

By the Committees on Rules; and Criminal Justice; and Senators Bean, Hutson, Book, Wright, and Perry

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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"; expanding the definitions of the terms
 7 "police canine" and "SAR canine" to include any canine
 8 that is owned, or the service of which is employed, by
 9 a correctional agency; increasing the penalty for
 10 intentionally and knowingly causing great bodily harm,
 11 permanent disability, or death to, or using a deadly
 12 weapon upon, police canines or horses, fire canines,
 13 or SAR canines; amending s. 767.16, F.S.; revising the
 14 term "dog" to "canine" to conform to changes made by
 15 the act; amending s. 921.0022, F.S.; conforming a
 16 provision to changes made by the act; providing an
 17 effective date.

18
 19 Be It Enacted by the Legislature of the State of Florida:

20
 21 Section 1. Section 843.19, Florida Statutes, is amended to
 22 read:

23 843.19 Offenses against police canines ~~dogs~~, fire canines
 24 ~~dogs~~, SAR canines ~~dogs~~, or police horses.—

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

26 (a) "Police canine ~~dog~~" means any canine ~~dog~~, and "police
 27 horse" means any horse, that is owned, or the service of which
 28 is employed, by a law enforcement agency or a correctional
 29 agency for the principal purpose of aiding in the detection of

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30 criminal activity, enforcement of laws, or apprehension of
31 offenders.

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

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

45 (2) 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 canine dog, fire canine dog, SAR canine dog, or police
49 horse commits a felony of the second ~~third~~ degree, punishable as
50 provided in s. 775.082, s. 775.083, or s. 775.084.

51 (3) Any person who actually and intentionally maliciously
52 touches, strikes, or causes bodily harm to a police canine dog,
53 fire canine dog, SAR canine dog, or police horse commits a
54 misdemeanor of the first degree, punishable as provided in s.
55 775.082 or s. 775.083.

56 (4) Any person who intentionally or knowingly maliciously
57 harasses, teases, interferes with, or attempts to interfere with
58 a police canine dog, fire canine dog, SAR canine dog, or police

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59 horse while the animal is in the performance of its duties
 60 commits a misdemeanor of the second degree, punishable as
 61 provided in s. 775.082 or s. 775.083.

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

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

69 767.16 Police canine or service dog; exemption.-

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

73 Section 3. Paragraph (c) of subsection (3) of section
 74 921.0022, Florida Statutes, is amended to read:

75 921.0022 Criminal Punishment Code; offense severity ranking
 76 chart.-

77 (3) OFFENSE SEVERITY RANKING CHART

78 (c) LEVEL 3

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066	3rd	Unlawfully obtaining or

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	(3) (b) - (d)		using confidential crash reports.
82			
	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
83			
	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
84			
	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
85			
	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
86			
	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
87			
	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.

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88

327.35 (2) (b)

3rd

Felony BUI.

89

328.05 (2)

3rd

Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.

90

328.07 (4)

3rd

Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.

91

376.302 (5)

3rd

Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.

92

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

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93

Protection Act.

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.

94

379.2431
(1) (e) 7.

3rd

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

95

400.9935 (4) (a)
or (b)

3rd

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

96

400.9935 (4) (e)

3rd

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

97

440.1051 (3)

3rd

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

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a report.

98

501.001 (2) (b)

2nd

Tampers with a consumer product or the container using materially false/misleading information.

99

624.401 (4) (a)

3rd

Transacting insurance without a certificate of authority.

100

624.401 (4) (b) 1.

3rd

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

101

626.902 (1) (a) & (b)

3rd

Representing an unauthorized insurer.

102

697.08

3rd

Equity skimming.

103

790.15 (3)

3rd

Person directs another to discharge firearm from a vehicle.

104

806.10 (1)

3rd

Maliciously injure, destroy, or interfere with

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vehicles or equipment used
in firefighting.

105

806.10(2)

3rd

Interferes with or assaults
firefighter in performance
of duty.

106

810.09(2)(c)

3rd

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

107

812.014(2)(c)2.

3rd

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

108

812.0145(2)(c)

3rd

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

109

815.04(5)(b)

2nd

Computer offense devised to
defraud or obtain property.

110

817.034(4)(a)3.

3rd

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

111

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112	817.233	3rd	Burning to defraud insurer.
113	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
114	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
115	817.236	3rd	Filing a false motor vehicle insurance application.
116	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
117	817.413 (2)	3rd	Sale of used goods as new.
118	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification

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cards.

119

838.021 (3) (b)

3rd

Threatens unlawful harm to public servant.

120

843.19

2nd ~~3rd~~

Injure, disable, or kill police, fire, or SAR canine dog or police horse.

121

860.15 (3)

3rd

Overcharging for repairs and parts.

122

870.01 (2)

3rd

Riot; inciting or encouraging.

123

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).

124

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.,

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(2) (c) 9., (2) (c) 10., (3),
or (4) drugs within 1,000
feet of university.

125

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.

126

893.13 (4) (c)

3rd

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

127

893.13 (6) (a)

3rd

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

128

893.13 (7) (a) 8.

3rd

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

129

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130

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

131

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

132

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

133

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.

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

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controlled substance.

134

893.13 (8) (a) 3.

3rd

Knowingly write a prescription for a controlled substance for a fictitious person.

135

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.

136

918.13 (1) (a)

3rd

Alter, destroy, or conceal investigation evidence.

137

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

3rd

Introduce contraband to correctional facility.

138

944.47 (1) (c)

2nd

Possess contraband while upon the grounds of a correctional institution.

139

985.721

3rd

Escapes from a juvenile facility (secure detention or residential commitment

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facility).

140

141

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

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