

1 A bill to be entitled
 2 An act relating to lewd or lascivious grooming;
 3 creating s. 800.045, F.S.; providing definitions;
 4 creating the offense of lewd or lascivious grooming;
 5 providing criminal penalties; amending s. 921.0022,
 6 F.S.; ranking the offense on the offense severity
 7 ranking chart of the Criminal Punishment Code;
 8 providing an effective date.

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

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 12 Section 1. Section 800.045, Florida Statutes, is created
 13 to read:

14 800.045 Lewd or lascivious grooming.-

15 (1) As used in this section, the term:

16 (a) "Inappropriate communication or conduct" means any
 17 verbal, written, or electronic communication or any conduct in
 18 which a person describes, depicts, or demonstrates sexual
 19 conduct or sexual excitement.

20 (b) "Sexual activity" has the same meaning as in s.
 21 800.04(1).

22 (c) "Sexual conduct" and the term "sexual excitement" have
 23 the same meanings as in s. 847.001.

24 (d) "Sexual performance" has the same meaning as in s.
 25 827.071(1).

26 (2) A person 18 years of age or older who engages in a
 27 pattern of inappropriate communication or conduct directed
 28 toward a person less than 16 years of age for the purpose of
 29 preparing, encouraging, or enticing such person to engage in any
 30 unlawful sexual activity, sexual conduct, or sexual performance
 31 commits lewd or lascivious grooming, a felony of the third
 32 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 33 775.084.

34 Section 2. Paragraph (c) of subsection (3) of section
 35 921.0022, Florida Statutes, is amended to read:

36 921.0022 Criminal Punishment Code; offense severity
 37 ranking chart.—

38 (3) OFFENSE SEVERITY RANKING CHART

39 (c) LEVEL 3

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Florida Statute	Felony Degree	Description
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.

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44	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
45	316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
46	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
47	319.33(1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
48	319.33(1) (c)	3rd	Procure or pass title on stolen vehicle.
49	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
50	327.35(2) (b)	3rd	Felony BUI.

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51	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
52	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
53	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
54	379.2431 (1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing 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.
55	379.2431 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
56	400.9935(4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
57	400.9935(4) (e)	3rd	Filing a false license application or other required information or failing to report information.
58	440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
59	501.001(2) (b)	2nd	Tampers with a consumer product

			or the container using materially false/misleading information.
60	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
61	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
62	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
63	697.08	3rd	Equity skimming.
64	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
65	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.

66	<u>800.045 (2)</u>	<u>3rd</u>	<u>Lewd or lascivious grooming.</u>
67	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
68	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
69	810.09(2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
70	812.014(2) (c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
71	812.0145(2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
72	812.015(8) (b)	3rd	Retail theft with intent to sell; conspires with others.

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73	812.081 (2)	3rd	Theft of a trade secret.
74	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
75	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
76	817.233	3rd	Burning to defraud insurer.
77	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
78	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
79	817.236	3rd	Filing a false motor vehicle insurance application.
80	817.2361	3rd	Creating, marketing, or presenting a false or

			fraudulent motor vehicle insurance card.
81	817.413(2)	3rd	Sale of used goods of \$1,000 or more as new.
82	817.49(2)(b)1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
83	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
84	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
85	836.13(2)	3rd	Person who promotes an altered sexual depiction of an identifiable person without

			consent.
86	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
87	860.15 (3)	3rd	Overcharging for repairs and parts.
88	870.01 (2)	3rd	Riot.
89	870.01 (4)	3rd	Inciting a riot.
90	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).
91	893.13 (1) (d) 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

92			university.
	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.
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	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
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	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
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	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud,

forgery, misrepresentation,
etc.

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893.13(7)(a)10. 3rd Affix false or forged label to
package of controlled
substance.

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893.13(7)(a)11. 3rd Furnish false or fraudulent
material information on any
document or record required by
chapter 893.

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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.

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893.13(8)(a)2. 3rd Employ a trick or scheme in the
practitioner's practice to
assist a patient, other person,
or owner of an animal in

obtaining a controlled
substance.

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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.

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918.13(1) 3rd Tampering with or fabricating
physical evidence.

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944.47
(1)(a)1. & 2. 3rd Introduce contraband to
correctional facility.

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944.47(1)(c) 2nd Possess contraband while upon
the grounds of a correctional
institution.

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