

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
2 Representative Snyder offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (d) is added to subsection (2) of section 810.02, Florida Statutes, and paragraphs (b) and (c) of that subsection are amended to read:

810.02 Burglary.—

(2) Burglary is a felony of the first degree, punishable by imprisonment for a term of years not exceeding life imprisonment or as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the course of committing the offense, the offender:

(b) Is or becomes armed within the dwelling, structure, or conveyance, with explosives or a dangerous weapon; ~~or~~

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17 (c) Enters an occupied or unoccupied dwelling or
18 structure, and:

19 1. Uses a motor vehicle as an instrumentality, other than
20 merely as a getaway vehicle, to assist in committing the
21 offense, and thereby damages the dwelling or structure; or

22 2. Causes damage to the dwelling or structure, or to
23 property within the dwelling or structure in excess of \$1,000;
24 or

25 (d) Enters any dwelling, structure, or conveyance on
26 property owned by any law enforcement agency or fire department.

27 Section 2. Section 843.22, Florida Statutes, is amended to
28 read:

29 843.22 Traveling across county lines with intent to commit
30 a felony burglary.-

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

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

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

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

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

39 4. The county in which a person's motor vehicle is
40 registered;

41 5. The county in which a person is enrolled in an

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42 educational institution; and

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

44 (b) "Felony offense" means a felony violation of any of
45 the following:

46 1. "Burglary," means burglary as defined in s. 810.02.

47 2. Grand theft, as prohibited under s. 812.014.

48
49 For purposes of this paragraph, the term includes ~~including~~ an
50 attempt, solicitation, or conspiracy to commit such offense.

51 (2) If a person who commits a felony offense ~~burglary~~
52 travels any distance with the intent to commit the felony
53 offense ~~burglary~~ in a county in this state other than the
54 person's county of residence, the ~~degree of the~~ felony offense
55 ~~burglary shall, be reclassified to the next higher degree if the~~
56 ~~purpose of the person's travel is to thwart law enforcement~~
57 ~~attempts to track the items stolen in the burglary.~~ for purposes
58 of sentencing under chapter 921 and determining incentive gain-
59 time eligibility under chapter 944, ~~a burglary that is~~
60 ~~reclassified under this section is~~ be ranked one level above the
61 ranking specified in s. 921.0022 or s. 921.0023 for the offense
62 ~~burglary~~ committed.

63 Section 3. Paragraph (1) of subsection (2) of section
64 903.046, Florida Statutes, is amended to read:

65 903.046 Purpose of and criteria for bail determination.—

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66 (2) When determining whether to release a defendant on
67 bail or other conditions, and what that bail or those conditions
68 may be, the court shall consider:

69 (1) Whether the crime charged is a violation of chapter
70 874 or alleged to be subject to enhanced punishment under
71 chapter 874 or ~~reclassification under~~ s. 843.22. If any such
72 violation is charged against a defendant or if the defendant is
73 charged with a crime that is alleged to be subject to such
74 enhancement ~~or reclassification~~, he or she is not eligible for
75 release on bail or surety bond until the first appearance on the
76 case in order to ensure the full participation of the prosecutor
77 and the protection of the public.

78 Section 4. This act shall take effect October 1, 2021.

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81 **T I T L E A M E N D M E N T**

82 Remove everything before the enacting clause and insert:

83 An act relating to enhanced penalties for criminal
84 offenses; amending s. 810.02, F.S.; providing for
85 reclassification of a burglary offense when the offender
86 enters a dwelling, structure, or conveyance on law
87 enforcement or fire department property; amending s.
88 843.22, F.S.; removing the reclassification of certain
89 felony offenses when the person who commits the offense
90 crosses a county line with specified intent; removing the

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91 requirement for reclassification or re-ranking that an
92 offender's travel be for the purpose of thwarting law
93 enforcement attempts to track stolen items; amending s.
94 903.046, F.S.; removing a reference to a crime being
95 reclassified; providing an effective date.