

1 A bill to be entitled
 2 An act relating to police, fire, and search and
 3 rescue canines and police horses; amending s. 843.19,
 4 F.S.; revising definitions; expanding the definitions
 5 of "police canine" and "SAR canine" to include any
 6 canine that is owned, or the service of which is
 7 employed, by a correctional agency; increasing the
 8 penalty for intentionally and knowingly causing great
 9 bodily harm, permanent disability, or death to, or
 10 using a deadly weapon upon, police canines or horses,
 11 fire canines, or SAR canines; amending s. 767.16,
 12 F.S.; conforming terminology to changes made by the
 13 act; amending s 921.0022, F.S.; conforming a provision
 14 to changes made by the act; providing an effective
 15 date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 Section 1. Section 843.19, Florida Statutes, is amended to
 20 read:

21 843.19 Offenses against police canines ~~dogs~~, fire canines
 22 ~~dogs~~, SAR canines ~~dogs~~, or police horses.—

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

24 (a) "Police canine ~~dog~~" means any canine ~~dog~~, and "police
 25 horse" means any horse, that is owned, or the service of which

26 | is employed, by a law enforcement agency or a correctional
 27 | agency for the principal purpose of aiding in the detection of
 28 | criminal activity, enforcement of laws, or apprehension of
 29 | offenders.

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

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

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

49 | (3) Any person who actually and intentionally maliciously
 50 | touches, strikes, or causes bodily harm to a police canine dog,

51 fire canine ~~dog~~, SAR canine ~~dog~~, or police horse commits a
 52 misdemeanor of the first degree, punishable as provided in s.
 53 775.082 or s. 775.083.

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

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

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

67 767.16 Police canine or service dog; exemption.—

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

71 Section 3. Paragraph (c) of subsection (3) of section
 72 921.0022, Florida Statutes, is amended to read:

73 921.0022 Criminal Punishment Code; offense severity
 74 ranking chart.—

75 (3) OFFENSE SEVERITY RANKING CHART

76	(c) LEVEL 3		
77	Florida	Felony	
78	Statute	Degree	Description
78	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
79	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
80	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
81	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
82	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
83	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or

			mobile home.
84	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
85	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
86	327.35(2)(b)	3rd	Felony BUI.
87	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
88	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
89	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
90			

91	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.
92	379.2431 (1) (e) 6.	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.
93	379.2431 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.

94	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
95	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
96	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
97	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
98	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
99	626.902 (1) (a) &	3rd	Representing an unauthorized

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100	(b)		insurer.
101	697.08	3rd	Equity skimming.
102	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
103	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
104	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
105	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
106	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
	812.0145 (2) (c)	3rd	Theft from person 65 years of

age or older; \$300 or more but less than \$10,000.

107

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

108

817.034 (4) (a) 3. 3rd Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.

109

817.233 3rd Burning to defraud insurer.

110

817.234 3rd Unlawful solicitation of persons involved in motor vehicle accidents.
(8) (b) & (c)

111

817.234 (11) (a) 3rd Insurance fraud; property value less than \$20,000.

112

817.236 3rd Filing a false motor vehicle insurance application.

113

817.2361 3rd Creating, marketing, or presenting a false or

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fraudulent motor vehicle
insurance card.

114

817.413 (2) 3rd Sale of used goods as new.

115

831.28 (2) (a) 3rd Counterfeiting a payment
instrument with intent to
defraud or possessing a
counterfeit payment instrument.

116

831.29 2nd Possession of instruments for
counterfeiting driver licenses
or identification cards.

117

838.021 (3) (b) 3rd Threatens unlawful harm to
public servant.

118

843.19 2nd ~~3rd~~ Injure, disable, or kill
police, fire, or SAR canine dog
or police horse.

119

860.15 (3) 3rd Overcharging for repairs and
parts.

120

870.01 (2) 3rd Riot; inciting or encouraging.

121

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).

122

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.

123

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.

124

893.13(4)(c) 3rd Use or hire of minor; deliver

to minor other controlled substances.

125

893.13(6)(a) 3rd Possession of any controlled substance other than felony possession of cannabis.

126

893.13(7)(a)8. 3rd Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.

127

893.13(7)(a)9. 3rd Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

128

893.13(7)(a)10. 3rd Affix false or forged label to package of controlled substance.

129

893.13(7)(a)11. 3rd Furnish false or fraudulent material information on any document or record required by chapter 893.

writing the prescription is a
monetary benefit for the
practitioner.

134

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

135

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

136

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

137

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

138

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