

1 A bill to be entitled
 2 An act relating to police, fire, and search and rescue
 3 dogs; amending s. 843.19, F.S.; revising the defined
 4 terms "police dog" to "police canine," "fire dog" to
 5 "fire canine," and "SAR dog" to "SAR canine";
 6 increasing the penalty for intentionally and knowingly
 7 causing great bodily harm, permanent disability, or
 8 death to, or using a deadly weapon upon, police
 9 canines, fire canines, or search and rescue canines;
 10 amending s. 921.0022, F.S.; updating a cross-
 11 reference; conforming provisions to changes made by
 12 the act; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Section 843.19, Florida Statutes, is amended to
 17 read:

18 843.19 Offenses against police canines ~~dogs~~, fire canines
 19 ~~dogs~~, SAR canines ~~dogs~~, or police horses.—

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

21 (a) "Police canine ~~dog~~" means any canine ~~dog~~, and "police
 22 horse" means any horse, that is owned, or the service of which
 23 is employed, by a law enforcement agency for the principal
 24 purpose of aiding in the detection of criminal activity,
 25 enforcement of laws, or apprehension of offenders.

26 (b) "Fire canine dog" means any canine dog that is owned,
 27 or the service of which is employed, by a fire department, a
 28 special fire district, or the State Fire Marshal for the
 29 principal purpose of aiding in the detection of flammable
 30 materials or the investigation of fires.

31 (c) "SAR canine dog" means any search and rescue canine
 32 dog that is owned, or the service of which is employed ~~utilized~~,
 33 by a fire department, a law enforcement agency, a special fire
 34 district, or the State Fire Marshal for the principal purpose of
 35 aiding in the detection of missing persons, including, but not
 36 limited to, persons who are lost, who are trapped under debris
 37 as the result of a natural, manmade, or technological disaster,
 38 or who are drowning victims.

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

45 (b) Any person who intentionally and knowingly, without
 46 lawful cause or justification, causes great bodily harm,
 47 permanent disability, or death to, or uses a deadly weapon upon,
 48 a police horse commits a felony of the third degree, punishable
 49 as provided in s. 775.082, s. 775.083, or s. 775.084.

50 (3) Any person who actually and intentionally maliciously

51 touches, strikes, or causes bodily harm to a police canine ~~dog~~,
 52 fire canine ~~dog~~, SAR canine ~~dog~~, or police horse commits a
 53 misdemeanor of the first degree, punishable as provided in s.
 54 775.082 or s. 775.083.

55 (4) Any person who intentionally or knowingly maliciously
 56 harasses, teases, interferes with, or attempts to interfere with
 57 a police canine ~~dog~~, fire canine ~~dog~~, SAR canine ~~dog~~, or police
 58 horse while the animal is in the performance of its duties
 59 commits a misdemeanor of the second degree, punishable as
 60 provided in s. 775.082 or s. 775.083.

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

66 Section 2. Paragraph (c) of subsection (3) of section
 67 921.0022, Florida Statutes, is amended to read:

68 921.0022 Criminal Punishment Code; offense severity
 69 ranking chart.—

70 (3) OFFENSE SEVERITY RANKING CHART

71 (c) LEVEL 3

72

Florida	Felony	
Statute	Degree	Description

73

HB 67

2019

74	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
75	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
76	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
77	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
78	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
79	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
80	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.

HB 67

2019

81	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
82	327.35 (2) (b)	3rd	Felony BUI.
83	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
84	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
85	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine

86	379.2431 (1) (e) 6.	3rd	<p>turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.</p> <p>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.</p>
87	379.2431 (1) (e) 7.	3rd	<p>Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.</p>
88	400.9935 (4) (a) or (b)	3rd	<p>Operating a clinic, or offering services requiring licensure, without a license.</p>
89	400.9935 (4) (e)	3rd	<p>Filing a false license application or other required information or failing to report information.</p>

HB 67

2019

90	440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
91	501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
92	624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.
93	624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
94	626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
95	697.08	3rd	Equity skimming.
96	790.15(3)	3rd	Person directs another to

discharge firearm from a
vehicle.

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806.10(1) 3rd Maliciously injure, destroy, or
interfere with vehicles or
equipment used in firefighting.

98

806.10(2) 3rd Interferes with or assaults
firefighter in performance of
duty.

99

810.09(2)(c) 3rd Trespass on property other than
structure or conveyance armed
with firearm or dangerous
weapon.

100

812.014(2)(c)2. 3rd Grand theft; \$5,000 or more but
less than \$10,000.

101

812.0145(2)(c) 3rd Theft from person 65 years of
age or older; \$300 or more but
less than \$10,000.

102

815.04(5)(b) 2nd Computer offense devised to
defraud or obtain property.

HB 67

2019

103	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
104	817.233	3rd	Burning to defraud insurer.
105	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
106	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
107	817.236	3rd	Filing a false motor vehicle insurance application.
108	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
109	817.413 (2)	3rd	Sale of used goods as new.
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HB 67

2019

111	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
112	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
113	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
114	<u>843.19 (2) (a)</u> 843.19	<u>2nd</u> 3rd	Injure, disable, or kill <u>police, fire, or SAR canine</u> dog or horse .
115	<u>843.19 (2) (b)</u>	<u>3rd</u>	<u>Injure, disable, or kill police horse.</u>
116	860.15 (3)	3rd	Overcharging for repairs and parts.
117	870.01 (2)	3rd	Riot; inciting or encouraging.
	893.13 (1) (a) 2.	3rd	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).

118

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.

119

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.

120

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

121	893.13 (6) (a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
122	893.13 (7) (a) 8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
123	893.13 (7) (a) 9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
124	893.13 (7) (a) 10.	3rd	Affix false or forged label to package of controlled substance.
125	893.13 (7) (a) 11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
126	893.13 (8) (a) 1.	3rd	Knowingly assist a patient,

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.

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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.

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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

HB 67

2019

practitioner.

130

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

131

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

132

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

133

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

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135 Section 3. This act shall take effect October 1, 2019.