

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION _____ (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER _____

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Donalds offered the following:

4
 5 **Amendment**
 6 Remove lines 141-178 and insert:
 7 Section 3. Paragraphs (a), (b), (d), (e), and (f) of
 8 subsection (3) of section 921.0022, Florida Statutes, are
 9 amended to read:

10 921.0022 Criminal Punishment Code; offense severity
 11 ranking chart.—

12 (3) OFFENSE SEVERITY RANKING CHART

13 (a) LEVEL 1

14

Florida	Felony	
Statute	Degree	Description

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 589 (2019)

Amendment No.

15
16
17
18
19
20
21

- 24.118(3) (a) 3rd Counterfeit or altered state
lottery ticket.
- 212.054(2) (b) 3rd Discretionary sales surtax;
limitations, administration,
and collection.
- 212.15(2) (b) 3rd Failure to remit sales taxes,
amount greater than \$300 but
less than \$20,000.
- 316.1935(1) 3rd Fleeing or attempting to elude
law enforcement officer.
- 319.30(5) 3rd Sell, exchange, give away
certificate of title or
identification number plate.
- 319.35(1) (a) 3rd Tamper, adjust, change, etc.,
an odometer.
- 320.26(1) (a) 3rd Counterfeit, manufacture, or
sell registration license
plates or validation stickers.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 589 (2019)

Amendment No.

22	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
23	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
24	322.212 (5) (a)	3rd	False application for driver license or identification card.
25	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
26	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
27	509.151 (1)	3rd	Defraud an innkeeper, food or

Amendment No.

			lodging value greater than \$300.
28	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
29	562.27 (1)	3rd	Possess still or still apparatus.
30	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
31	812.014 (3) (c)	3rd	Petit theft (3rd <u>or subsequent adult conviction in specified period</u>); theft of any property not specified in subsection (2).
32	812.081 (2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
33	815.04 (5) (a)	3rd	Offense against intellectual

Amendment No.

			property (i.e., computer programs, data).
34	817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
35	817.569(2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
36	826.01	3rd	Bigamy.
37	828.122(3)	3rd	Fighting or baiting animals.
38	831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
39	831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 589 (2019)

Amendment No.

40	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
41	832.05(2)(b) & (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
42	838.15(2)	3rd	Commercial bribe receiving.
43	838.16	3rd	Commercial bribery.
44	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
45	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
46	849.01	3rd	Keeping gambling house.
47	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or

163357 - h0589-line141.docx

Published On: 3/4/2019 6:16:52 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 589 (2019)

Amendment No.

48			advertise drawing for prizes, or dispose of property or money by means of lottery.
49	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
50	849.25(2)	3rd	Engaging in bookmaking.
51	860.08	3rd	Interfere with a railroad signal.
52	860.13(1)(a)	3rd	Operate aircraft while under the influence.
53	893.13(2)(a)2.	3rd	Purchase of cannabis.
54	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
55	934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.

163357 - h0589-line141.docx

Published On: 3/4/2019 6:16:52 PM

Amendment No.

56 57	(b) LEVEL 2	Felony	Description
58	Florida Statute	Degree	Description
59	379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
60	379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
61	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.
62	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
	590.28 (1)	3rd	Intentional burning of lands.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 589 (2019)

Amendment No.

63	784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
64	787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
65	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
66	810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
67	810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
68	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; <u>\$1,000</u>

163357 - h0589-line141.docx

Published On: 3/4/2019 6:16:52 PM

Amendment No.

69			\$300 or more but less than \$5,000.
812.014 (2) (d)	3rd	Grand theft, 3rd degree; <u>\$1,000</u> \$100 or more but less than <u>\$5,000</u> \$300 , taken from unenclosed curtilage of dwelling.	
70	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
71	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
72	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
73	817.52 (3)	3rd	Failure to redeliver hired vehicle.
74			

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 589 (2019)

Amendment No.

75	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
76	817.60 (5)	3rd	Dealing in credit cards of another.
77	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
78	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
79	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
80	831.01	3rd	Forgery.
81	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
	831.07	3rd	Forging bank bills, checks,

163357 - h0589-line141.docx

Published On: 3/4/2019 6:16:52 PM

Amendment No.

			drafts, or promissory notes.
82	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
83	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
84	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
85	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
86	843.08	3rd	False personation.
87	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) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs other than cannabis.

Amendment No.

88	893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.
89			
90	(d) LEVEL 4		
91			
	Florida	Felony	
	Statute	Degree	Description
92			
	316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
93			
	499.0051(1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.
94			
	499.0051(5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
95			

Amendment No.

96	517.07(1)	3rd	Failure to register securities.
97	517.12(1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
98	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
99	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
100	784.075	3rd	Battery on detention or commitment facility staff.
101	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
102	784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
103	784.081(3)	3rd	Battery on specified official or employee.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 589 (2019)

Amendment No.

