

By Senator Trumbull

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1 A bill to be entitled
2 An act relating to theft; amending s. 812.014, F.S.;
3 reducing the minimum threshold amount for grand theft
4 of the third degree; creating the offense of grand
5 theft of the third degree; providing criminal
6 penalties; creating the offense of grand theft of the
7 second degree; providing criminal penalties; creating
8 the offense of petit theft of the first degree;
9 providing criminal penalties; providing enhanced
10 criminal penalties for committing petit theft of the
11 first degree and having certain previous convictions;
12 amending s. 812.015, F.S.; defining the term "social
13 media platform"; revising specified timeframes, from
14 30-day periods to 45-day periods, during which there
15 is a lookback period for the commission of specified
16 retail theft offenses; providing criminal penalties
17 for persons committing certain retail theft acts in
18 concert with a certain number of other persons within
19 one or more establishments for specified purposes;
20 providing criminal penalties for persons who commit
21 retail theft and have certain prior retail theft
22 convictions; providing criminal penalties for persons
23 who commit retail theft who possess a firearm during
24 the commission of such offense; making technical
25 changes; amending s. 921.0022, F.S.; ranking offenses
26 on the offense severity ranking chart of the Criminal
27 Punishment Code; conforming provisions to changes made
28 by the act; conforming a cross-reference; amending s.
29 784.07, F.S.; conforming a cross-reference; making a

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30 correction; providing an effective date.

31
32 Be It Enacted by the Legislature of the State of Florida:

33
34 Section 1. Present paragraphs (e) and (f) of subsection (2)
35 of section 812.014, Florida Statutes, are redesignated as
36 paragraphs (f) and (g), respectively, a new paragraph (e) is
37 added to that subsection, and paragraphs (c) and (d) of that
38 subsection are amended, to read:

39 812.014 Theft.—

40 (2)

41 (c) It is grand theft of the third degree and a felony of
42 the third degree, punishable as provided in s. 775.082, s.
43 775.083, or s. 775.084, if the property stolen is:

44 1. Valued at \$750 or more, but less than \$5,000.

45 2. Valued at \$5,000 or more, but less than \$10,000.

46 3. Valued at \$10,000 or more, but less than \$20,000.

47 4. A will, codicil, or other testamentary instrument.

48 5. A firearm, except as provided in paragraph (g) ~~paragraph~~
49 ~~(f)~~.

50 6. A motor vehicle, except as provided in paragraph (a).

51 7. Any commercially farmed animal, including any animal of
52 the equine, avian, bovine, or swine class or other grazing
53 animal; a bee colony of a registered beekeeper; and aquaculture
54 species raised at a certified aquaculture facility. If the
55 property stolen is a commercially farmed animal, including an
56 animal of the equine, avian, bovine, or swine class or other
57 grazing animal; a bee colony of a registered beekeeper; or an
58 aquaculture species raised at a certified aquaculture facility,

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59 a \$10,000 fine shall be imposed.

60 8. Any fire extinguisher that, at the time of the taking,
61 was installed in any building for the purpose of fire prevention
62 and control. This subparagraph does not apply to a fire
63 extinguisher taken from the inventory at a point-of-sale
64 business.

65 9. Any amount of citrus fruit consisting of 2,000 or more
66 individual pieces of fruit.

67 10. Taken from a designated construction site identified by
68 the posting of a sign as provided for in s. 810.09(2)(d).

69 11. Any stop sign.

70 12. Anhydrous ammonia.

71 13. Any amount of a controlled substance as defined in s.
72 893.02. Notwithstanding any other law, separate judgments and
73 sentences for theft of a controlled substance under this
74 subparagraph and for any applicable possession of controlled
75 substance offense under s. 893.13 or trafficking in controlled
76 substance offense under s. 893.135 may be imposed when all such
77 offenses involve the same amount or amounts of a controlled
78 substance.

