



646978

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/23/2024	.	
	.	
	.	
	.	

The Committee on Criminal Justice (Trumbull) recommended the following:

Senate Amendment

Delete lines 294 - 756

and insert:

(11) A person commits a felony of the first degree punishable as provided in s. 775.082, s. 775.083, or s. 775.084 if he or she violates subsection (8) or subsection (9) and:

(a) Has two or more previous convictions of violations of either or both of those subsections; or

(b) Possesses a firearm during the commission of such



11 offense.

12 Section 3. Paragraphs (b), (d), (e), (f), (g), and (h) of
13 subsection (3) of section 921.0022, Florida Statutes, are
14 amended to read:

15 921.0022 Criminal Punishment Code; offense severity ranking
16 chart.—

17 (3) OFFENSE SEVERITY RANKING CHART

18 (b) LEVEL 2

19

Florida Statute	Felony Degree	Description
379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
403.413 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous

20

21

22



646978

23

517.07(2) 3rd Failure to furnish a
prospectus meeting
requirements.

24

590.28(1) 3rd Intentional burning of
lands.

25

784.03(3) 3rd Battery during a riot or
an aggravated riot.

26

784.05(3) 3rd Storing or leaving a
loaded firearm within
reach of minor who uses
it to inflict injury or
death.

27

787.04(1) 3rd In violation of court
order, take, entice,
etc., minor beyond state
limits.

28

806.13(1)(b)3. 3rd Criminal mischief;
damage \$1,000 or more to
public communication or
any other public
service.

29



646978

30	806.13(3)	3rd	Criminal mischief; damage of \$200 or more to a memorial or historic property.
31	810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
32	810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
33	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$750 or more but less than \$5,000.
34	<u>812.014(2)(d)1.</u> 812.014(2)(d)	3rd	Grand theft, 3rd degree; <u>\$40</u> \$100 or more but less than \$750, taken from <u>dwelling or its</u> unenclosed curtilage of dwelling .
	<u>812.014(2)(e)2.</u>	<u>3rd</u>	<u>Petit theft, 1st degree;</u> <u>less than \$40 taken from</u> <u>dwelling or its</u> <u>unenclosed curtilage</u>



646978

35	812.015 (7)	3rd	<u>with one prior theft conviction.</u> Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
36	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
37	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
38	817.52 (3)	3rd	Failure to redeliver hired vehicle.
39	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
40	817.60 (5)	3rd	Dealing in credit cards of another.



646978

41	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
42	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
43	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
44	831.01	3rd	Forgery.
45	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
46	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
47	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
48	831.09	3rd	Uttering forged notes,



646978

49			bills, checks, drafts, or promissory notes.
	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
50			
	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
51			
	843.01 (2)	3rd	Resist police canine or police horse with violence; under certain circumstances.
52			
	843.08	3rd	False personation.
53			
	843.19 (3)	3rd	Touch or strike police, fire, SAR canine or police horse.
54			
	893.13 (2) (a) 2.	3rd	Purchase of any 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)



646978

drugs other than
cannabis.

55

893.147(2)

3rd

Manufacture or delivery
of drug paraphernalia.

56

57

58

(d) LEVEL 4

59

Florida
Statute

Felony
Degree

Description

60

316.1935(3)(a)

2nd

Driving at high speed or
with wanton disregard
for safety while fleeing
or attempting to elude
law enforcement officer
who is in a patrol
vehicle with siren and
lights activated.

61

499.0051(1)

3rd

Failure to maintain or
deliver transaction
history, transaction
information, or
transaction statements.

62

499.0051(5)

2nd

Knowing sale or
delivery, or possession



646978

63			with intent to sell, contraband prescription drugs.
	517.07 (1)	3rd	Failure to register securities.
64			
	517.12 (1)	3rd	Failure of dealer or associated person of a dealer of securities to register.
65			
	784.031	3rd	Battery by strangulation.
66			
	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
67			
	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
68			
	784.075	3rd	Battery on detention or commitment facility staff.
69			
	784.078	3rd	Battery of facility employee by throwing,



646978

70			tossing, or expelling certain fluids or materials.
71	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
72	784.081 (3)	3rd	Battery on specified official or employee.
73	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
74	784.083 (3)	3rd	Battery on code inspector.
75	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
76	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
	787.04 (2)	3rd	Take, entice, or remove



646978

77			child beyond state limits with criminal intent pending custody proceedings.
	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
78			
	787.07	3rd	Human smuggling.
79			
	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
80			
	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
81			
	790.115 (2) (c)	3rd	Possessing firearm on school property.
82			
	794.051 (1)	3rd	Indecent, lewd, or



646978

83			lascivious touching of certain minors.
800.04 (7) (c)	3rd		Lewd or lascivious exhibition; offender less than 18 years.
84			
806.135	2nd		Destroying or demolishing a memorial or historic property.
85			
810.02 (4) (a)	3rd		Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
86			
810.02 (4) (b)	3rd		Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
87			
810.06	3rd		Burglary; possession of tools.
88			
810.08 (2) (c)	3rd		Trespass on property, armed with firearm or dangerous weapon.



