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HB 1031

2017 Legislature

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 2 An act relating to marine turtle protection; amending
 3 s. 921.0022, F.S.; ranking and revising the
 4 description of criminal violations of the Marine
 5 Turtle Protection Act in the offense severity ranking
 6 chart of the Criminal Punishment Code; providing an
 7 effective date.
 8

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

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 11 Section 1. Paragraph (c) of subsection (3) of section
 12 921.0022, Florida Statutes, is amended to read:

13 921.0022 Criminal Punishment Code; offense severity
 14 ranking chart.—

15 (3) OFFENSE SEVERITY RANKING CHART

16 (c) LEVEL 3

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Florida	Felony	Description
Statute	Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066	3rd	Unlawfully obtaining or using

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ENROLLED

HB 1031

2017 Legislature

20	(3) (b) - (d)		confidential crash reports.
21	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
22	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
23	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
24	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
25	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
26	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.

ENROLLED

HB 1031

2017 Legislature

27	327.35 (2) (b)	3rd	Felony BUI.
28	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
29	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
30	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
31	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.

ENROLLED

HB 1031

2017 Legislature

32	379.2431 (1) (e) 6.	3rd	<u>Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described</u> in Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
33	<u>379.2431(1) (e) 7.</u>	3rd	<u>Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.</u>
34	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
35	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
	440.1051 (3)	3rd	False report of workers' compensation fraud or

ENROLLED

HB 1031

2017 Legislature

			retaliation for making such a report.
36	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
37	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
38	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
39	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
40	697.08	3rd	Equity skimming.
41	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
42			

ENROLLED

HB 1031

2017 Legislature

43	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
44	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
45	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
46	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
47	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
48	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud

ENROLLED

HB 1031

2017 Legislature

			Act), property valued at less than \$20,000.
49	817.233	3rd	Burning to defraud insurer.
50	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
51	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
52	817.236	3rd	Filing a false motor vehicle insurance application.
53	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
54	817.413 (2)	3rd	Sale of used goods as new.
55	817.505 (4)	3rd	Patient brokering.
56	828.12 (2)	3rd	Tortures any animal with intent

ENROLLED

HB 1031

2017 Legislature

57			to inflict intense pain, serious physical injury, or death.
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
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	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
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	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
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	843.19	3rd	Injure, disable, or kill police dog or horse.
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	860.15 (3)	3rd	Overcharging for repairs and parts.
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	870.01 (2)	3rd	Riot; inciting or encouraging.
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	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver

ENROLLED

HB 1031

2017 Legislature

64	893.13(1)(d)2.	2nd	<p>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).</p> <p>Sell, manufacture, or deliver 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 university.</p>
65	893.13(1)(f)2.	2nd	<p>Sell, manufacture, or deliver 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 public housing facility.</p>
66	893.13(4)(c)	3rd	<p>Use or hire of minor; deliver to minor other controlled substances.</p>

ENROLLED

HB 1031

2017 Legislature

67	893.13 (6) (a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
68	893.13 (7) (a) 8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
69	893.13 (7) (a) 9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
70	893.13 (7) (a) 10.	3rd	Affix false or forged label to package of controlled substance.
71	893.13 (7) (a) 11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
72	893.13 (8) (a) 1.	3rd	Knowingly assist a patient,

ENROLLED

HB 1031

2017 Legislature

73	893.13(8)(a)2.	3rd	<p>other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.</p>
74	893.13(8)(a)3.	3rd	<p>Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.</p>
75	893.13(8)(a)4.	3rd	<p>Knowingly write a prescription for a controlled substance for a fictitious person.</p> <p>Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the</p>

ENROLLED

HB 1031

2017 Legislature

76			practitioner.
	918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
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	944.47 (1)(a)1. & 2.	3rd	Introduce contraband to correctional facility.
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	944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
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	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
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81	Section 2. This act shall take effect July 1, 2017.		