

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Steele offered the following:

4

5 **Amendment**

6 Remove lines 29-77 and insert:

7 value of \$50,000 or more, the person commits ~~violator is guilty~~
 8 ~~of~~ a felony of the first degree, punishable as provided in s.
 9 775.082, s. 775.083, or s. 775.084.

10 2. If the amount of property obtained has an aggregate
 11 value of \$20,000 or more, but less than \$50,000, the person
 12 commits ~~violator is guilty~~ of a felony of the second degree,
 13 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

14 3. If the amount of property obtained has an aggregate
 15 value of less than \$20,000, the person commits ~~violator is~~

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16 ~~guilty of~~ a felony of the third degree, punishable as provided
17 in s. 775.082, s. 775.083, or s. 775.084.

18 (b) Any person who engages in a scheme to defraud and, in
19 furtherance of that scheme, communicates with any person with
20 intent to obtain property from that person commits ~~is guilty,~~
21 for each such act of communication, ~~of~~ communications fraud,
22 punishable as follows:

23 1. If the value of property obtained or endeavored to be
24 obtained by the communication is valued at \$300 or more, the
25 person commits ~~violator is guilty of~~ a third degree felony,
26 punishable as set forth in s. 775.082, s. 775.083, or s.
27 775.084.

28 2. If the value of the property obtained or endeavored to
29 be obtained by the communication is valued at less than \$300,
30 the person commits ~~violator is guilty of~~ a misdemeanor of the
31 first degree, punishable as set forth in s. 775.082 or s.
32 775.083.

33 (c) The penalty for committing an offense specified in
34 paragraph (a) or paragraph (b) against a person aged 65 years or
35 older, against a minor, or against a person with a mental or
36 physical disability, as defined in s. 775.0863(1), shall be
37 reclassified as follows:

38 1. A misdemeanor of the first degree is reclassified to a
39 felony of the third degree.

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40 2. A felony of the third degree is reclassified to a
41 felony of the second degree.

42 3. A felony of the second degree is reclassified to a
43 felony of the first degree.

44 4. A felony of the first degree is reclassified to a life
45 felony.

46 (d) A person whose image or likeness was used without his
47 or her consent in a scheme to defraud may file a civil action in
48 a court of competent jurisdiction to recover damages caused by
49 the use of his or her image or likeness. The remedies provided
50 for in this paragraph shall be in addition to and not in
51 limitation of the remedies available to any person under the
52 common law or any other law.

53 (e)~~(e)~~ Notwithstanding any contrary provisions of law,
54 separate judgments and sentences for organized fraud under
55 paragraph (a) and for each offense of communications fraud under
56 paragraph (b) may be imposed when all such offenses involve the
57 same scheme to defraud.

58 (f)~~(d)~~ Notwithstanding any other ~~provision of~~ law, a
59 criminal action or civil action or proceeding under this section
60 may be commenced at any time within 5 years after the cause of
61 action accrues; however, in a criminal proceeding under this
62 section, the period of limitation does not run during any time
63 when the defendant is continuously absent from this ~~the~~ state or
64 is without a reasonably ascertainable place of abode or work

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65 | within the state, but in no case shall this extend the period of
66 | limitation otherwise applicable by more than 1 year.

67 | Section 2. This act shall take effect October 1, 2024.