

1                                   A bill to be entitled  
 2           An act relating to solicitation of minors to commit  
 3           lewd or lascivious acts; amending s. 800.04, F.S.;  
 4           prohibiting a person 24 years of age or older from  
 5           soliciting a person 16 or 17 years of age in writing  
 6           to commit a lewd or lascivious act; providing criminal  
 7           penalties; amending s. 921.0022, F.S.; ranking an  
 8           offense on the offense severity ranking chart of the  
 9           Criminal Punishment Code; providing an effective date.

10  
 11 Be It Enacted by the Legislature of the State of Florida:

12  
 13           Section 1. Subsection (8) of section 800.04, Florida  
 14 Statutes, is renumbered as subsection (9), and a new subsection  
 15 (8) is added to that section, to read:

16           800.04 Lewd or lascivious offenses committed upon or in  
 17 the presence of persons less than 16 years of age.—

18           (8) LEWD OR LASCIVIOUS SOLICITATION.—A person 24 years of  
 19 age or older who solicits a person who is 16 or 17 years of age  
 20 in writing to commit a lewd or lascivious act commits a felony  
 21 of the third degree, punishable as provided in s. 775.082, s.  
 22 775.083, or s. 775.084.

23           Section 2. Paragraph (g) of subsection (3) of section  
 24 921.0022, Florida Statutes, is amended to read:

25           921.0022 Criminal Punishment Code; offense severity

HB431

2023

26 ranking chart.—

27 (3) OFFENSE SEVERITY RANKING CHART

28 (g) LEVEL 7

29

30 Florida Statute	Felony Degree	Description
31 316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
32 316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
33 316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; 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.
34 327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.

HB431

2023

35	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
36	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
37	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
38	456.065 (2)	3rd	Practicing a health care profession without a license.
39	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
40	458.327 (1)	3rd	Practicing medicine without a license.
	459.013 (1)	3rd	Practicing osteopathic medicine

HB431

2023

			without a license.
41	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
42	461.012 (1)	3rd	Practicing podiatric medicine without a license.
43	462.17	3rd	Practicing naturopathy without a license.
44	463.015 (1)	3rd	Practicing optometry without a license.
45	464.016 (1)	3rd	Practicing nursing without a license.
46	465.015 (2)	3rd	Practicing pharmacy without a license.
47	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
48	467.201	3rd	Practicing midwifery without a license.

HB431

2023

49	468.366	3rd	Delivering respiratory care services without a license.
50	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
51	483.901 (7)	3rd	Practicing medical physics without a license.
52	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
53	484.053	3rd	Dispensing hearing aids without a license.
54	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
55	560.123 (8) (b) 1.	3rd	Failure to report currency or

HB431

2023

56	560.125 (5) (a)	3rd	payment instruments exceeding \$300 but less than \$20,000 by a money services business.
57	655.50 (10) (b) 1.	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
58	775.21 (10) (a)	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
59	775.21 (10) (b)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
60	775.21 (10) (g)	3rd	Sexual predator working where children regularly congregate.
			Failure to report or providing

HB431

2023

61	782.051 (3)	2nd	false information about a sexual predator; harbor or conceal a sexual predator.
62	782.07(1)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
63	782.071	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
64	782.072	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
			Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

HB431

2023

65	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
66	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
67	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
68	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
69	784.048 (7)	3rd	Aggravated stalking; violation of court order.
70	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
71	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
72	784.08 (2) (a)	1st	Aggravated battery on a person



HB431

2023

			65 years of age or older.
73	784.081 (1)	1st	Aggravated battery on specified official or employee.
74	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
75	784.083 (1)	1st	Aggravated battery on code inspector.
76	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
77	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
78	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or

HB431

2023

			(2).
79	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
80	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
81	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
82	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
83	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
84	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the

			penalty enhancements provided for in s. 874.04.
85	794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
86	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
87	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
88	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
89	800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age

HB431

2023

90			or older.
	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
91	<u>800.04 (8)</u>	<u>3rd</u>	<u>Lewd or lascivious written solicitation of 16 or 17 year old.</u>
92	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
93	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
94	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
95	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault

HB431

2023

or battery.