646978

89	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
90	812.014 (2) (c) 4. & 6.-10.	3rd	Grand theft, 3rd degree; specified items.
91	<u>812.014 (2) (d) 2.</u>	<u>3rd</u>	<u>Grand theft, 3rd degree;</u> <u>\$750 or more taken from</u> <u>dwelling or its</u> <u>unenclosed curtilage.</u>
92	<u>812.014 (2) (e) 3.</u>	<u>3rd</u>	<u>Petit theft, 1st degree;</u> <u>less than \$40 taken from</u> <u>dwelling or its</u> <u>unenclosed curtilage</u> <u>with two or more prior</u> <u>theft convictions.</u>
93	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
94	817.505 (4) (a)	3rd	Patient brokering.
95	817.563 (1)	3rd	Sell or deliver



646978

substance other than
controlled substance
agreed upon, excluding
s. 893.03(5) drugs.

96

817.568 (2) (a)

3rd

Fraudulent use of
personal identification
information.

97

817.5695 (3) (c)

3rd

Exploitation of person
65 years of age or
older, value less than
\$10,000.

98

817.625 (2) (a)

3rd

Fraudulent use of
scanning device,
skimming device, or
reencoder.

99

817.625 (2) (c)

3rd

Possess, sell, or
deliver skimming device.

100

828.125 (1)

2nd

Kill, maim, or cause
great bodily harm or
permanent breeding
disability to any
registered horse or
cattle.

101



646978

102	836.14 (2)	3rd	Person who commits theft of a sexually explicit image with intent to promote it.
103	836.14 (3)	3rd	Person who willfully possesses a sexually explicit image with certain knowledge, intent, and purpose.
104	837.02 (1)	3rd	Perjury in official proceedings.
105	837.021 (1)	3rd	Make contradictory statements in official proceedings.
106	838.022	3rd	Official misconduct.
107	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
108	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.



646978

109	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
110	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
111	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
112	843.19(2)	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
113	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
114	870.01(3)	2nd	Aggravated rioting.
	870.01(5)	2nd	Aggravated inciting a riot.



646978

115	874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
116	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03(1) (a), (b), or (d), (2) (a), (2) (b), or (2) (c) 5. drugs).
117	914.14 (2)	3rd	Witnesses accepting bribes.
118	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
119	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
120	916.1085 (2) (c) 1.	3rd	Introduction of specified contraband into certain DCF facilities.
121	918.12	3rd	Tampering with jurors.



646978

130	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
131	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
132	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
133	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
134	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
	379.365 (2) (c) 1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or



646978

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.

135

379.367(4)

3rd

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

136

379.407(5)(b)3.

3rd

Possession of 100 or
more undersized spiny
lobsters.



646978

137	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
138	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
139	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
140	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
141	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
142			



646978

143	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
144	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
145	790.162	2nd	Threat to throw or discharge destructive device.
146	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
147	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
148	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
149	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.



646978

150	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
151	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
152	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
153	<u>812.014 (2) (d) 3.</u>	<u>2nd</u>	<u>Grand theft, 2nd degree;</u> <u>theft from 20 or more</u> <u>dwellings or their</u> <u>unenclosed curtilage, or</u> <u>any combination.</u>
154	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
155	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.



646978

156	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
157	<u>812.015 (8) (g)</u>	<u>3rd</u>	<u>Retail theft; in concert with five or more other persons within one or more establishments.</u>
158	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
159	812.081 (3)	2nd	Trafficking in trade secrets.
160	812.131 (2) (b)	3rd	Robbery by sudden snatching.
161	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
162	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.



646978

163

817.2341(1),
(2)(a) & (3)(a)

3rd

Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.

164

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.

165

817.611(2)(a)

2nd

Traffic in or possess 5 to 14 counterfeit credit cards or related documents.

166

817.625(2)(b)

2nd

Second or subsequent fraudulent use of



646978

167			scanning device, skimming device, or reencoder.
	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
168			
	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
169			
	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
170			
	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.



