

By Senator Baxley

12-01476A-21

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1                   A bill to be entitled  
2           An act relating to traveling across county lines with  
3           intent to commit a felony; amending s. 843.22, F.S.;  
4           defining the term "felony offense"; providing for  
5           reclassification of certain felony offenses when the  
6           person who commits the offense crosses a county line  
7           with specified intent; providing an effective date.  
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9   Be It Enacted by the Legislature of the State of Florida:  
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11           Section 1. Section 843.22, Florida Statutes, is amended to  
12           read:

13           843.22 Traveling across county lines with intent to commit  
14           a felony burglary.—

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

16           (a) "County of residence" means the county within this  
17           state in which a person resides. Evidence of a person's county  
18           of residence includes, but is not limited to:

19           1. The address on a person's driver license or state  
20           identification card;

21           2. Records of real property or mobile home ownership;

22           3. Records of a lease agreement for residential property;

23           4. The county in which a person's motor vehicle is  
24           registered;

25           5. The county in which a person is enrolled in an  
26           educational institution; and

27           6. The county in which a person is employed.

28           (b) "Felony offense" means a felony violation of any of the  
29           following:

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- 30        1. "Burglary," ~~means burglary~~ as defined in s. 810.02.7  
31        2. Grand theft, as prohibited under s. 812.014.  
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33 For purposes of this paragraph, the term includes ~~including~~ an  
34 attempt, a solicitation, or a conspiracy to commit such offense.

35        (2) If a person who commits a felony offense ~~burglary~~  
36 travels any distance with the intent to commit the felony  
37 offense ~~burglary~~ in a county in this state other than the  
38 person's county of residence, the degree of the felony offense  
39 ~~burglary~~ shall be reclassified to the next higher degree if the  
40 purpose of the person's travel is to thwart law enforcement  
41 attempts to track the items stolen in the felony offense  
42 ~~burglary~~. For purposes of sentencing under chapter 921 and  
43 determining incentive gain-time eligibility under chapter 944, a  
44 felony offense ~~burglary~~ that is reclassified under this section  
45 is ranked one level above the ranking specified in s. 921.0022  
46 or s. 921.0023 for the felony offense ~~burglary~~ committed.

47        Section 2. This act shall take effect October 1, 2021.