79
80 However, if the property is stolen during a riot or an
81 aggravated riot prohibited under s. 870.01 and the perpetration
82 of the theft is facilitated by conditions arising from the riot;
83 or within a county that is subject to a state of emergency
84 declared by the Governor under chapter 252, the property is
85 stolen after the declaration of emergency is made, and the
86 perpetration of the theft is facilitated by conditions arising
87 from the emergency, the offender commits a felony of the second

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88 degree, punishable as provided in s. 775.082, s. 775.083, or s.
89 775.084, if the property is valued at \$5,000 or more, but less
90 than \$10,000, as provided under subparagraph 2., or if the
91 property is valued at \$10,000 or more, but less than \$20,000, as
92 provided under subparagraph 3. As used in this paragraph, the
93 terms "conditions arising from a riot" and "conditions arising
94 from the emergency" have the same meanings as provided in
95 paragraph (b). A person arrested for committing a theft during a
96 riot or an aggravated riot or within a county that is subject to
97 a state of emergency may not be released until the person
98 appears before a committing magistrate at a first appearance
99 hearing. For purposes of sentencing under chapter 921, a felony
100 offense that is reclassified under this paragraph is ranked one
101 level above the ranking under s. 921.0022 or s. 921.0023 of the
102 offense committed.

103 (d)1. It is grand theft of the third degree and a felony of
104 the third degree, punishable as provided in s. 775.082, s.
105 775.083, or s. 775.084, if the property stolen is valued at \$40
106 ~~\$100~~ or more, but less than \$750, and is taken from a dwelling
107 as defined in s. 810.011(2) or from the unenclosed curtilage of
108 a dwelling pursuant to s. 810.09(1).

109 2. It is grand theft of the third degree and a felony of
110 the third degree, punishable as provided in s. 775.082, s.
111 775.083, or s. 775.084, if the property stolen is valued at \$750
112 or more, and is taken from a dwelling as defined in s.
113 810.011(2) or from the unenclosed curtilage of a dwelling
114 pursuant to s. 810.09(1).

115 3. It is grand theft of the second degree and a felony of
116 the second degree, punishable as provided in s. 775.082, s.

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117 775.083, or s. 775.084, if the property stolen is taken from
 118 more than 20 dwellings as defined in s. 810.011(2) or from the
 119 unenclosed curtilage of more than 20 dwellings pursuant to s.
 120 810.09(1), or any combination thereof.

121 (e)1. It is petit theft of the first degree and a
 122 misdemeanor of the first degree, punishable as provided in s.
 123 775.082 or s. 775.083, if the property stolen is valued at less
 124 than \$40 and is taken from a dwelling as defined in s.
 125 810.011(2) or from the unenclosed curtilage of a dwelling
 126 pursuant to s. 810.09(1).

127 2. A person who commits a violation of subparagraph 1. and
 128 has previously been convicted of any theft commits a felony of
 129 the third degree, punishable as provided in s. 775.082 or s.
 130 775.083.

131 3. A person who commits a violation of subparagraph 1. and
 132 has previously been convicted two or more times of any theft
 133 commits a felony of the third degree, punishable as provided in
 134 s. 775.082 or s. 775.083.

135 Section 2. Present subsection (11) of section 812.015,
 136 Florida Statutes, is redesignated as subsection (12), a new
 137 subsection (11) is added to that section, and subsections (1),
 138 (8), (9), and (10) of that section are amended, to read:

139 812.015 Retail and farm theft; transit fare evasion;
 140 mandatory fine; alternative punishment; detention and arrest;
 141 exemption from liability for false arrest; resisting arrest;
 142 penalties.—

143 (1) As used in this section:

144 (g)~~(a)~~ "Merchandise" means any personal property, capable
 145 of manual delivery, displayed, held, or offered for retail sale

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146 by a merchant.

147 (h)~~(b)~~ "Merchant" means an owner or operator, or the agent,
148 consignee, employee, lessee, or officer of an owner or operator,
149 of any premises or apparatus used for retail purchase or sale of
150 any merchandise.