646978

171	836.14 (4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
172	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.
173	843.01 (1)	3rd	Resist officer with violence to person; resist arrest with violence.
174	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
175	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
176	847.0138	3rd	Transmission of material



646978

	(2) & (3)		harmful to minors to a minor by electronic device or equipment.
177	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
178	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
179	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).
180	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.,



646978

(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.

181

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.

182

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



646978

183			site.
	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.
184			
	893.13(4)(b)	2nd	Use or hire of minor; deliver to minor other controlled substance.
185			
	893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
186			
187			
188	(f) LEVEL 6		
189			
	Florida Statute	Felony Degree	Description
190			
	316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.



646978

191	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
192	400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
193	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
194	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
195	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
196	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
197	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without



646978

198			intent to kill.
	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
199			
	784.041	3rd	Felony battery; domestic battery by strangulation.
200			
	784.048 (3)	3rd	Aggravated stalking; credible threat.
201			
	784.048 (5)	3rd	Aggravated stalking of person under 16.
202			
	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
203			
	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
204			
	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
205			
	784.081 (2)	2nd	Aggravated assault on specified official or



206			employee.
	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
207			
	784.083 (2)	2nd	Aggravated assault on code inspector.
208			
	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
209			
	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
210			
	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
211			
	790.164 (1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use



646978

212			of firearms in violent manner.
	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
213			
	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
214			
	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
215			
	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.
216			
	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
217			
	806.031 (2)	2nd	Arson resulting in great bodily harm to



646978

218			firefighter or any other person.
	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
219			
	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
220			
	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
221			
	812.014 (2) (c) 5.	3rd	Grand theft; third degree; firearm.
222			
	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
223			
	812.015 (9) (a)	2nd	Retail theft; property stolen \$750 or more; second or subsequent conviction.
224			
	812.015 (9) (b)	2nd	Retail theft; aggregated



646978

225	812.015 (9) (d)	2nd	property stolen within <u>45</u> 30 days is \$3,000 or more; coordination of others.
226	<u>812.015 (9) (e)</u>	<u>2nd</u>	<u>Retail theft; in concert with five or more other persons within one or more establishments and solicits participation.</u>
227	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
228	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
229	817.49 (2) (b) 2.	2nd	Willful making of a false report of a crime resulting in death.
230	817.505 (4) (b)	2nd	Patient brokering; 10 or



646978

231			more patients.
	817.5695 (3) (b)	2nd	Exploitation of person 65 years of age or older, value \$10,000 or more, but less than \$50,000.
232			
	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
233			
	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
234			
	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
235			
	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
236			
	827.03 (2) (c)	3rd	Abuse of a child.
237			
	827.03 (2) (d)	3rd	Neglect of a child.



646978

238	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
239	828.126 (3)	3rd	Sexual activities involving animals.
240	836.05	2nd	Threats; extortion.
241	836.10	2nd	Written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
242	843.12	3rd	Aids or assists person to escape.
243	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
244	847.012	3rd	Knowingly using a minor in the production of



646978

245	847.0135 (2)	3rd	materials harmful to minors. Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
246	893.131	2nd	Distribution of controlled substances resulting in overdose or serious bodily injury.
247	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
248	918.13 (2) (b)	2nd	Tampering with or fabricating physical evidence relating to a capital felony.
249	944.35 (3) (a) 2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on



646978

250			community supervision, resulting in great bodily harm.
251	944.40	2nd	Escapes.
252	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
253	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
254			
255			
256	(g) LEVEL 7		
257			
258	Florida Statute	Felony Degree	Description
	316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.



646978

259	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
260	316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
261	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
262	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
263	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
264	409.920	2nd	Medicaid provider fraud;



646978

	(2) (b) 1.b.		more than \$10,000, but less than \$50,000.
265	456.065 (2)	3rd	Practicing a health care profession without a license.
266	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
267	458.327 (1)	3rd	Practicing medicine without a license.
268	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
269	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
270	461.012 (1)	3rd	Practicing podiatric medicine without a license.
271	462.17	3rd	Practicing naturopathy without a license.



646978

272	463.015 (1)	3rd	Practicing optometry without a license.
273	464.016 (1)	3rd	Practicing nursing without a license.
274	465.015 (2)	3rd	Practicing pharmacy without a license.
275	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
276	467.201	3rd	Practicing midwifery without a license.
277	468.366	3rd	Delivering respiratory care services without a license.
278	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
279	483.901 (7)	3rd	Practicing medical physics without a license.
280	484.013 (1) (c)	3rd	Preparing or dispensing



646978

281			optical devices without a prescription.
	484.053	3rd	Dispensing hearing aids without a license.
282			
	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
283			
	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
284			
	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
285			
	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less



646978

286

775.21 (10) (a)

3rd

than \$20,000 by financial institution.

Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.

287

775.21 (10) (b)

3rd

Sexual predator working where children regularly congregate.

288

775.21 (10) (g)

3rd

Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.

289

782.051 (3)

2nd

Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

290

782.07 (1)

2nd

Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).



646978

291	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
292	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
293	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
294	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
295	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
296	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
297			



646978

298	784.048 (7)	3rd	Aggravated stalking; violation of court order.
299	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
300	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
301	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
302	784.081 (1)	1st	Aggravated battery on specified official or employee.
303	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
304	784.083 (1)	1st	Aggravated battery on code inspector.
305	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.



646978

306	787.06(3)(e)2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
307	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
308	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
309	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
310	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass



646978

311			destruction.
	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
312			
	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
313			
	794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
314			
	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
315			
	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
316			
	800.04(5)(c)1.	2nd	Lewd or lascivious



646978

317	800.04 (5) (c) 2.	2nd	molestation; victim younger than 12 years of age; offender younger than 18 years of age.
318	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
319	806.01 (2)	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
320	810.02 (3) (a)	2nd	Maliciously damage structure by fire or explosive.
321	810.02 (3) (b)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
			Burglary of unoccupied



646978

322			dwelling; unarmed; no assault or battery.
323	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
324	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
325	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
326	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
327	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
	812.014 (2) (b) 4.	2nd	Property stolen, law



646978

enforcement equipment from
authorized emergency
vehicle.

328

812.014(2)(g)
~~812.014(2)(f)~~

2nd

Grand theft; second
degree; firearm with
previous conviction of s.
812.014(2)(c)5.

329

812.0145(2)(a)

1st

Theft from person 65 years
of age or older; \$50,000
or more.

330

812.019(2)

1st

Stolen property;
initiates, organizes,
plans, etc., the theft of
property and traffics in
stolen property.

331

812.131(2)(a)

2nd

Robbery by sudden
snatching.

332

812.133(2)(b)

1st

Carjacking; no firearm,
deadly weapon, or other
weapon.

333

817.034(4)(a)1.

1st

Communications fraud,
value greater than
\$50,000.



646978

334	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
335	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
336	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
337	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
338	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
339	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to



646978

340			defraud.
	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
341			
	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
342			
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
343			
	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
344			
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
345			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by



646978

346			person 21 years of age or older.
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
347			
	838.015	2nd	Bribery.
348			
	838.016	2nd	Unlawful compensation or reward for official behavior.
349			
	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
350			
	838.22	2nd	Bid tampering.
351			
	843.0855 (2)	3rd	Impersonation of a public officer or employee.
352			
	843.0855 (3)	3rd	Unlawful simulation of legal process.
353			
	843.0855 (4)	3rd	Intimidation of a public officer or employee.
354			
	847.0135 (3)	3rd	Solicitation of a child,



646978

via a computer service, to
commit an unlawful sex
act.

355

847.0135 (4)

2nd

Traveling to meet a minor
to commit an unlawful sex
act.

356

872.06

2nd

Abuse of a dead human
body.

357

874.05 (2) (b)

1st

Encouraging or recruiting
person under 13 to join a
criminal gang; second or
subsequent offense.

358

874.10

1st, PBL

Knowingly initiates,
organizes, plans,
finances, directs,
manages, or supervises
criminal gang-related
activity.

359

893.13 (1) (c) 1.

1st

Sell, manufacture, or
deliver cocaine (or other
drug prohibited under s.
893.03 (1) (a), (1) (b),
(1) (d), (2) (a), (2) (b), or
(2) (c) 5.) within 1,000



646978

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

360

893.13(1)(e)1.

1st

Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5., within 1,000 feet of property used for religious services or a specified business site.

361

893.13(4)(a)

1st

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

362

893.135(1)(a)1.

1st

Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

363

893.135
(1)(b)1.a.

1st

Trafficking in cocaine, more than 28 grams, less than 200 grams.



646978

364	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
365	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
366	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
367	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
368	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
369	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
370	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
371			



646978

372	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
373	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
374	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
375	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
376	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
377	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
	893.135	1st	Trafficking in synthetic



646978

378	(1) (m) 2.a.		cannabinoids, 280 grams or more, less than 500 grams.
	893.135	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
379	(1) (m) 2.b.		
	893.135	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
380	(1) (n) 2.a.		
	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
381			
	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
382			
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.



646978

383	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
384	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
385	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
386	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
387	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
388			



646978

389	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
390	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
391	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
392	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
393	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or



646978

conceal a sexual offender.

