



879358

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/23/2024	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Martin) recommended the following:

Senate Amendment

Delete lines 149 - 488

and insert:

1. At the time of the violation the person is knowingly acting as a manager; or

2. Has one prior conviction for a violation of this section.

(c) A person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084,



879358

11 if he or she violates subsection (2) and:

12 1.a. At the time of the violation the person is knowingly
13 acting as a manager; and

14 b. The violation involves five or more slot machines or
15 devices; or

16 2. Has two or more prior convictions for a violation of
17 this section.

18 (4)~~(2)~~ Pursuant to section 2 of that chapter of the
19 Congress of the United States entitled "An act to prohibit
20 transportation of gaming devices in interstate and foreign
21 commerce," approved January 2, 1951, being ch. 1194, 64 Stat.
22 1134, and also designated as 15 U.S.C. ss. 1171-1177, the State
23 of Florida, acting by and through the duly elected and qualified
24 members of its Legislature, does hereby in this section, and in
25 accordance with and in compliance with the provisions of section
26 2 of such chapter of Congress, declare and proclaim that any
27 county of the State of Florida within which slot machine gaming
28 is authorized pursuant to chapter 551 is exempt from the
29 provisions of section 2 of that chapter of the Congress of the
30 United States entitled "An act to prohibit transportation of
31 gaming devices in interstate and foreign commerce," designated
32 as 15 U.S.C. ss. 1171-1177, approved January 2, 1951. All
33 shipments of gaming devices, including slot machines, into any
34 county of this state within which slot machine gaming is
35 authorized pursuant to chapter 551 and the registering,
36 recording, and labeling of which have been duly performed by the
37 manufacturer or distributor thereof in accordance with sections
38 3 and 4 of that chapter of the Congress of the United States
39 entitled "An act to prohibit transportation of gaming devices in



879358

40 interstate and foreign commerce," approved January 2, 1951,
41 being ch. 1194, 64 Stat. 1134, and also designated as 15 U.S.C.
42 ss. 1171-1177, shall be deemed legal shipments thereof into this
43 state provided the destination of such shipments is an eligible
44 facility as defined in s. 551.102 or the facility of a slot
45 machine manufacturer or slot machine distributor as provided in
46 s. 551.109(2) (a).

47 Section 4. Section 849.155, Florida Statutes, is created to
48 read:

49 849.155 Trafficking in slot machines or devices or any
50 parts thereof.—Any person who knowingly sells, purchases,
51 manufactures, transports, delivers, or brings into this state
52 more than 15 slot machines or devices or any part thereof,
53 commits a felony of the first degree, punishable as provided in
54 s. 775.082, s. 775.083, or s. 775.084. If the quantity of slot
55 machines or devices or any part thereof involved:

56 (1) Is more than 15 slot machines or devices or any part
57 thereof, but less than 25 slot machines or devices or any part
58 thereof, such person must be ordered to pay a fine of \$100,000.

59 (2) Is 25 slot machines or devices or any part thereof or
60 more, but less than 50 slot machines or devices or any part
61 thereof, such person must be ordered to pay a fine of \$250,000.

62 (3) Is 50 slot machines or devices or any part thereof or
63 more, such person must be ordered to pay a fine of \$500,000.

64
65 All fines imposed and collected pursuant to this section must be
66 deposited into the Pari-mutuel Wagering Trust Fund and may be
67 used for the enforcement of chapters 546, 550, and 551, and this
68 chapter by the Florida Gaming Control Commission.



879358

69 Section 5. Section 849.157, Florida Statutes, is created to
70 read:

71 849.157 Making a false or misleading statement regarding
72 the legality of slot machines or devices to facilitate sale.—

73 (1) Except as provided in subsection (2), a person who
74 knowingly and willfully makes a materially false or misleading
75 statement or who knowingly and willfully disseminates false or
76 misleading information regarding the legality of a slot machine
77 or device for the purpose of facilitating the sale or delivery
78 of a slot machine or device for any money or other valuable
79 consideration commits a felony of the third degree, punishable
80 as provided in s. 775.082, s. 775.083, or s. 775.084.

81 (2) A person who violates subsection (1) when such a
82 violation involves the sale or delivery, or attempted sale or
83 delivery, of five or more slot machines or devices commits a
84 felony of the second degree, punishable as provided in s.
85 775.082, s. 775.083, or s. 775.084.

86 Section 6. Section 849.23, Florida Statutes, is repealed.

87 Section 7. Section 849.47, Florida Statutes, is created to
88 read:

89 849.47 Transporting or procuring the transportation of
90 persons to facilitate illegal gambling.—

91 (1) Except as provided in subsection (2), a person who
92 knowingly and willfully for profit or hire transports, or
93 procures the transportation of, five or more other persons into
94 or within this state when he or she knows or reasonably should
95 know such transportation is for the purpose of facilitating
96 illegal gambling commits a misdemeanor of the first degree,
97 punishable as provided in s. 775.082 or s. 775.083.



