 944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

314 985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

315 985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

315 985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

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323
324

(i) LEVEL 9

Florida Statute	Felony Degree	Description
316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.

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325

560.125 (5) (c) 1st Money transmitter
business by unauthorized
person, currency, or
payment instruments
totaling or exceeding
\$100,000.

326

655.50 (10) (b) 3. 1st Failure to report
financial transactions
totaling or exceeding
\$100,000 by financial
institution.

327

775.0844 1st Aggravated white collar
crime.

328

782.04 (1) 1st Attempt, conspire, or
solicit to commit
premeditated murder.

329

782.04 (3) 1st, PBL Accomplice to murder in
connection with arson,
sexual battery, robbery,
burglary, aggravated
fleeing or eluding with
serious bodily injury or
death, and other
specified felonies.

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330

782.051(1) 1st Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).

331

782.07(2) 1st Aggravated manslaughter of an elderly person or disabled adult.

332

787.01(1)(a)1. 1st,PBL Kidnapping; hold for ransom or reward or as a shield or hostage.

333

787.01(1)(a)2. 1st,PBL Kidnapping with intent to commit or facilitate commission of any felony.

334

787.01(1)(a)4. 1st,PBL Kidnapping with intent to interfere with performance of any governmental or political function.

335

787.02(3)(a) 1st,PBL False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual

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battery, or lewd or lascivious battery, molestation, conduct, or exhibition.

336

787.06(3)(c)1.

1st

Human trafficking for labor and services of an unauthorized alien child.

337

787.06(3)(d)

1st

Human trafficking using coercion for commercial sexual activity of an unauthorized adult alien.

338

787.06(3)(f)1.

1st,PBL

Human trafficking for commercial sexual activity by the transfer or transport of any child from outside Florida to within the state.

339

790.161

1st

Attempted capital destructive device offense.

340

790.166(2)

1st,PBL

Possessing, selling, using, or attempting to use a weapon of mass destruction.

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341
342
343
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345
346

794.011 (2)	1st	Attempted sexual battery; victim less than 12 years of age.
794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
794.011 (4) (a)	1st, PBL	Sexual battery, certain circumstances; victim 12 years of age or older but younger than 18 years; offender 18 years or older.
794.011 (4) (b)	1st	Sexual battery, certain circumstances; victim and offender 18 years of age or older.
794.011 (4) (c)	1st	Sexual battery, certain circumstances; victim 12 years of age or older; offender younger than 18 years.

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347	794.011 (4) (d)	1st,PBL	Sexual battery, certain circumstances; victim 12 years of age or older; prior conviction for specified sex offenses.
348	794.011 (8) (b)	1st,PBL	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
349	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
350	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
351	812.13 (2) (a)	1st,PBL	Robbery with firearm or other deadly weapon.
352	812.133 (2) (a)	1st,PBL	Carjacking; firearm or other deadly weapon.
352	812.135 (2) (b)	1st	Home-invasion robbery

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with weapon.

353

817.535 (3) (b)

1st

Filing false lien or other unauthorized document; second or subsequent offense; property owner is a public officer or employee.

354

817.535 (4) (a) 2.

1st

Filing false claim or other unauthorized document; defendant is incarcerated or under supervision.

355

817.535 (5) (b)

1st

Filing false lien or other unauthorized document; second or subsequent offense; owner of the property incurs financial loss as a result of the false instrument.

356

817.568 (7)

2nd,
PBL

Fraudulent use of personal identification information of an individual under the age

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of 18 by his or her
parent, legal guardian,
or person exercising
custodial authority.

357

817.611 (2) (c)

1st

Traffic in or possess 50
or more counterfeit
credit cards or related
documents.

358

827.03 (2) (a)

1st

Aggravated child abuse.

359

847.0145 (1)

1st

Selling, or otherwise
transferring custody or
control, of a minor.

360

847.0145 (2)

1st

Purchasing, or otherwise
obtaining custody or
control, of a minor.

361

859.01

1st

Poisoning or introducing
bacteria, radioactive
materials, viruses, or
chemical compounds into
food, drink, medicine, or
water with intent to kill
or injure another person.

362

893.135

1st

Attempted capital

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trafficking offense.

363

893.135 (1) (a) 3.

1st

Trafficking in cannabis,
more than 10,000 lbs.

364

893.135
(1) (b) 1.c.

1st

Trafficking in cocaine,
more than 400 grams, less
than 150 kilograms.

365

893.135
(1) (c) 1.c.

1st

Trafficking in illegal
drugs, more than 28
grams, less than 30
kilograms.

366

893.135
(1) (c) 2.d.

1st

Trafficking in
hydrocodone, 200 grams or
more, less than 30
kilograms.

367

893.135
(1) (c) 3.d.

1st

Trafficking in oxycodone,
100 grams or more, less
than 30 kilograms.

368

893.135
(1) (d) 1.c.

1st

Trafficking in
phencyclidine, more than
400 grams.

369

893.135
(1) (e) 1.c.

1st

Trafficking in
methaqualone, more than

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25 kilograms.

370

893.135
(1) (f) 1.c.

1st

Trafficking in
amphetamine, more than
200 grams.

371

893.135
(1) (h) 1.c.

1st

Trafficking in gamma-
hydroxybutyric acid
(GHB), 10 kilograms or
more.

372

893.135
(1) (j) 1.c.

1st

Trafficking in 1,4-
Butanediol, 10 kilograms
or more.

373

893.135
(1) (k) 2.c.

1st

Trafficking in
Phenethylamines, 400
grams or more.

374

896.101 (5) (c)

1st

Money laundering,
financial instruments
totaling or exceeding
\$100,000.

375

896.104 (4) (a) 3.

1st

Structuring transactions
to evade reporting or
registration
requirements, financial
transactions totaling or

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exceeding \$100,000.

376

377

378

Section 5. This act shall take effect October 1, 2016.