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LEGISLATIVE ACTION

Senate

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House

The Committee on Criminal Justice (Stargel) recommended the following:

Senate Amendment (with title amendment)

Delete lines 35 - 105

and insert:

(1) It is unlawful for any person to threaten to throw, project, place, or discharge any destructive device with intent to do bodily harm to any person or with intent to do damage to any property of any person. ~~and any person convicted thereof~~ A person who violates this subsection commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083,



493844

11 or s. 775.084.

12 (2) It is unlawful for any person to threaten the use of a
13 firearm or any weapon with intent to do bodily harm to any
14 person or with intent to do damage to any property of any
15 person, if the threat is sufficient to cause alarm in a
16 reasonable person. A person who violates this subsection commits
17 a felony of the third degree, punishable as provided in s.
18 775.082, s. 775.083, or s. 775.084.

19 (3) A person does not violate subsection (2) if he or she
20 uses or threatens to use a firearm or any other weapon in lawful
21 self-defense, lawful defense of others, or lawful defense of
22 property.

23 Section 2. Paragraph (e) of subsection (3) of section
24 921.0022, Florida Statutes, is amended to read:

25 921.0022 Criminal Punishment Code; offense severity ranking
26 chart.—

27 (3) OFFENSE SEVERITY RANKING CHART

28 (e) LEVEL 5

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Florida Statute	Felony Degree	Description
30 316.027(2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
31 316.1935(4) (a)	2nd	Aggravated fleeing or eluding.

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33 316.80 (2) 2nd Unlawful conveyance of fuel;
obtaining fuel fraudulently.

34 322.34 (6) 3rd Careless operation of motor
vehicle with suspended license,
resulting in death or serious
bodily injury.

35 327.30 (5) 3rd Vessel accidents involving
personal injury; leaving scene.

379.365 (2) (c) 1. 3rd Violation of rules relating to:
willful molestation of stone
crab traps, lines, or buoys;
illegal bartering, trading, or
sale, conspiring or aiding in
such barter, trade, or sale, or
supplying, agreeing to supply,
aiding in supplying, or giving
away stone crab trap tags or
certificates; making, altering,
forging, counterfeiting, or
reproducing stone crab trap
tags; possession of forged,
counterfeit, or imitation stone
crab trap tags; and engaging in
the commercial harvest of stone
crabs while license is
suspended or revoked.



493844

36	379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
37	379.407(5)(b)3.	3rd	Possession of 100 or more undersized spiny lobsters.
38	381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
39	440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
40	440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
41	440.381(2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
42	624.401(4)(b)2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
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493844

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626.902(1)(c) 2nd Representing an unauthorized insurer; repeat offender.

790.01(2) 3rd Carrying a concealed firearm.

790.162(1) 2nd Threat to throw or discharge destructive device.

790.162(2) 3rd Threat involving firearm or weapon.

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

And the title is amended as follows:

 Delete lines 3 - 24

and insert:

 prohibiting threats to use a firearm or weapon with specified intent; providing applicability; providing criminal penalties; amending s.