

By the Committee on Criminal Justice; and Senators Bean, Hutson, Book, and Wright

591-02307A-19

201996c1

1 A bill to be entitled
2 An act relating to police, fire, and search and rescue
3 dogs and police horses; amending s. 843.19, F.S.;
4 revising the defined terms "police dog" to "police
5 canine," "fire dog" to "fire canine," and "SAR dog" to
6 "SAR canine"; increasing the penalty for intentionally
7 and knowingly causing great bodily harm, permanent
8 disability, or death to, or using a deadly weapon
9 upon, police canines or horses, fire canines, or SAR
10 canines; amending s. 767.16, F.S.; revising the term
11 "dog" to "canine" to conform to changes made by the
12 act; amending s. 921.0022, F.S.; conforming a
13 provision to changes made by the act; providing an
14 effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. Section 843.19, Florida Statutes, is amended to
19 read:

20 843.19 Offenses against police canines ~~dogs~~, fire canines
21 ~~dogs~~, SAR canines ~~dogs~~, or police horses.-

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

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

28 (b) "Fire canine ~~dog~~" means any canine ~~dog~~ that is owned,
29 or the service of which is employed, by a fire department, a

591-02307A-19

201996c1

30 special fire district, or the State Fire Marshal for the
31 principal purpose of aiding in the detection of flammable
32 materials or the investigation of fires.

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

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

47 (3) Any person who actually and intentionally maliciously
48 touches, strikes, or causes bodily harm to a police canine dog,
49 fire canine dog, SAR canine dog, or police horse commits a
50 misdemeanor of the first degree, punishable as provided in s.
51 775.082 or s. 775.083.

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

58 (5) A person convicted of an offense under this section

591-02307A-19

201996c1

59 shall make restitution for injuries caused to the police canine
 60 ~~dog~~, fire canine ~~dog~~, SAR canine ~~dog~~, or police horse and shall
 61 pay the replacement cost of the animal if, as a result of the
 62 offense, the animal can no longer perform its duties.

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

65 767.16 Police canine or service dog; exemption.-

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

69 Section 3. Paragraph (c) of subsection (3) of section
 70 921.0022, Florida Statutes, is amended to read:

71 921.0022 Criminal Punishment Code; offense severity ranking
 72 chart.-

73 (3) OFFENSE SEVERITY RANKING CHART

74 (c) LEVEL 3

75

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193(2)(b)	3rd	Felony DUI, 3rd conviction.

78

	591-02307A-19		201996c1
79	316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
80	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
81	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
82	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
83	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
84	327.35(2)(b)	3rd	Felony BUI.
85	328.05(2)	3rd	Possess, sell, or

591-02307A-19

201996c1

86	328.07 (4)	3rd	counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
87	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
88	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.
89	379.2431 (1) (e) 6.	3rd	Possessing any marine turtle species or

591-02307A-19

201996c1

hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.

90

379.2431
(1) (e) 7.

3rd

Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.

91

400.9935 (4) (a)
or (b)

3rd

Operating a clinic, or offering services requiring licensure, without a license.

92

400.9935 (4) (e)

3rd

Filing a false license application or other required information or failing to report information.

93

440.1051 (3)

3rd

False report of workers' compensation fraud or retaliation for making such a report.

94

501.001 (2) (b)

2nd

Tampers with a consumer product or the container

591-02307A-19

201996c1

using materially
false/misleading
information.

95

624.401 (4) (a)

3rd

Transacting insurance
without a certificate of
authority.

96

624.401 (4) (b) 1.

3rd

Transacting insurance
without a certificate of
authority; premium
collected less than
\$20,000.

97

626.902 (1) (a) &
(b)

3rd

Representing an
unauthorized insurer.

98

697.08

3rd

Equity skimming.

99

790.15 (3)

3rd

Person directs another to
discharge firearm from a
vehicle.

100

806.10 (1)

3rd

Maliciously injure,
destroy, or interfere with
vehicles or equipment used
in firefighting.

101

806.10 (2)

3rd

Interferes with or assaults

591-02307A-19

201996c1

firefighter in performance
of duty.

102

810.09(2)(c)

3rd

Trespass on property other
than structure or
conveyance armed with
firearm or dangerous
weapon.

103

812.014(2)(c)2.

3rd

Grand theft; \$5,000 or more
but less than \$10,000.

104

812.0145(2)(c)

3rd

Theft from person 65 years
of age or older; \$300 or
more but less than \$10,000.

105

815.04(5)(b)

2nd

Computer offense devised to
defraud or obtain property.

106

817.034(4)(a)3.

3rd

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

107

817.233

3rd

Burning to defraud insurer.

108

817.234

3rd

Unlawful solicitation of
persons involved in motor

(8)(b) & (c)

591-02307A-19

201996c1

vehicle accidents.

109

817.234 (11) (a)

3rd

Insurance fraud; property value less than \$20,000.

110

817.236

3rd

Filing a false motor vehicle insurance application.

111

817.2361

3rd

Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

112

817.413 (2)

3rd

Sale of used goods as new.

113

831.28 (2) (a)

3rd

Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.

114

831.29

2nd

Possession of instruments for counterfeiting driver licenses or identification cards.

115

838.021 (3) (b)

3rd

Threatens unlawful harm to public servant.

591-02307A-19

201996c1

116
117
118
119
120
121

843.19	<u>2nd</u> 3rd	Injure, disable, or kill <u>police, fire, or SAR canine</u> dog or <u>police</u> horse.
860.15 (3)	3rd	Overcharging for repairs and parts.
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).
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.

591-02307A-19

201996c1

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.

122

893.13(4)(c)

3rd

Use or hire of minor; deliver to minor other controlled substances.

123

893.13(6)(a)

3rd

Possession of any controlled substance other than felony possession of cannabis.

124

893.13(7)(a)8.

3rd

Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.

125

893.13(7)(a)9.

3rd

Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

591-02307A-19

201996c1

126

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

127

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

128

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.

129

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.

130

893.13(8)(a)3. 3rd Knowingly write a prescription for a

591-02307A-19

201996c1

controlled substance for a fictitious person.

131

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.

132

918.13(1)(a)

3rd

Alter, destroy, or conceal investigation evidence.

133

944.47
(1)(a)1. & 2.

3rd

Introduce contraband to correctional facility.

134

944.47(1)(c)

2nd

Possess contraband while upon the grounds of a correctional institution.

135

985.721

3rd

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

136

137

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