879358

98 (2) (a) A person who transports, or procures the
99 transportation of, a minor or a person 65 years of age or older
100 in violation of subsection (1) commits a felony of the third
101 degree, punishable as provided in s. 775.082, s. 775.083, or s.
102 775.084.

103 (b) A person who transports, or procures the transportation
104 of, 12 or more persons in violation of subsection (1) commits a
105 felony of the third degree, punishable as provided in s.
106 775.082, s. 775.083, or s. 775.084.

107 (3) As used in this section, the term "illegal gambling"
108 means any criminal violation of chapter 546, chapter 550,
109 chapter 551, or this chapter that occurs at any business,
110 establishment, premises, or other location which operates for
111 profit.

112 Section 8. Section 849.48, Florida Statutes, is created to
113 read:

114 849.48 Gambling or gaming advertisements; prohibited.-

115 (1) (a) Except as otherwise specifically authorized by law,
116 a person may not knowingly and intentionally make, publish,
117 disseminate, circulate or place before the public, or cause,
118 directly or indirectly, to be made, published, disseminated or
119 circulated or placed before the public in this state, in any
120 manner, any advertisement, circular, bill, poster, pamphlet,
121 list, schedule, announcement, or notice for the purpose of
122 promoting or facilitating illegal gambling.

123 (b) Except as otherwise specifically authorized by law, a
124 person may not set up any type or plate for any type of
125 advertisement, circular, bill, poster, pamphlet, list, schedule,
126 announcement, or notice when he or she knows or reasonably



879358

127 should know that such material will be used for the purpose of
128 promoting or facilitating illegal gambling.

129 (2) A person who violates subsection (1) commits a
130 misdemeanor of the first degree, punishable as provided in s.
131 775.082 or s. 775.083.

132 (3) This section does not prohibit the printing or
133 producing of any advertisement, circular, bill, poster,
134 pamphlet, list, schedule, announcement, or notice to be used for
135 the purpose of promoting or facilitating gambling conducted in
136 any other state or nation, outside of this state, where such
137 gambling is not prohibited.

138 (4) As used in this section, the term "illegal gambling"
139 means any criminal violation of chapter 546, chapter 550,
140 chapter 551, or this chapter that occurs at any business,
141 establishment, premises, or other location which operates for
142 profit.

143 Section 9. Section 849.49, Florida Statutes, is created to
144 read:

145 849.49 Preemption.— No county, municipality, or other
146 political subdivision of the state shall enact or enforce any
147 ordinance or local rule relating to gaming, gambling, lotteries,
148 or any activities described in s. 546.10 or this chapter, except
149 as otherwise expressly provided by the state constitution,
150 general law, or special law.

151 Section 10. Present paragraphs (i) through (m) of
152 subsection (2) of section 903.046, Florida Statutes, are
153 redesignated as paragraphs (j) through (n), respectively, and a
154 new paragraph (i) is added to that subsection, to read:

155 903.046 Purpose of and criteria for bail determination.—



156 (2) When determining whether to release a defendant on bail
157 or other conditions, and what that bail or those conditions may
158 be, the court shall consider:

159 (i) The amount of currency seized that is connected to or
160 involved in a violation of chapter 546, chapter 550, chapter
161 551, or chapter 849.

162 Section 11. Paragraphs (a), (c), (e), and (g) of subsection
163 (3) of section 921.0022, Florida Statutes, are amended to read:

164 921.0022 Criminal Punishment Code; offense severity ranking
165 chart.—

166 (3) OFFENSE SEVERITY RANKING CHART

167 (a) LEVEL 1

168

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
104.0616(2)	3rd	Unlawfully distributing, ordering, requesting, collecting, delivering, or possessing vote-by-mail ballots.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.

171

172



879358

173	212.15 (2) (b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but less than \$20,000.
174	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
175	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
176	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
177	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
178	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.



879358

179	322.212 (5) (a)	3rd	False application for driver license or identification card.
180	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
181	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
182	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value \$1,000 or more.
183	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
184	713.69	3rd	Tenant removes property upon which lien has accrued, value \$1,000 or more.
185	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any



879358

186			property not specified in subsection (2).
	815.04(4)(a)	3rd	Offense against intellectual property (i.e., computer programs, data).
187			
	817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
188			
	817.569(2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
189			
	826.01	3rd	Bigamy.
190			
	828.122(3)	3rd	Fighting or baiting animals.
191			
	831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
192			
	831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s.



879358

893.03(5) drugs.

193

832.041(1) 3rd Stopping payment with intent
to defraud \$150 or more.