394

985.4815(13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

395

396

397

(h) LEVEL 8

398

Florida

Felony

Statute

Degree

Description

399

316.193

2nd

DUI manslaughter.

(3) (c) 3.a.

400

316.1935(4) (b)

1st

Aggravated fleeing or attempted eluding with serious bodily injury or death.

401

327.35(3) (c) 3.

2nd

Vessel BUI manslaughter.

402

499.0051(6)

1st

Knowing trafficking in contraband prescription drugs.

403



646978

404	499.0051 (7)	1st	Knowing forgery of prescription labels or prescription drug labels.
405	560.123 (8) (b) 2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
406	560.125 (5) (b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
407	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
408	777.03 (2) (a)	1st	Accessory after the fact, capital felony.



646978

782.04(4) 2nd Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.

409

782.051(2) 1st Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).

410

782.071(1)(b) 1st Committing vehicular homicide and failing to render aid or give information.

411

782.072(2) 1st Committing vessel homicide and failing to render aid or give information.

412



646978

413	787.06 (3) (a) 1.	1st	Human trafficking for labor and services of a child.
414	787.06 (3) (b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
415	787.06 (3) (c) 2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
416	787.06 (3) (e) 1.	1st	Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state.
417	787.06 (3) (f) 2.	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from outside Florida to within the state.



646978

418	790.161 (3)	1st	Discharging a destructive device which results in bodily harm or property damage.
419	794.011 (5) (a)	1st	Sexual battery; victim 12 years of age or older but younger than 18 years; offender 18 years or older; offender does not use physical force likely to cause serious injury.
420	794.011 (5) (b)	2nd	Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.
421	794.011 (5) (c)	2nd	Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.
	794.011 (5) (d)	1st	Sexual battery; victim 12 years of age or older;



646978

422			offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.
423	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
424	800.04 (4) (b)	2nd	Lewd or lascivious battery.
425	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
426	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.



646978

427	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
428	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
429	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
430	<u>812.015 (11) (b)</u>	<u>1st</u>	<u>Retail theft; possession of a firearm during commission of offense.</u>
431	812.13 (2) (b)	1st	Robbery with a weapon.
432	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
433	817.418 (2) (b)	2nd	Offering for sale or advertising personal protective equipment with



646978

434			intent to defraud; second or subsequent offense.
	817.504 (1) (b)	2nd	Offering or advertising a vaccine with intent to defraud; second or subsequent offense.
435			
	817.505 (4) (c)	1st	Patient brokering; 20 or more patients.
436			
	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
437			
	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
438			
	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
439			
	817.535 (5) (a)	2nd	Filing false lien or



646978

440			other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.
440	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
441	817.611 (2) (c)	1st	Traffic in or possess 50 or more counterfeit credit cards or related documents.
442	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
443	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
444	825.103 (3) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.



646978

445	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
446	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
447	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
448	860.16	1st	Aircraft piracy.
449	893.13 (1) (b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
450	893.13 (2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).



646978

451	893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
452	893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
453	893.135 (1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
454	893.135 (1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
455	893.135 (1)(c)2.c.	1st	Trafficking in hydrocodone, 100 grams or more, less than 300 grams.
456	893.135 (1)(c)3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
457	893.135	1st	Trafficking in fentanyl,



646978

458	(1) (c) 4.b. (II)		14 grams or more, less than 28 grams.
	893.135	1st	Trafficking in
	(1) (d) 1.b.		phencyclidine, 200 grams or more, less than 400 grams.
459	893.135	1st	Trafficking in
	(1) (e) 1.b.		methaqualone, 5 kilograms or more, less than 25 kilograms.
460	893.135	1st	Trafficking in
	(1) (f) 1.b.		amphetamine, 28 grams or more, less than 200 grams.
461	893.135	1st	Trafficking in
	(1) (g) 1.b.		flunitrazepam, 14 grams or more, less than 28 grams.
462	893.135	1st	Trafficking in gamma-
	(1) (h) 1.b.		hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
463			



646978

464	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4- Butanediol, 5 kilograms or more, less than 10 kilograms.
465	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
466	893.135 (1) (m) 2.c.	1st	Trafficking in synthetic cannabinoids, 1,000 grams or more, less than 30 kilograms.
467	893.135 (1) (n) 2.b.	1st	Trafficking in n-benzyl phenethylamines, 100 grams or more, less than 200 grams.
468	893.1351 (3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.



646978

469	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
470	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
471	896.101 (5) (b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
472	896.104 (4) (a) 2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.
473			
474			