



631948

LEGISLATIVE ACTION

Senate	.	House
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	.	
Floor: 1/AD/2R	.	Floor: C
04/21/2021 11:06 AM	.	04/29/2021 12:28 PM
	.	

Senator Boyd moved the following:

Senate Amendment

Delete lines 35 - 256
and insert:

1. Great bodily harm, permanent disfigurement, or permanent disability to any person as a proximate result of lawful conduct arising out of a response, the person making such report commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. Death to any person as a proximate result of lawful conduct arising out of a response, the person making such report



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12 commits a felony of the second degree, punishable as provided in
13 s. 775.082, s. 775.083, or s. 775.084.

14 (3) A court shall order any person convicted of violating
15 this section to pay restitution, which shall include full
16 payment for any cost incurred by a responding public safety
17 agency.

18 Section 2. Paragraphs (c) and (f) of subsection (3) of
19 section 921.0022, Florida Statutes, are amended to read:

20 921.0022 Criminal Punishment Code; offense severity ranking
21 chart.—

22 (3) OFFENSE SEVERITY RANKING CHART

23 (c) LEVEL 3

24

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.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.

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29	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
30	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
31	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
32	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
33	327.35 (2) (b)	3rd	Felony BUI.
34	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
35	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
36	376.302 (5)	3rd	Fraud related to reimbursement



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379.2431
(1) (e) 5.

3rd

for cleanup expenses under the
Inland Protection Trust Fund.

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.

38

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.

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379.2431
(1) (e) 7.

3rd

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

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400.9935 (4) (a)
or (b)

3rd

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

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42	400.9935(4)(e)	3rd	Filing a false license application or other required information or failing to report information.
43	440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
44	501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
45	624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.
46	624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
47	626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
48	697.08	3rd	Equity skimming.
	790.15(3)	3rd	Person directs another to



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discharge firearm from a
vehicle.

806.10 (1) 3rd Maliciously injure, destroy, or
interfere with vehicles or
equipment used in firefighting.

806.10 (2) 3rd Interferes with or assaults
firefighter in performance of
duty.

810.09 (2) (c) 3rd Trespass on property other than
structure or conveyance armed
with firearm or dangerous
weapon.

812.014 (2) (c) 2. 3rd Grand theft; \$5,000 or more but
less than \$10,000.

812.0145 (2) (c) 3rd Theft from person 65 years of
age or older; \$300 or more but
less than \$10,000.

812.015 (8) (b) 3rd Retail theft with intent to
sell; conspires with others.

815.04 (5) (b) 2nd Computer offense devised to
defraud or obtain property.



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57	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
58	817.233	3rd	Burning to defraud insurer.
59	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
60	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
61	817.236	3rd	Filing a false motor vehicle insurance application.
62	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
63	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
	<u>817.49 (2) (b) 1.</u>	<u>3rd</u>	<u>Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent</u>



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disability.

831.28 (2) (a) 3rd Counterfeiting a payment
instrument with intent to
defraud or possessing a
counterfeit payment instrument
with intent to defraud.

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831.29 2nd Possession of instruments for
counterfeiting driver licenses
or identification cards.

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838.021 (3) (b) 3rd Threatens unlawful harm to
public servant.

67

843.19 2nd Injure, disable, or kill
police, fire, or SAR canine or
police horse.

68

860.15 (3) 3rd Overcharging for repairs and
parts.

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870.01 (2) 3rd Riot; inciting or encouraging.

70

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.,



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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.

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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.

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893.13(4)(c) 3rd Use or hire of minor; deliver
to minor other controlled
substances.

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893.13(6)(a) 3rd Possession of any controlled
substance other than felony
possession of cannabis.

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893.13(7)(a)8. 3rd Withhold information from
practitioner regarding previous
receipt of or prescription for



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a controlled substance.

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

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

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

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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.

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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



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81

obtaining a controlled
substance.

893.13(8)(a)3.

3rd

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

82

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.

83

918.13(1)(a)

3rd

Alter, destroy, or conceal
investigation evidence.

84

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

3rd

Introduce contraband to
correctional facility.

85

944.47(1)(c)

2nd

Possess contraband while upon
the grounds of a correctional
institution.

