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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

04/21/2021 11:06 AM

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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



37

for cleanup expenses under the  
Inland Protection Trust Fund.

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  
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.

39

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.

65

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

66

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.

69

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.

73

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

74

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

75

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



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76			a controlled substance.
	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
77			
	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
78			
	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
79			
	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.
80			
	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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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.





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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



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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.

138

843.12                    3rd    Aids or assists person to  
escape.

139

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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144 944.35(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.

145 944.40 2nd Escapes.

146 944.46 3rd Harboring, concealing, aiding  
escaped prisoners.

147 944.47(1)(a)5. 2nd Introduction of contraband  
(firearm, weapon, or  
explosive) into correctional  
facility.

148 951.22(1)(i) 3rd Firearm or weapon introduced  
into county detention  
facility.