151 (n)~~(e)~~ "Value of merchandise" means the retail sale price
152 of the merchandise at the time it was stolen or otherwise
153 removed, depriving the owner of her or his lawful right to
154 ownership and sale of said item.

155 (i)~~(d)~~ "Retail theft" means the taking possession of or
156 carrying away of merchandise, property, money, or negotiable
157 documents; altering or removing a label, universal product code,
158 or price tag; transferring merchandise from one container to
159 another; or removing a shopping cart, with intent to deprive the
160 merchant of possession, use, benefit, or full retail value.

161 (c)~~(e)~~ "Farm produce" means livestock or any item grown,
162 produced, or manufactured by a person owning, renting, or
163 leasing land for the purpose of growing, producing, or
164 manufacturing items for sale or personal use, either part time
165 or full time.

166 (e)~~(f)~~ "Farmer" means a person who is engaging in the
167 growing or producing of farm produce, milk products, honey,
168 eggs, or meat, either part time or full time, for personal
169 consumption or for sale and who is the owner or lessee of the
170 land or a person designated in writing by the owner or lessee to
171 act as her or his agent. No person defined as a farm labor
172 contractor pursuant to s. 450.28 shall be designated to act as
173 an agent for purposes of this section.

174 (d)~~(g)~~ "Farm theft" means the unlawful taking possession of

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175 any items that are grown or produced on land owned, rented, or
176 leased by another person. The term includes the unlawful taking
177 possession of equipment and associated materials used to grow or
178 produce farm products as defined in s. 823.14(3)(e).

179 (a)~~(h)~~ "Antishoplifting or inventory control device" means
180 a mechanism or other device designed and operated for the
181 purpose of detecting the removal from a mercantile establishment
182 or similar enclosure, or from a protected area within such an
183 enclosure, of specially marked or tagged merchandise. The term
184 includes any electronic or digital imaging or any video
185 recording or other film used for security purposes and the cash
186 register tape or other record made of the register receipt.

187 (b)~~(i)~~ "Antishoplifting or inventory control device
188 countermeasure" means any item or device which is designed,
189 manufactured, modified, or altered to defeat any antishoplifting
190 or inventory control device.

191 (l)~~(j)~~ "Transit fare evasion" means the unlawful refusal to
192 pay the appropriate fare for transportation upon a mass transit
193 vehicle, or to evade the payment of such fare, or to enter any
194 mass transit vehicle or facility by any door, passageway, or
195 gate, except as provided for the entry of fare-paying
196 passengers, and shall constitute petit theft as proscribed by
197 this chapter.

198 (f)~~(k)~~ "Mass transit vehicle" means buses, rail cars, or
199 fixed-guideway mover systems operated by, or under contract to,
200 state agencies, political subdivisions of the state, or
201 municipalities for the transportation of fare-paying passengers.

202 (k)~~(l)~~ "Transit agency" means any state agency, political
203 subdivision of the state, or municipality which operates mass

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204 transit vehicles.

205 (m) "Trespass" means the violation as described in s.
206 810.08.

207 (j) "Social media platform" has the same meaning as in s.
208 501.2041(1).

209 (8) Except as provided in subsection (9) or subsection
210 (11), a person who commits retail theft commits a felony of the
211 third degree, punishable as provided in s. 775.082, s. 775.083,
212 or s. 775.084, if the person:

213 (a) Individually, or in concert with one or more other
214 persons, coordinates the activities of one or more individuals
215 in committing the offense, which may occur through multiple acts
216 of retail theft, in which the amount of each individual theft is
217 aggregated within a 45-day ~~30-day~~ period to determine the value
218 of the property stolen and such value is \$750 or more;

219 (b) Conspires with another person to commit retail theft
220 with the intent to sell the stolen property for monetary or
221 other gain, and subsequently takes or causes such property to be
222 placed in the control of another person in exchange for
223 consideration, in which the stolen property taken or placed
224 within a 45-day ~~30-day~~ period is aggregated to determine the
225 value of the stolen property and such value is \$750 or more;