194

832.05(2)(b) & 3rd Knowing, making, issuing
(4)(c) worthless checks \$150 or
more or obtaining property
in return for worthless
check \$150 or more.

195

838.15(2) 3rd Commercial bribe receiving.

196

838.16 3rd Commercial bribery.

197

843.18 3rd Fleeing by boat to elude a
law enforcement officer.

198

847.011(1)(a) 3rd Sell, distribute, etc.,
obscene, lewd, etc.,
material (2nd conviction).

199

~~849.09(1)(a)-(d)~~ 3rd ~~Lottery; set up, promote,~~
~~etc., or assist therein,~~
~~conduct or advertise drawing~~
~~for prizes, or dispose of~~
~~property or money by means~~
~~of lottery.~~

200



879358

201	849.23	3rd	Gambling related machines; "common offender" as to property rights.
202	849.25(2)	3rd	Engaging in bookmaking.
203	860.08	3rd	Interfere with a railroad signal.
204	860.13(1)(a)	3rd	Operate aircraft while under the influence.
205	893.13(2)(a)2.	3rd	Purchase of cannabis.
206	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
207	934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
208			
209	(c) LEVEL 3		
210			
211	Florida Statute	Felony Degree	Description
	119.10(2)(b)	3rd	Unlawful use of



879358

212			confidential information from police reports.
	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
213			
	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
214			
	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
215			
	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
216			
	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
217			
	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
218			
	319.33 (4)	3rd	With intent to defraud,



879358

219			possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
220	327.35 (2) (b)	3rd	Felony BUI.
221	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
222	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
223	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing



879358

224			marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
	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.
225			
	379.2431 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
226			
	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
227			
	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.



879358

228	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
229	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
230	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
231	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
232	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
233	697.08	3rd	Equity skimming.
234	790.15 (3)	3rd	Person directs another to discharge firearm from a



879358

235			vehicle.
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.
236			
806.10(1)	3rd		Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
237			
806.10(2)	3rd		Interferes with or assaults firefighter in performance of duty.
238			
810.09(2)(c)	3rd		Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
239			
812.014(2)(c)2.	3rd		Grand theft; \$5,000 or more but less than \$10,000.
240			
812.0145(2)(c)	3rd		Theft from person 65 years of age or older; \$300 or more but less than \$10,000.



879358

241	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
242	812.081 (2)	3rd	Theft of a trade secret.
243	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
244	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
245	817.233	3rd	Burning to defraud insurer.
246	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
247	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
248	817.236	3rd	Filing a false motor vehicle insurance application.
249			



879358

250	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
251	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
252	817.49 (2) (b) 1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
253	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
254	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
	836.13 (2)	3rd	Person who promotes an altered sexual depiction of an identifiable person



879358

255			without consent.
	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
256			
	<u>849.01</u>	<u>3rd</u>	<u>Keeping a gambling house.</u>
257			
	<u>849.09(1)(a)-(d)</u>	<u>3rd</u>	<u>Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery</u>
258			
	<u>849.09(1)(e), (f), (g), (i), or (k)</u>	<u>3rd</u>	<u>Conducting an unlawful lottery; second or subsequent offense.</u>
259			
	<u>849.09(1)(h) or (j)</u>	<u>3rd</u>	<u>Conducting an unlawful lottery; second or subsequent offense.</u>
260			
	<u>849.15(3)(b)</u>	<u>3rd</u>	<u>Manufacture, sale, or possession of slot machine; by manager or with prior conviction.</u>
261			
	<u>849.157(1)</u>	<u>3rd</u>	<u>False or misleading statement to facilitate</u>



879358

262			<u>sale of slot machines or devices.</u>
263	<u>849.25 (2)</u>	<u>3rd</u>	<u>Engaging in bookmaking.</u>
264	<u>849.47 (2) (a) & (b)</u>	<u>3rd</u>	<u>Transporting persons to facilitate illegal gambling; minor or person 65 years of age or older or 12 or more persons.</u>
265	860.15 (3)	3rd	Overcharging for repairs and parts.
266	870.01 (2)	3rd	Riot.
267	870.01 (4)	3rd	Inciting a riot.
268	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).
	893.13 (1) (d) 2.	2nd	Sell, manufacture, or deliver s. 893.03 (1) (c),



879358

(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.

269

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.

270

893.13 (4) (c)

3rd

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

271

893.13 (6) (a)

3rd

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

272

893.13 (7) (a) 8.

3rd

Withhold information from
practitioner regarding
previous receipt of or



879358

273

893.13(7)(a)9.

3rd

prescription for a
controlled substance.

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

274

893.13(7)(a)10.

3rd

Affix false or forged label
to package of controlled
substance.

275

893.13(7)(a)11.

3rd

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

276

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.

277

893.13(8)(a)2.

