

By the Committee on Criminal Justice; and Senators Bradley and Martin

591-02502-23

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1 A bill to be entitled
 2 An act relating to solicitation of minors to commit
 3 lewd or lascivious acts; creating s. 794.053, 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 chart of the Criminal
 9 Punishment Code; providing an effective date.

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

Section 1. Section 794.053, Florida Statutes, is created to read:

794.053 Lewd or lascivious written solicitation of certain minors.—A person 24 years of age or older who solicits a person who is 16 or 17 years of age in writing to commit a lewd or lascivious act commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

921.0022 Criminal Punishment Code; offense severity ranking chart.—

- (3) OFFENSE SEVERITY RANKING CHART
- (c) LEVEL 3

Florida	Felony	
Statute	Degree	Description

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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.

319.30 (4)

3rd

Possession by junkyard of motor vehicle with identification number plate removed.

319.33 (1) (a)

3rd

Alter or forge any certificate of title to a motor vehicle or mobile home.

319.33 (1) (c)

3rd

Procure or pass title on stolen vehicle.

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319.33(4)

3rd

With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.

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327.35(2)(b)

3rd

Felony BUI.

36

328.05(2)

3rd

Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.

37

328.07(4)

3rd

Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.

38

376.302(5)

3rd

Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.

39

379.2431
(1)(e)5.

3rd

Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell,

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molesting, or harassing
 marine turtles, marine
 turtle eggs, or marine
 turtle nests in violation
 of the Marine Turtle
 Protection Act.

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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.

41

379.2431
 (1) (e) 7.

3rd

Soliciting to commit or
 conspiring to commit a
 violation of the Marine
 Turtle Protection Act.

42

400.9935 (4) (a)
 or (b)

3rd

Operating a clinic, or
 offering services requiring
 licensure, without a
 license.

43

400.9935 (4) (e)

3rd

Filing a false license
 application or other
 required information or
 failing to report

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44			information.
	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
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	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
46			
	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
47			
	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
48			
	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
49			
	697.08	3rd	Equity skimming.
50			
	790.15 (3)	3rd	Person directs another to

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discharge firearm from a vehicle.

51

794.053

3rd

Lewd or lascivious written solicitation of a person 16 or 17 years of age by a person 24 years of age or older.

52

806.10 (1)

3rd

Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.

53

806.10 (2)

3rd

Interferes with or assaults firefighter in performance of duty.

54

810.09 (2) (c)

3rd

Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.

55

812.014 (2) (c) 2.

3rd

Grand theft; \$5,000 or more but less than \$10,000.

56

812.0145 (2) (c)

3rd

Theft from person 65 years of age or older; \$300 or

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			more but less than \$10,000.
57	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
58	812.081 (2)	3rd	Theft of a trade secret.
59	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
60	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
61	817.233	3rd	Burning to defraud insurer.
62	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
63	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
64	817.236	3rd	Filing a false motor vehicle insurance application.

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817.2361 3rd Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

66

817.413 (2) 3rd Sale of used goods of \$1,000 or more as new.

67

817.49 (2) (b) 1. 3rd Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.

68

831.28 (2) (a) 3rd Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.

69

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

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836.13 (2) 3rd Person who promotes an altered sexual depiction of

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an identifiable person
without consent.

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72

838.021 (3) (b) 3rd Threatens unlawful harm to
public servant.

73

843.19 2nd Injure, disable, or kill
police, fire, or SAR canine
or police horse.

74

860.15 (3) 3rd Overcharging for repairs
and parts.

75

870.01 (2) 3rd Riot.

76

870.01 (4) 3rd Inciting a riot.

77

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.,
(2) (c) 10., (3), or (4)
drugs).

78

893.13 (1) (d) 2. 2nd Sell, manufacture, or

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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.

79

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.

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893.13(4)(c)

3rd

Use or hire of minor;
 deliver to minor other
 controlled substances.

81

893.13(6)(a)

3rd

Possession of any
 controlled substance other
 than felony possession of
 cannabis.

82

893.13(7)(a)8.

3rd

Withhold information from
 practitioner regarding

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previous receipt of or
prescription for a
controlled substance.

83

893.13(7)(a)9.

3rd

Obtain or attempt to obtain
controlled substance by
fraud, forgery,
misrepresentation, etc.

84

893.13(7)(a)10.

3rd

Affix false or forged label
to package of controlled
substance.

85

893.13(7)(a)11.

3rd

Furnish false or fraudulent
material information on any
document or record required
by chapter 893.

86

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.

87

893.13(8)(a)2.

3rd

Employ a trick or scheme in

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the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.

88

893.13 (8) (a) 3.

3rd

Knowingly write a prescription for a controlled substance for a fictitious person.

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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.

90

918.13 (1)

3rd

Tampering with or fabricating physical evidence.

91

944.47
(1) (a) 1. & 2.

3rd

Introduce contraband to correctional facility.

92

944.47 (1) (c)

2nd

Possess contraband while upon the grounds of a

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correctional institution.

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985.721

3rd

Escapes from a juvenile facility (secure detention or residential commitment facility).

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