226 (c) Individually, or in concert with one or more other
227 persons, commits theft from more than one location within a 45-
228 day ~~30-day~~ period, in which the amount of each individual theft
229 is aggregated to determine the value of the property stolen and
230 such value is \$750 or more;

231 (d) Acts in concert with one or more other individuals
232 within one or more establishments to distract the merchant,

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233 merchant's employee, or law enforcement officer in order to
234 carry out the offense, or acts in other ways to coordinate
235 efforts to carry out the offense and such value is \$750 or more;

236 (e) Commits the offense through the purchase of merchandise
237 in a package or box that contains merchandise other than, or in
238 addition to, the merchandise purported to be contained in the
239 package or box and such value is \$750 or more; ~~or~~

240 (f) Individually, or in concert with one ~~1~~ or more other
241 persons, commits five ~~5~~ or more retail thefts within a 45-day
242 ~~30-day~~ period and in committing such thefts obtains or uses 10
243 or more items of merchandise, and the number of items stolen
244 during each theft is aggregated within the 45-day ~~30-day~~ period
245 to determine the total number of items stolen, regardless of the
246 value of such merchandise, and two ~~2~~ or more of the thefts occur
247 at different physical merchant locations; or

248 (g) Acts in concert with five or more other persons within
249 one or more establishments for the purpose of overwhelming the
250 response of a merchant, a merchant's employee, or a law
251 enforcement officer in order to carry out the offense or avoid
252 detection or apprehension for the offense.

253 (9) Except as provided in subsection (11), a person commits
254 a felony of the second degree, punishable as provided in s.
255 775.082, s. 775.083, or s. 775.084, if the person:

256 (a) Violates subsection (8) and has previously been
257 convicted of a violation of subsection (8) or of this
258 subsection;

259 (b) Individually, or in concert with one or more other
260 persons, coordinates the activities of one or more persons in
261 committing the offense of retail theft, in which the amount of

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262 each individual theft within a 45-day ~~30-day~~ period is
263 aggregated to determine the value of the stolen property and
264 such value is in excess of \$3,000;

265 (c) Conspires with another person to commit retail theft
266 with the intent to sell the stolen property for monetary or
267 other gain, and subsequently takes or causes such property to be
268 placed in control of another person in exchange for
269 consideration, in which the stolen property taken or placed
270 within a 45-day ~~30-day~~ period is aggregated to have a value in
271 excess of \$3,000; ~~or~~

272 (d) Individually, or in concert with one ~~±~~ or more other
273 persons, commits five ~~5~~ or more retail thefts within a 45-day
274 ~~30-day~~ period and in committing such thefts obtains or uses 20
275 or more items of merchandise, and the number of items stolen
276 during each theft is aggregated within the 45-day ~~30-day~~ period
277 to determine the total number of items stolen, regardless of the
278 value of such merchandise, and two ~~2~~ or more of the thefts occur
279 at a different physical retail merchant location; or

280 (e) Acts in concert with five or more other persons within
281 one or more establishments for the purpose of overwhelming the
282 response of a merchant, a merchant's employee, or a law
283 enforcement officer in order to carry out the offense or avoid
284 detection or apprehension for the offense and, in the course of
285 organizing or committing the offense, solicits the participation
286 of another person in the offense through the use of a social
287 media platform.

288 (10) If a person commits retail theft in more than one
289 judicial circuit within a 45-day ~~30-day~~ period, the value of the
290 stolen property resulting from the thefts in each judicial

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291 circuit may be aggregated, and the person must be prosecuted by
 292 the Office of the Statewide Prosecutor in accordance with s.
 293 16.56.

294 (11) A person commits a felony of the first degree if he or
 295 she violates subsection (8) or subsection (9) and:

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

298 (b) Possesses a firearm during the commission of such
 299 offense.