86

985.721

3rd

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



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(f) LEVEL 6

Florida Statute	Felony Degree	Description
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
400.9935(4)(c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
499.0051(2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
499.0051(3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
499.0051(4)	2nd	Knowing sale or transfer of prescription drug to



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unauthorized person.

97

775.0875(1) 3rd Taking firearm from law
enforcement officer.

98

784.021(1)(a) 3rd Aggravated assault; deadly
weapon without intent to kill.

99

784.021(1)(b) 3rd Aggravated assault; intent to
commit felony.

100

784.041 3rd Felony battery; domestic
battery by strangulation.

101

784.048(3) 3rd Aggravated stalking; credible
threat.

102

784.048(5) 3rd Aggravated stalking of person
under 16.

103

784.07(2)(c) 2nd Aggravated assault on law
enforcement officer.

104

784.074(1)(b) 2nd Aggravated assault on sexually
violent predators facility
staff.

105

784.08(2)(b) 2nd Aggravated assault on a person
65 years of age or older.



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106	784.081(2)	2nd	Aggravated assault on specified official or employee.
107	784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
108	784.083(2)	2nd	Aggravated assault on code inspector.
109	787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
110	790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
111	790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
112	790.164(1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent



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manner.

113

790.19 2nd Shooting or throwing deadly
missiles into dwellings,
vessels, or vehicles.

114

794.011 (8) (a) 3rd Solicitation of minor to
participate in sexual activity
by custodial adult.

115

794.05 (1) 2nd Unlawful sexual activity with
specified minor.

116

800.04 (5) (d) 3rd Lewd or lascivious
molestation; victim 12 years
of age or older but less than
16 years of age; offender less
than 18 years.

117

800.04 (6) (b) 2nd Lewd or lascivious conduct;
offender 18 years of age or
older.

118

806.031 (2) 2nd Arson resulting in great
bodily harm to firefighter or
any other person.

119

810.02 (3) (c) 2nd Burglary of occupied
structure; unarmed; no assault



or battery.

120

810.145(8)(b) 2nd Video voyeurism; certain minor victims; 2nd or subsequent offense.

121

812.014(2)(b)1. 2nd Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.

122

812.014(6) 2nd Theft; property stolen \$3,000 or more; coordination of others.

123

812.015(9)(a) 2nd Retail theft; property stolen \$750 or more; second or subsequent conviction.

124

812.015(9)(b) 2nd Retail theft; aggregated property stolen within 30 days is \$3,000 or more; coordination of others.

125

812.13(2)(c) 2nd Robbery, no firearm or other weapon (strong-arm robbery).

126

817.4821(5) 2nd Possess cloning paraphernalia with intent to create cloned cellular telephones.



127	<u>817.49(2)(b)2.</u>	2nd	<u>Willful making of a false report of a crime resulting in death.</u>
128	817.505(4)(b)	2nd	Patient brokering; 10 or more patients.
129	825.102(1)	3rd	Abuse of an elderly person or disabled adult.
130	825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
131	825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
132	825.103(3)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
133	827.03(2)(c)	3rd	Abuse of a child.
134	827.03(2)(d)	3rd	Neglect of a child.
135	827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote



or direct such performance.

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836.05 2nd Threats; extortion.

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836.10 2nd Written threats to kill, do
bodily injury, or conduct a
mass shooting or an act of
terrorism.

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843.12 3rd Aids or assists person to
escape.

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847.011 3rd Distributing, offering to
distribute, or possessing with
intent to distribute obscene
materials depicting minors.

140

847.012 3rd Knowingly using a minor in the
production of materials
harmful to minors.

141

847.0135(2) 3rd Facilitates sexual conduct of
or with a minor or the visual
depiction of such conduct.

142

914.23 2nd Retaliation against a witness,
victim, or informant, with
bodily injury.

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944.35(3)(a)2. 3rd Committing malicious battery
 upon or inflicting cruel or
 inhuman treatment on an inmate
 or offender on community
 supervision, resulting in
 great bodily harm.

144

944.40 2nd Escapes.

145

944.46 3rd Harboring, concealing, aiding
 escaped prisoners.

146

944.47(1)(a)5. 2nd Introduction of contraband
 (firearm, weapon, or
 explosive) into correctional
 facility.

147

951.22(1)(i) 3rd Firearm or weapon introduced
 into county detention
 facility.

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