

By Senator Pizzo

38-00543-22

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1                   A bill to be entitled  
2       An act relating to aggressive careless driving;  
3       amending s. 316.1923, F.S.; providing a short title;  
4       revising the definition of the term "aggressive  
5       careless driving"; providing a civil penalty for  
6       aggressive careless driving; providing criminal  
7       penalties for aggressive careless driving resulting in  
8       damage to property or person, serious bodily injury,  
9       or death; defining the term "serious bodily injury";  
10      amending s. 921.0022, F.S.; ranking an offense created  
11      by the act on the offense severity ranking chart of  
12      the Criminal Punishment Code; providing an effective  
13      date.

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15 Be It Enacted by the Legislature of the State of Florida:

16  
17       Section 1. Section 316.1923, Florida Statutes, is amended  
18      to read:

19       316.1923 Aggressive careless driving.—

20       (1) This section may be cited as the "Anthony Reznik Act."

21       (2) As used in this chapter, the term "aggressive careless  
22      driving" means committing two or more of the following acts  
23      simultaneously or in succession:

24       (a) ~~(1)~~ Exceeding the posted speed as defined in s.  
25      322.27(3)(d)5.b.

26       (b) ~~(2)~~ Unsafely or improperly changing lanes as defined in  
27      s. 316.085.

28       (c) ~~(3)~~ Following another vehicle too closely as defined in  
29      s. 316.0895(1).

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30 (d)~~(4)~~ Failing to yield the right-of-way as defined in s.  
31 316.079, s. 316.0815, or s. 316.123.

32 (e)~~(5)~~ Improperly passing as defined in s. 316.083, s.  
33 316.084, or s. 316.085.

34 (f)~~(6)~~ Violating traffic control and signal devices as  
35 defined in ss. 316.074 and 316.075.

36 (g) Operating a motor vehicle while texting as defined in  
37 s. 316.305(3) (a).

38 (h) Operating a motor vehicle in violation of restrictions  
39 imposed under s. 322.16(1) (a) or (b).

40 (3) A person who commits aggressive careless driving shall  
41 be cited for a moving violation, punishable as provided in  
42 chapter 318.

43 (4) A person who commits aggressive careless driving and  
44 who, by reason of such operation, causes:

45 (a) Damage to the property or person of another commits a  
46 misdemeanor of the second degree, punishable as provided in s.  
47 775.082 or s. 775.083.

48 (b) Serious bodily injury to another person commits a  
49 misdemeanor of the first degree, punishable as provided in s.  
50 775.082, s. 775.083, or s. 775.084. As used in this paragraph,  
51 the term "serious bodily injury" means an injury to another  
52 person which consists of a physical condition that creates a  
53 substantial risk of death, serious personal disfigurement, or  
54 protracted loss or impairment of the function of any bodily  
55 member or organ.

56 (c) Death to another person commits a felony of the third  
57 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
58 775.084.

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59 Section 2. Paragraph (f) of subsection (3) of section  
 60 921.0022, Florida Statutes, is amended to read:

61 921.0022 Criminal Punishment Code; offense severity ranking  
 62 chart.—

63 (3) OFFENSE SEVERITY RANKING CHART

64 (f) LEVEL 6

65

Florida Statute	Felony Degree	Description
316.027 (2) (b)	2nd	Leaving the scene of a crash involving serious bodily injury.
<u>316.1923 (4) (c)</u>	<u>3rd</u>	<u>Aggressive careless driving resulting in death.</u>
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,

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			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 unauthorized person.
775.0875 (1)	3rd		Taking firearm from law enforcement officer.
784.021 (1) (a)	3rd		Aggravated assault; deadly weapon without intent to kill.
784.021 (1) (b)	3rd		Aggravated assault; intent to commit felony.
784.041	3rd		Felony battery; domestic battery by strangulation.
784.048 (3)	3rd		Aggravated stalking; credible threat.

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79	784.048 (5)	3rd	Aggravated stalking of person under 16.
80	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
81	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
82	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
83	784.081 (2)	2nd	Aggravated assault on specified official or employee.
84	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
85	784.083 (2)	2nd	Aggravated assault on code inspector.
	787.02 (2)	3rd	False imprisonment; restraining with purpose

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other than those in s.  
787.01.

86

790.115 (2) (d)

2nd

Discharging firearm or  
weapon on school  
property.

87

790.161 (2)

2nd

Make, possess, or throw  
destructive device with  
intent to do bodily harm  
or damage property.

88

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  
manner.

89

790.19

2nd

Shooting or throwing  
deadly missiles into  
dwellings, vessels, or  
vehicles.

90

794.011 (8) (a)

3rd

Solicitation of minor to  
participate in sexual  
activity by custodial  
adult.

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91	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
92	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.
93	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
94	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
95	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
96	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
97	812.014 (2) (b) 1.	2nd	Property stolen \$20,000

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or more, but less than  
\$100,000, grand theft in  
2nd degree.

98

812.014 (6)

2nd

Theft; property stolen  
\$3,000 or more;  
coordination of others.

99

812.015 (9) (a)

2nd

Retail theft; property  
stolen \$750 or more;  
second or subsequent  
conviction.

100

812.015 (9) (b)

2nd

Retail theft; aggregated  
property stolen within  
30 days is \$3,000 or  
more; coordination of  
others.

101

812.13 (2) (c)

2nd

Robbery, no firearm or  
other weapon (strong-arm  
robbery).

102

817.4821 (5)

2nd

Possess cloning  
paraphernalia with  
intent to create cloned  
cellular telephones.

103

817.49 (2) (b) 2.

2nd

Willful making of a



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false report of a crime  
resulting in death.

104

817.505 (4) (b)

2nd

Patient brokering; 10 or  
more patients.

105

825.102 (1)

3rd

Abuse of an elderly  
person or disabled  
adult.

106

825.102 (3) (c)

3rd

Neglect of an elderly  
person or disabled  
adult.

107

825.1025 (3)

3rd

Lewd or lascivious  
molestation of an  
elderly person or  
disabled adult.

108

825.103 (3) (c)

3rd

Exploiting an elderly  
person or disabled adult  
and property is valued  
at less than \$10,000.

109

827.03 (2) (c)

3rd

Abuse of a child.

110

827.03 (2) (d)

3rd

Neglect of a child.

111

827.071 (2) & (3)

2nd

Use or induce a child in

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a sexual performance, or  
 promote or direct such  
 performance.

112

836.05

2nd

Threats; extortion.

113

836.10

2nd

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

114

843.12

3rd

Aids or assists person  
 to escape.

115

847.011

3rd

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

116

847.012

3rd

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

117

847.0135 (2)

3rd

Facilitates sexual  
 conduct of or with a

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minor or the visual  
 depiction of such  
 conduct.

118

914.23

2nd

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

119

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.

120

944.40

2nd

Escapes.

121

944.46

3rd

Harboring, concealing,  
 aiding escaped  
 prisoners.

122

944.47 (1) (a) 5.

2nd

Introduction of  
 contraband (firearm,  
 weapon, or explosive)  
 into correctional  
 facility.

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123

951.22 (1) (i)

3rd

Firearm or weapon  
introduced into county  
detention facility.

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