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

303 921.0022 Criminal Punishment Code; offense severity ranking
 304 chart.—

305 (3) OFFENSE SEVERITY RANKING CHART

306 (b) LEVEL 2

307

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

309

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Turtle Protection Act.

310

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 waste.

311

517.07(2)

3rd

Failure to furnish a prospectus meeting requirements.

312

590.28(1)

3rd

Intentional burning of lands.

313

784.03(3)

3rd

Battery during a riot or an aggravated riot.

314

784.05(3)

3rd

Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.

315

787.04(1)

3rd

In violation of court order, take, entice, etc., minor beyond state

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limits.

316

806.13 (1) (b) 3.

3rd

Criminal mischief;
 damage \$1,000 or more to
 public communication or
 any other public
 service.

317

806.13 (3)

3rd

Criminal mischief;
 damage of \$200 or more
 to a memorial or
 historic property.

318

810.061 (2)

3rd

Impairing or impeding
 telephone or power to a
 dwelling; facilitating
 or furthering burglary.

319

810.09 (2) (e)

3rd

Trespassing on posted
 commercial horticulture
 property.

320

812.014 (2) (c) 1.

3rd

Grand theft, 3rd degree;
 \$750 or more but less
 than \$5,000.

321

812.014 (2) (d) 1.

3rd

Grand theft, 3rd degree;
\$40 ~~\$100~~ or more but
 less than \$750, taken

~~812.014 (2) (d)~~

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from dwelling or its
unenclosed curtilage ~~of~~
~~dwelling~~.

322

812.014 (2) (e) 2.

3rd

Petit theft, 1st degree;
less than \$40 taken from
dwelling or its
unenclosed curtilage
with one prior theft
conviction.

323

812.015 (7)

3rd

Possession, use, or
attempted use of an
antishoplifting or
inventory control device
countermeasure.

324

817.234 (1) (a) 2.

3rd

False statement in
support of insurance
claim.

325

817.481 (3) (a)

3rd

Obtain credit or
purchase with false,
expired, counterfeit,
etc., credit card, value
over \$300.

326

817.52 (3)

3rd

Failure to redeliver
hired vehicle.

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327

817.54 3rd With intent to defraud,
obtain mortgage note,
etc., by false
representation.

328

817.60 (5) 3rd Dealing in credit cards
of another.

329

817.60 (6) (a) 3rd Forgery; purchase goods,
services with false
card.

330

817.61 3rd Fraudulent use of credit
cards over \$100 or more
within 6 months.

331

826.04 3rd Knowingly marries or has
sexual intercourse with
person to whom related.

332

831.01 3rd Forgery.

333

831.02 3rd Uttering forged
instrument; utters or
publishes alteration
with intent to defraud.

334

831.07 3rd Forging bank bills,

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checks, drafts, or
promissory notes.

335

831.08

3rd

Possessing 10 or more
forged notes, bills,
checks, or drafts.

336

831.09

3rd

Uttering forged notes,
bills, checks, drafts,
or promissory notes.

337

831.11

3rd

Bringing into the state
forged bank bills,
checks, drafts, or
notes.

338

832.05 (3) (a)

3rd

Cashing or depositing
item with intent to
defraud.

339

843.01 (2)

3rd

Resist police canine or
police horse with
violence; under certain
circumstances.

340

843.08

3rd

False personation.

341

843.19 (3)

3rd

Touch or strike police,
fire, SAR canine or

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police horse.

342

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)
drugs other than
cannabis.

343

893.147(2)

3rd

Manufacture or delivery
of drug paraphernalia.

344

345

(d) LEVEL 4

346

Florida
Statute

Felony
Degree

Description

347

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.

348

499.0051(1)

3rd

Failure to maintain or

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deliver transaction
 history, transaction
 information, or
 transaction statements.

349

499.0051 (5)

2nd

Knowing sale or
 delivery, or possession
 with intent to sell,
 contraband prescription
 drugs.

