

By the Committees on Fiscal Policy; and Criminal Justice; and  
Senator Ingoglia

594-03838-24

20241036c2

1 A bill to be entitled  
2 An act relating to reclassification of criminal  
3 penalties; creating s. 775.0848, F.S.; requiring  
4 reclassification of the penalty for the commission of  
5 a felony committed by a person who has a previous  
6 specified conviction; creating s. 908.12, F.S.;  
7 defining the term "transnational crime organization";  
8 authorizing reclassification of the penalty for any  
9 misdemeanor or felony offense if the commission of  
10 such offense was for specified purposes; providing an  
11 effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Section 775.0848, Florida Statutes, is created  
16 to read:

17 775.0848 Commission of a felony after unlawful reentry into  
18 the United States; reclassification.—A person who has been  
19 previously convicted of a crime relating to the reentry of  
20 removed aliens under 8 U.S.C. s. 1326 shall have the penalty for  
21 committing a felony committed after such conviction reclassified  
22 in the following manner:

23 (1) A felony of the third degree is reclassified to a  
24 felony of the second degree.

25 (2) A felony of the second degree is reclassified to a  
26 felony of the first degree.

27 (3) A felony of the first degree is reclassified to a life  
28 felony.

29 Section 2. Section 908.12, Florida Statutes, is created to

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30 read:

31 908.12 Transnational crime organizations;  
32 reclassification.-

33 (1) As used in this section, the term "transnational crime  
34 organization" means an organization that routinely facilitates  
35 the international trafficking of drugs, humans, or weapons or  
36 the international smuggling of humans.

37 (2) The penalty for any misdemeanor or felony may be  
38 reclassified if the commission of such misdemeanor or felony was  
39 for the purpose of benefiting, promoting, or furthering the  
40 interests of a transnational crime organization. The  
41 reclassification is as follows:

42 (a) A misdemeanor of the second degree is reclassified to a  
43 misdemeanor of the first degree.

44 (b) A misdemeanor of the first degree is reclassified to a  
45 felony of the third degree.

46 (c) A felony of the third degree is reclassified to a  
47 felony of the second degree.

48 (d) A felony of the second degree is reclassified to a  
49 felony of the first degree.

50 (e) A felony of the first degree is reclassified to a life  
51 felony.

52 Section 3. This act shall take effect October 1, 2024.