3rd

Employ a trick or scheme in
the practitioner's practice



879358

278	893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
279	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.
280	918.13(1)	3rd	Tampering with or fabricating physical evidence.
281	944.47 (1)(a)1. & 2.	3rd	Introduce contraband to correctional facility.
282	944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.



879358

283

985.721 3rd Escapes from a juvenile facility (secure detention or residential commitment facility).

284

285

286 (e) LEVEL 5

287

Florida	Felony	
Statute	Degree	Description

288

316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
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289

316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
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290

316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
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291

322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
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292

327.30 (5)	3rd	Vessel accidents involving
------------	-----	----------------------------



879358

personal injury; leaving scene.

293

379.365(2)(c)1.

3rd

Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.

294

379.367(4)

3rd

Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

295



879358

296	379.407(5)(b)3.	3rd	Possession of 100 or more undersized spiny lobsters.
297	381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
298	440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
299	440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
300	440.381(2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
301	624.401(4)(b)2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
	626.902(1)(c)	2nd	Representing an unauthorized insurer; repeat offender.



879358

302	790.01(3)	3rd	Unlawful carrying of a concealed firearm.
303	790.162	2nd	Threat to throw or discharge destructive device.
304	790.163(1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
305	790.221(1)	2nd	Possession of short-barreled shotgun or machine gun.
306	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
307	796.05(1)	2nd	Live on earnings of a prostitute; 1st offense.
308	800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
309	800.04(7)(b)	2nd	Lewd or lascivious exhibition; offender 18



879358

years of age or older.

310

806.111(1) 3rd Possess, manufacture, or
dispense fire bomb with
intent to damage any
structure or property.

311

812.0145(2)(b) 2nd Theft from person 65 years
of age or older; \$10,000 or
more but less than \$50,000.

312

812.015 3rd Retail theft; property
(8)(a) & (c)-(e) stolen is valued at \$750 or
more and one or more
specified acts.

313

812.015(8)(f) 3rd Retail theft; multiple
thefts within specified
period.

314

812.019(1) 2nd Stolen property; dealing in
or trafficking in.

315

812.081(3) 2nd Trafficking in trade
secrets.

316

812.131(2)(b) 3rd Robbery by sudden snatching.

317

812.16(2) 3rd Owning, operating, or



879358

conducting a chop shop.

318

817.034 (4) (a) 2. 2nd Communications fraud, value
\$20,000 to \$50,000.

319

817.234 (11) (b) 2nd Insurance fraud; property
value \$20,000 or more but
less than \$100,000.

320

817.2341 (1), 3rd Filing false financial
(2) (a) & (3) (a) statements, making false
entries of material fact or
false statements regarding
property values relating to
the solvency of an insuring
entity.

321

817.568 (2) (b) 2nd Fraudulent use of personal
identification information;
value of benefit, services
received, payment avoided,
or amount of injury or
fraud, \$5,000 or more or use
of personal identification
information of 10 or more
persons.

322

817.611 (2) (a) 2nd Traffic in or possess 5 to
14 counterfeit credit cards



879358

or related documents.

323

817.625 (2) (b)

2nd

Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.

324

825.1025 (4)

3rd

Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

325

827.071 (4)

2nd

Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.

326

827.071 (5)

3rd

Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.

327

828.12 (2)

3rd

Tortures any animal with intent to inflict intense pain, serious physical injury, or death.

328



879358

329	836.14(4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
330	839.13(2)(b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
331	843.01(1)	3rd	Resist officer with violence to person; resist arrest with violence.
332	847.0135(5)(b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
333	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
334	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.



879358

335	<u>849.15(3)(c)</u>	<u>2nd</u>	<u>Manufacture, sale, or possession of a slot machine; by a manager of five or more machines or two or more prior convictions.</u>
336	<u>849.157(2)</u>	<u>2nd</u>	<u>False or misleading statement to facilitate sale of slot machines or devices; five or more machines.</u>
337	<u>849.25(3)</u>	<u>2nd</u>	<u>Bookmaking; second or subsequent offense.</u>
338	874.05(1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
339	874.05(2)(a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
340	893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs).



879358

893.13(1)(c)2.

2nd

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) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

341

893.13(1)(d)1.

1st

Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.

342

893.13(1)(e)2.

2nd

Sell, manufacture, or deliver cannabis or other drug prohibited under 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)



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within 1,000 feet of
property used for religious
services or a specified
business site.

343

893.13(1)(f)1.

1st

Sell, manufacture, or
deliver cocaine (or other s.
893.03(1)(a), (1)(b),
(1)(d), or (2)(a), (2)(b),
or (2)(c)5. drugs) within
1,000 feet of public housing
facility.

344

893.13(4)(b)

2nd

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

345

893.1351(1)

3rd

Ownership, lease, or rental
for trafficking in or
manufacturing of controlled
substance.

346

347