

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Tomkow offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

6 Section 1. Section 843.19, Florida Statutes, is amended to
7 read:

8 843.19 Offenses against police canines ~~dogs~~, fire canines
9 ~~dogs~~, SAR canines ~~dogs~~, or police horses.-

10 (1) As used in this section, the term:

11 (a) "Police canine ~~dog~~" means any canine ~~dog~~, and "police
 12 horse" means any horse, that is owned, or the service of which
 13 is employed, by a law enforcement agency or a correctional
 14 agency for the principal purpose of aiding in the detection of
 15 criminal activity, enforcement of laws, or apprehension of
 16 offenders.

Amendment No.

17 (b) "Fire canine ~~dog~~" means any canine ~~dog~~ that is owned,
18 or the service of which is employed, by a fire department, a
19 special fire district, or the State Fire Marshal for the
20 principal purpose of aiding in the detection of flammable
21 materials or the investigation of fires.

22 (c) "SAR canine ~~dog~~" means any search and rescue canine
23 ~~dog~~ that is owned, or the service of which is employed utilized,
24 by a fire department, a law enforcement agency, a correctional
25 agency, a special fire district, or the State Fire Marshal for
26 the principal purpose of aiding in the detection of missing
27 persons, including, but not limited to, persons who are lost,
28 who are trapped under debris as the result of a natural,
29 manmade, or technological disaster, or who are drowning victims.

30 (2) Any person who intentionally and knowingly, without
31 lawful cause or justification, causes great bodily harm,
32 permanent disability, or death to, or uses a deadly weapon upon,
33 a police canine ~~dog~~, fire canine ~~dog~~, SAR canine ~~dog~~, or police
34 horse commits a felony of the second ~~third~~ degree, punishable as
35 provided in s. 775.082, s. 775.083, or s. 775.084.

36 (3) Any person who actually and intentionally maliciously
37 touches, strikes, or causes bodily harm to a police canine ~~dog~~,
38 fire canine ~~dog~~, SAR canine ~~dog~~, or police horse commits a
39 misdemeanor of the first degree, punishable as provided in s.
40 775.082 or s. 775.083.

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Amendment No.

41 (4) Any person who intentionally or knowingly maliciously
 42 harasses, teases, interferes with, or attempts to interfere with
 43 a police canine ~~dog~~, fire canine ~~dog~~, SAR canine ~~dog~~, or police
 44 horse while the animal is in the performance of its duties
 45 commits a misdemeanor of the second degree, punishable as
 46 provided in s. 775.082 or s. 775.083.

47 (5) A person convicted of an offense under this section
 48 shall make restitution for injuries caused to the police canine
 49 ~~dog~~, fire canine ~~dog~~, SAR canine ~~dog~~, or police horse and shall
 50 pay the replacement cost of the animal if, as a result of the
 51 offense, the animal can no longer perform its duties.

52 Section 2. Subsection (1) of section 767.16, Florida
 53 Statutes, is amended to read:

54 767.16 Police canine or service dog; exemption.—

55 (1) Any canine ~~dog~~ that is owned, or the service of which
 56 is employed, by a law enforcement agency, is exempt from this
 57 part.

58 Section 3. Paragraph (c) of subsection (3) of section 921.0022,
 59 Florida Statutes, is amended to read:

60 921.0022 Criminal Punishment Code; offense severity
 61 ranking chart.—

62 (3) OFFENSE SEVERITY RANKING CHART

63 (c) LEVEL 3

64

Florida	Felony	Description
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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 67 (2019)

Amendment No.

	Statute	Degree	
65	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
66	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
67	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
68	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
69	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
70	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
71	319.33 (1) (c)	3rd	Procure or pass title on stolen

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Published On: 3/20/2019 6:09:26 PM

Amendment No.

			vehicle.
72	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
73	327.35(2)(b)	3rd	Felony BUI.
74	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
75	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
76	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
77	379.2431 (1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring,

Amendment No.

78	379.2431 (1) (e) 6.	3rd	selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
79	379.2431 (1) (e) 7.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
80	400.9935 (4) (a) or (b)	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
81	400.9935 (4) (e)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
			Filing a false license application or other required

Amendment No.

			information or failing to report information.
82	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
83	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
84	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
85	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
86	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
87	697.08	3rd	Equity skimming.

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Published On: 3/20/2019 6:09:26 PM

Amendment No.

88	790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
89	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
90	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
91	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
92	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
93	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
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Published On: 3/20/2019 6:09:26 PM

Amendment No.

95	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
96	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
97	817.233	3rd	Burning to defraud insurer.
98	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
99	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
100	817.236	3rd	Filing a false motor vehicle insurance application.
101	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

Amendment No.

102	817.413 (2)	3rd	Sale of used goods as new.
103	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
104	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
105	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
106	843.19	<u>2nd</u> 3rd	Injure, disable, or kill <u>police, fire, or SAR canine</u> dog or <u>police</u> horse.
107	860.15 (3)	3rd	Overcharging for repairs and parts.
108	870.01 (2)	3rd	Riot; inciting or encouraging.
	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s.

Amendment No.

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).

109

893.13(1)(d)2. 2nd Sell, manufacture, or deliver
 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
 university.

110

893.13(1)(f)2. 2nd Sell, manufacture, or deliver
 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 public
 housing facility.

111

893.13(4)(c) 3rd Use or hire of minor; deliver
 to minor other controlled
 substances.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 67 (2019)

Amendment No.

113	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
114	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
115	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
116	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
117	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
	893.13(8)(a)1.	3rd	Knowingly assist a patient, other person, or owner of an

580807 - h0067-strike.docx

Published On: 3/20/2019 6:09:26 PM

Amendment No.

animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

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893.13(8)(a)2. 3rd 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.

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893.13(8)(a)3. 3rd Knowingly write a prescription for a controlled substance for a fictitious person.

120

893.13(8)(a)4. 3rd 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 practitioner.

Amendment No.

121

918.13(1)(a) 3rd Alter, destroy, or conceal investigation evidence.

122

944.47 3rd Introduce contraband to (1)(a)1. & 2. correctional facility.

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944.47(1)(c) 2nd Possess contraband while upon the grounds of a correctional institution.

124

985.721 3rd Escapes from a juvenile facility (secure detention or residential commitment facility).

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Section 4. This act shall take effect October 1, 2019.

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T I T L E A M E N D M E N T

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Remove everything before the enacting clause and insert:

130

An act relating to police, fire, and search and rescue dogs and

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police horses; amending s. 843.19, F.S.; revising the defined

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terms "police dog" to "police canine," "fire dog" to "fire

133

canine," and "SAR dog" to "SAR canine"; expanding the

134

definitions of "police canine" and "SAR canine" to include any

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Amendment No.

135 canine that is owned, or the service of which is employed, by a
136 correctional agency; increasing the penalty for intentionally
137 and knowingly causing great bodily harm, permanent disability,
138 or death to, or using a deadly weapon upon, police canines or
139 horses, fire canines, or SAR canines; amending s. 767.16, F.S.;
140 revising the term "dog" to "canine" to conform to changes made
141 by the act; amending s 921.0022, F.S.; conforming a provision to
142 changes made by the act; providing an effective date.