350

517.07 (1)

3rd

Failure to register
 securities.

351

517.12 (1)

3rd

Failure of dealer or
 associated person of a
 dealer of securities to
 register.

352

784.031

3rd

Battery by
 strangulation.

353

784.07 (2) (b)

3rd

Battery of law
 enforcement officer,
 firefighter, etc.

354

784.074 (1) (c)

3rd

Battery of sexually
 violent predators
 facility staff.

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355

784.075 3rd Battery on detention or
commitment facility
staff.

356

784.078 3rd Battery of facility
employee by throwing,
tossing, or expelling
certain fluids or
materials.

357

784.08 (2) (c) 3rd Battery on a person 65
years of age or older.

358

784.081 (3) 3rd Battery on specified
official or employee.

359

784.082 (3) 3rd Battery by detained
person on visitor or
other detainee.

360

784.083 (3) 3rd Battery on code
inspector.

361

784.085 3rd Battery of child by
throwing, tossing,
projecting, or expelling
certain fluids or
materials.

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362

787.03 (1) 3rd Interference with custody; wrongly takes minor from appointed guardian.

363

787.04 (2) 3rd Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.

364

787.04 (3) 3rd Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.

365

787.07 3rd Human smuggling.

366

790.115 (1) 3rd Exhibiting firearm or weapon within 1,000 feet of a school.

367

790.115 (2) (b) 3rd Possessing electric weapon or device, destructive device, or

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other weapon on school property.

368

790.115 (2) (c)

3rd

Possessing firearm on school property.

369

794.051 (1)

3rd

Indecent, lewd, or lascivious touching of certain minors.

370

800.04 (7) (c)

3rd

Lewd or lascivious exhibition; offender less than 18 years.

371

806.135

2nd

Destroying or demolishing a memorial or historic property.

372

810.02 (4) (a)

3rd

Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.

373

810.02 (4) (b)

3rd

Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.

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374

810.06 3rd Burglary; possession of tools.

375

810.08 (2) (c) 3rd Trespass on property, armed with firearm or dangerous weapon.

376

812.014 (2) (c) 3. 3rd Grand theft, 3rd degree \$10,000 or more but less than \$20,000.

377

812.014 (2) (c) 4. & 3rd Grand theft, 3rd degree; specified items.
6.-10.

378

812.014 (2) (d) 2. 3rd Grand theft, 3rd degree;
\$750 or more taken from
dwelling or its
unenclosed curtilage.

379

812.014 (2) (e) 3. 3rd Petit theft, 1st degree;
less than \$40 taken from
dwelling or its
unenclosed curtilage
with two or more prior
theft convictions.

380

812.0195 (2) 3rd Dealing in stolen

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property by use of the
Internet; property
stolen \$300 or more.

381

817.505 (4) (a)

3rd

Patient brokering.

382

817.563 (1)

3rd

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

383

817.568 (2) (a)

3rd

Fraudulent use of
personal identification
information.

384

817.5695 (3) (c)

3rd

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

385

817.625 (2) (a)

3rd

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

386

817.625 (2) (c)

3rd

Possess, sell, or
deliver skimming device.

387

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	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
388	836.14 (2)	3rd	Person who commits theft of a sexually explicit image with intent to promote it.
389	836.14 (3)	3rd	Person who willfully possesses a sexually explicit image with certain knowledge, intent, and purpose.
390	837.02 (1)	3rd	Perjury in official proceedings.
391	837.021 (1)	3rd	Make contradictory statements in official proceedings.
392	838.022	3rd	Official misconduct.
393	839.13 (2) (a)	3rd	Falsifying records of an individual in the care

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and custody of a state agency.

394

839.13(2)(c)

3rd

Falsifying records of the Department of Children and Families.

395

843.021

3rd

Possession of a concealed handcuff key by a person in custody.

396

843.025

3rd

Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.