96

810.02(3)(e) 2nd Burglary of authorized  
emergency vehicle.

97

812.014(2)(a)1. 1st Property stolen, valued at  
\$100,000 or more or a  
semitrailer deployed by a law  
enforcement officer; property  
stolen while causing other  
property damage; 1st degree  
grand theft.

98

812.014(2)(b)2. 2nd Property stolen, cargo valued  
at less than \$50,000, grand  
theft in 2nd degree.

99

812.014(2)(b)3. 2nd Property stolen, emergency  
medical equipment; 2nd degree  
grand theft.

100

812.014(2)(b)4. 2nd Property stolen, law  
enforcement equipment from  
authorized emergency vehicle.

101

HB431

2023

102	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
103	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
104	812.131(2)(a)	2nd	Robbery by sudden snatching.
105	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
106	817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
107	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
108	817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
	817.234(11)(c)	1st	Insurance fraud; property value

HB431

2023

\$100,000 or more.

109

817.2341  
 (2) (b) &  
 (3) (b)

1st

Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.

110

817.418 (2) (a)

3rd

Offering for sale or advertising personal protective equipment with intent to defraud.

111

817.504 (1) (a)

3rd

Offering or advertising a vaccine with intent to defraud.

112

817.535 (2) (a)

3rd

Filing false lien or other unauthorized document.

113

817.611 (2) (b)

2nd

Traffic in or possess 15 to 49 counterfeit credit cards or related documents.

114

HB431

2023

115	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
116	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
117	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
118	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
119	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
120	838.015	2nd	Bribery.
	838.016	2nd	Unlawful compensation or reward



HB431

2023

for official behavior.

121

838.021 (3) (a) 2nd Unlawful harm to a public servant.

122

838.22 2nd Bid tampering.

123

843.0855 (2) 3rd Impersonation of a public officer or employee.

124

843.0855 (3) 3rd Unlawful simulation of legal process.

125

843.0855 (4) 3rd Intimidation of a public officer or employee.

126

847.0135 (3) 3rd Solicitation of a child, via a computer service, to commit an unlawful sex act.

127

847.0135 (4) 2nd Traveling to meet a minor to commit an unlawful sex act.

128

872.06 2nd Abuse of a dead human body.

129

HB431

2023

130	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
131	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
132	893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s.

HB431

2023

893.03(1) (a), (1) (b), (1) (d),  
 (2) (a), (2) (b), or (2) (c) 5.,  
 within 1,000 feet of property  
 used for religious services or  
 a specified business site.

133

893.13(4) (a) 1st Use or hire of minor; deliver  
 to minor other controlled  
 substance.

134

893.135(1) (a) 1. 1st Trafficking in cannabis, more  
 than 25 lbs., less than 2,000  
 lbs.

135

893.135 (1) (b) 1.a. 1st Trafficking in cocaine, more  
 than 28 grams, less than 200  
 grams.

136

893.135 (1) (c) 1.a. 1st Trafficking in illegal drugs,  
 more than 4 grams, less than 14  
 grams.

137

893.135 (1) (c) 2.a. 1st Trafficking in hydrocodone, 28  
 grams or more, less than 50  
 grams.

HB431

2023

138	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
139	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
140	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
141	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
142	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
143	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.

144

HB431

2023

145	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
146	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
147	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
148	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
149	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
150	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.

HB431

2023

151	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
152	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
153	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
154	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
155	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting

HB431

2023

requirements.

156

943.0435(8) 2nd Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

157

943.0435(9)(a) 3rd Sexual offender; failure to comply with reporting requirements.

158

943.0435(13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

159

943.0435(14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

160

944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

HB431

2023

161  
162  
163  
164  
165  
166

944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.



HB431

2023

985.4815(13)            3rd    Sexual offender; failure to  
report and reregister; failure  
to respond to address  
verification; providing false  
registration information.

167

168

169

Section 3. This act shall take effect October 1, 2023.