

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1453 (2022)

Amendment No.2

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WITHDRAWN	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 Harding offered the following:

3
4 **Amendment**

5 Remove lines 596-660 and insert:
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836.14(2) 3rd Theft of a sexually explicit
image.

836.14(3) 3rd Willful possession of a stolen
sexually explicit image with
intent to promote for pecuniary
or any other financial gain.

837.02(1) 3rd

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7			Perjury in official proceedings.
8	837.021(1)	3rd	Make contradictory statements in official proceedings.
9	838.022	3rd	Official misconduct.
10	839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
11	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Families.
12	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
13	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.

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14	843.15(1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
15	847.0135(5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
16	870.01(3)	2nd	Aggravated rioting.
17	870.01(5)	2nd	Aggravated inciting a riot.
18	874.05(1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
19	893.13(2) (a)1.	2nd	Purchase of cocaine (or other s. 893.03(1) (a), (b), or (d), (2) (a), (2) (b), or (2) (c)5. drugs).
20	914.14(2)	3rd	Witnesses accepting bribes.
	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.

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21	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
22	916.1085 (2) (c)1.	3rd	Introduction of specified contraband into certain DCF facilities.
23	918.12	3rd	Tampering with jurors.
24	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
25	944.47(1) (a) 6.	3rd	Introduction of contraband (cellular telephone or other portable communication device) into correctional institution.
26	951.22(1) (h) , (j) & (k)	3rd	Intoxicating drug, instrumentality or other device to aid escape, or cellular telephone or other portable

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communication device introduced
into county detention facility.

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(e) LEVEL 5

Florida Statute	Felony Degree	Description
316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.

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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.

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379.367 (4) 3rd Willful molestation of a
commercial harvester's spiny
lobster trap, line, or buoy.

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38	379.407 (5) (b) 3.	3rd	Possession of 100 or more undersized spiny lobsters.
39	381.0041(11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
40	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
41	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
42	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
43	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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44	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
45	790.01(2)	3rd	Carrying a concealed firearm.
46	790.162	2nd	Threat to throw or discharge destructive device.
47	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
48	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
49	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
50	796.05(1)	2nd	Live on earnings of a prostitute; 1st offense.

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51	800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
52	800.04(7)(b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
53	806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
54	812.0145(2)(b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
55	812.015 (8)(a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
56	812.019(1)	2nd	Stolen property; dealing in or trafficking in.
	812.081(3)	2nd	Trafficking in trade secrets.

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57	812.131 (2) (b)	3rd	Robbery by sudden snatching.
58	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
59	817.034 (4) (a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
60	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
61	817.2341(1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
62	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud,

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			\$5,000 or more or use of personal identification information of 10 or more persons.
63	817.611 (2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
64	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
65	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
66	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child <u>pornography</u> .
67	827.071 (5)	3rd	Possess, control, or intentionally view any

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68			photographic material, motion picture, etc., which includes sexual conduct by a child <u>pornography</u> .
69	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
70	<u>836.14(4)</u>	<u>2nd</u>	<u>Willful promotion of a stolen sexually explicit image for pecuniary or any other financial gain.</u>