

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Chaney offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 794.051, Florida Statutes, is created to read:

794.051 Indecent, lewd, or lascivious touching of certain minors.-

(1) A person 24 years of age or older who intentionally touches in a lewd or lascivious manner the breasts, genitals, genital area, or buttocks, or the clothing covering them, of a person 16 or 17 years of age, or forces or entices a person 16

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14 or 17 years of age to so touch the perpetrator, commits a felony
15 of the third degree, punishable as provided in s. 775.082, s.
16 775.083, or s. 775.084.

17 (2) This section does not apply to a person 16 or 17 years
18 of age who has had the disability of nonage removed under
19 chapter 743.

20 Section 2. Paragraph (d) of subsection (3) of section
21 921.0022, Florida Statutes, is amended to read:

22 921.0022 Criminal Punishment Code; offense severity
23 ranking chart.—

24 (3) OFFENSE SEVERITY RANKING CHART

25 (d) LEVEL 4

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| Florida | Felony | Description |
|-----------------|--------|--|
| Statute | Degree | |
| 316.1935(3) (a) | 2nd | Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated. |
| 499.0051(1) | 3rd | Failure to maintain or deliver transaction history, |

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| | | | transaction information, or transaction statements. |
| 29 | 499.0051(5) | 2nd | Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs. |
| 30 | 517.07(1) | 3rd | Failure to register securities. |
| 31 | 517.12(1) | 3rd | Failure of dealer, associated person, or issuer of securities to register. |
| 32 | 784.07(2) (b) | 3rd | Battery of law enforcement officer, firefighter, etc. |
| 33 | 784.074(1) (c) | 3rd | Battery of sexually violent predators facility staff. |
| 34 | 784.075 | 3rd | Battery on detention or commitment facility staff. |
| 35 | 784.078 | 3rd | Battery of facility employee by throwing, tossing, or expelling certain fluids or materials. |

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| 36 | 784.08(2)(c) | 3rd | Battery on a person 65 years of age or older. |
| 37 | 784.081(3) | 3rd | Battery on specified official or employee. |
| 38 | 784.082(3) | 3rd | Battery by detained person on visitor or other detainee. |
| 39 | 784.083(3) | 3rd | Battery on code inspector. |
| 40 | 784.085 | 3rd | Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials. |
| 41 | 787.03(1) | 3rd | Interference with custody; wrongly takes minor from appointed guardian. |
| 42 | 787.04(2) | 3rd | Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings. |

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| 43 | 787.04(3) | 3rd | Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person. |
| 44 | 787.07 | 3rd | Human smuggling. |
| 45 | 790.115(1) | 3rd | Exhibiting firearm or weapon within 1,000 feet of a school. |
| 46 | 790.115(2)(b) | 3rd | Possessing electric weapon or device, destructive device, or other weapon on school property. |
| 47 | 790.115(2)(c) | 3rd | Possessing firearm on school property. |
| 48 | <u>794.051(1)</u> | <u>3rd</u> | <u>Indecent, lewd, or lascivious touching of certain minors.</u> |
| 49 | 800.04(7)(c) | 3rd | Lewd or lascivious exhibition; offender less than 18 years. |

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| 50 | 806.135 | 2nd | Destroying or demolishing a memorial or historic property. |
| 51 | 810.02(4)(a) | 3rd | Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery. |
| 52 | 810.02(4)(b) | 3rd | Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery. |
| 53 | 810.06 | 3rd | Burglary; possession of tools. |
| 54 | 810.08(2)(c) | 3rd | Trespass on property, armed with firearm or dangerous weapon. |
| 55 | 812.014(2)(c)3. | 3rd | Grand theft, 3rd degree \$10,000 or more but less than \$20,000. |
| 56 | 812.014 (2)(c)4.-10. | 3rd | Grand theft, 3rd degree; specified items. |

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| 57 | 812.0195(2) | 3rd | Dealing in stolen property by use of the Internet; property stolen \$300 or more. |
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| 59 | 817.505(4)(a) | 3rd | Patient brokering. |
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| | 817.563(1) | 3rd | Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs. |
| 60 | | | |
| | 817.568(2)(a) | 3rd | Fraudulent use of personal identification information. |
| 61 | | | |
| | 817.625(2)(a) | 3rd | Fraudulent use of scanning device, skimming device, or reencoder. |
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| | 817.625(2)(c) | 3rd | Possess, sell, or deliver skimming device. |
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| | 828.125(1) | 2nd | Kill, maim, or cause great bodily harm or permanent breeding disability to any |

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| | | | registered horse or cattle. |
| 64 | 837.02(1) | 3rd | Perjury in official proceedings. |
| 65 | 837.021(1) | 3rd | Make contradictory statements in official proceedings. |
| 66 | 838.022 | 3rd | Official misconduct. |
| 67 | 839.13(2)(a) | 3rd | Falsifying records of an individual in the care and custody of a state agency. |
| 68 | 839.13(2)(c) | 3rd | Falsifying records of the Department of Children and Families. |
| 69 | 843.021 | 3rd | Possession of a concealed handcuff key by a person in custody. |
| 70 | 843.025 | 3rd | Deprive law enforcement, correctional, or correctional probation officer of means of |

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| | | | protection or communication. |
| 71 | 843.15(1) (a) | 3rd | Failure to appear while on bail for felony (bond estreature or bond jumping). |
| 72 | 847.0135(5) (c) | 3rd | Lewd or lascivious exhibition using computer; offender less than 18 years. |
| 73 | 870.01(3) | 2nd | Aggravated rioting. |
| 74 | 870.01(5) | 2nd | Aggravated inciting a riot. |
| 75 | 874.05(1) (a) | 3rd | Encouraging or recruiting another to join a criminal gang. |
| 76 | 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). |
| 77 | 914.14(2) | 3rd | Witnesses accepting bribes. |
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| 79 | 914.22(1) | 3rd | Force, threaten, etc., witness, victim, or informant. |
| 80 | 914.23(2) | 3rd | Retaliation against a witness, victim, or informant, no bodily injury. |
| 81 | 916.1085 (2) (c) 1. | 3rd | Introduction of specified contraband into certain DCF facilities. |
| 82 | 918.12 | 3rd | Tampering with jurors. |
| 83 | 934.215 | 3rd | Use of two-way communications device to facilitate commission of a crime. |
| 84 | 944.47(1) (a) 6. | 3rd | Introduction of contraband (cellular telephone or other portable communication device) into correctional institution. |
| | 951.22(1) (h), (j) & (k) | 3rd | Intoxicating drug, instrumentality or other device to aid escape, or cellular |

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telephone or other portable
communication device introduced
into county detention facility.

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Section 3. This act shall take effect October 1, 2022.

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

Remove everything before the enacting clause and insert:

A bill to be entitled
An act relating to indecent, lewd, or lascivious touching;
creating s. 794.051, F.S.; defining conduct prohibited as
indecent, lewd, or lascivious touching of certain minors;
providing a penalty; providing applicability; amending s.
921.0022, F.S.; ranking the offense on the offense severity
ranking chart of the Criminal Punishment Code; providing an
effective date.

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