104	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
105	784.083 (3)	3rd	Battery on code inspector.
106	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
107	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
108	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
109	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 589 (2019)

Amendment No.

110	787.07	3rd	Human smuggling.
111	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
112	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
113	790.115 (2) (c)	3rd	Possessing firearm on school property.
114	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
115	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 589 (2019)

Amendment No.

116	810.06	3rd	Burglary; possession of tools.
117	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
118	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
119	812.014 (2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
120	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
121	817.505(4)(a)	3rd	Patient brokering.
122	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
123			

163357 - h0589-line141.docx

Published On: 3/4/2019 6:16:52 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 589 (2019)

Amendment No.

124	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
125	817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
126	817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.
127	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
128	837.02 (1)	3rd	Perjury in official proceedings.
129	837.021 (1)	3rd	Make contradictory statements in official proceedings.
130	838.022	3rd	Official misconduct.
	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and

163357 - h0589-line141.docx

Published On: 3/4/2019 6:16:52 PM

Amendment No.

custody of a state agency.

131

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

132

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

133

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

134

843.15(1)(a) 3rd Failure to appear while on bail
for felony (bond estreature or
bond jumping).

135

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

136

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

Amendment No.

gang.

137

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)5.
drugs).

138

914.14(2) 3rd Witnesses accepting bribes.

139

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

140

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

141

918.12 3rd Tampering with jurors.

142

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

143

144 (e) LEVEL 5

145

Florida	Felony	Description
---------	--------	-------------

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 589 (2019)

Amendment No.

	Statute	Degree	
146	316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
147	316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
148	316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
149	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
150	327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
151	379.365(2)(c)1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in

Amendment No.

such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.

152

379.367(4) 3rd Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

153

379.407(5)(b)3. 3rd Possession of 100 or more undersized spiny lobsters.

154

381.0041(11)(b) 3rd Donate blood, plasma, or organs knowing HIV positive.

155

440.10(1)(g) 2nd Failure to obtain workers'

Amendment No.

compensation coverage.

156

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

157

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

158

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

159

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

160

790.01 (2) 3rd Carrying a concealed firearm.

161

790.162 2nd Threat to throw or discharge destructive device.

162

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 589 (2019)

Amendment No.

163	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
164	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
165	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
166	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
167	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
168	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent

163357 - h0589-line141.docx

Published On: 3/4/2019 6:16:52 PM

Amendment No.

to damage any structure or
property.

169

812.0145(2) (b) 2nd Theft from person 65 years of
age or older; \$10,000 or more
but less than \$50,000.

170

812.015(8) 3rd Retail theft; property stolen
is valued at \$1,000 ~~\$300~~ or
more and one or more specified
acts.

171

812.019(1) 2nd Stolen property; dealing in or
trafficking in.

172

812.131(2) (b) 3rd Robbery by sudden snatching.

173

812.16(2) 3rd Owning, operating, or
conducting a chop shop.

174

817.034(4) (a) 2. 2nd Communications fraud, value
\$20,000 to \$50,000.

175

817.234(11) (b) 2nd Insurance fraud; property value
\$20,000 or more but less than

Amendment No.

\$100,000.

176

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.

177

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.

178

817.611 (2) (a)

2nd

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

179

817.625 (2) (b)

2nd

Second or subsequent fraudulent use of scanning device,

Amendment No.

skimming device, or reencoder.

180

825.1025(4) 3rd Lewd or lascivious exhibition
in the presence of an elderly
person or disabled adult.

181

827.071(4) 2nd Possess with intent to promote
any photographic material,
motion picture, etc., which
includes sexual conduct by a
child.

182

827.071(5) 3rd Possess, control, or
intentionally view any
photographic material, motion
picture, etc., which includes
sexual conduct by a child.

183

828.12(2) 3rd Tortures any animal with intent
to inflict intense pain,
serious physical injury, or
death.

184

839.13(2)(b) 2nd Falsifying records of an
individual in the care and

Amendment No.

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

191

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)5.
drugs).

192

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)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (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.

193

893.13(1)(d)1. 1st Sell, manufacture, or deliver
cocaine (or other s.
893.03(1)(a), (1)(b), (1)(d),

Amendment No.

(2) (a), (2) (b), or (2) (c) 5.
 drugs) within 1,000 feet of
 university.

194

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) 6.,
 (2) (c) 7., (2) (c) 8., (2) (c) 9.,
 (2) (c) 10., (3), or (4) within
 1,000 feet of property used for
 religious services or a
 specified business site.

195

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) 5.
 drugs) within 1,000 feet of
 public housing facility.

196

893.13(4) (b) 2nd Use or hire of minor; deliver
 to minor other controlled
 substance.

Amendment No.

197

893.1351(1)

3rd

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

198