397

843.15(1)(a)

3rd

Failure to appear while on bail for felony (bond estreature or bond jumping).

398

843.19(2)

2nd

Injure, disable, or kill police, fire, or SAR canine or police horse.

399

847.0135(5)(c)

3rd

Lewd or lascivious exhibition using

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computer; offender less than 18 years.

400

870.01(3)

2nd

Aggravated rioting.

401

870.01(5)

2nd

Aggravated inciting a riot.

402

874.05(1)(a)

3rd

Encouraging or recruiting another to join a criminal gang.

403

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).

404

914.14(2)

3rd

Witnesses accepting bribes.

405

914.22(1)

3rd

Force, threaten, etc., witness, victim, or informant.

406

914.23(2)

3rd

Retaliation against a witness, victim, or informant, no bodily injury.

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407

916.1085
(2) (c) 1.

3rd

Introduction of
specified contraband
into certain DCF
facilities.

408

918.12

3rd

Tampering with jurors.

409

934.215

3rd

Use of two-way
communications device to
facilitate commission of
a crime.

410

944.47 (1) (a) 6.

3rd

Introduction of
contraband (cellular
telephone or other
portable communication
device) into
correctional
institution.

411

951.22 (1) (h),
(j) & (k)

3rd

Intoxicating drug,
instrumentality or other
device to aid escape, or
cellular telephone or
other portable
communication device
introduced into county
detention facility.

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412
413
414
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418
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420

(e) LEVEL 5

Florida
Statute

Felony
Degree

Description

316.027(2)(a)

3rd

Accidents involving
personal injuries other
than serious bodily
injury, failure to stop;
leaving scene.

316.1935(4)(a)

2nd

Aggravated fleeing or
eluding.

316.80(2)

2nd

Unlawful conveyance of
fuel; obtaining fuel
fraudulently.

322.34(6)

3rd

Careless operation of
motor vehicle with
suspended license,
resulting in death or
serious bodily injury.

327.30(5)

3rd

Vessel accidents
involving personal
injury; leaving scene.

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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.

421

379.367(4)

3rd

Willful molestation of a commercial harvester's

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spiny lobster trap,
line, or buoy.

422

379.407(5)(b)3.

3rd

Possession of 100 or
more undersized spiny
lobsters.

423

381.0041(11)(b)

3rd

Donate blood, plasma, or
organs knowing HIV
positive.

424

440.10(1)(g)

2nd

Failure to obtain
workers' compensation
coverage.

425

440.105(5)

2nd

Unlawful solicitation
for the purpose of
making workers'
compensation claims.

426

440.381(2)

3rd

Submission of false,
misleading, or
incomplete information
with the purpose of
avoiding or reducing
workers' compensation
premiums.

427

624.401(4)(b)2.

2nd

Transacting insurance

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without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

428

626.902 (1) (c)

2nd

Representing an unauthorized insurer; repeat offender.

429

790.01 (3)

3rd

Unlawful carrying of a concealed firearm.

430

790.162

2nd

Threat to throw or discharge destructive device.

431

790.163 (1)

2nd

False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.

432

790.221 (1)

2nd

Possession of short-barreled shotgun or machine gun.

433

790.23

2nd

Felons in possession of firearms, ammunition, or

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electronic weapons or devices.

434

796.05 (1)

2nd

Live on earnings of a prostitute; 1st offense.

435

800.04 (6) (c)

3rd

Lewd or lascivious conduct; offender less than 18 years of age.

436

800.04 (7) (b)

2nd

Lewd or lascivious exhibition; offender 18 years of age or older.

437

806.111 (1)

3rd

Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.

438

812.014 (2) (d) 3.

2nd

Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.

439

812.0145 (2) (b)

2nd

Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.

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440

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

441

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

442

812.015 (8) (g) 3rd Retail theft; in concert
with five or more other
persons within one or
more establishments.

443

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

444

812.081 (3) 2nd Trafficking in trade
secrets.

445

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

446

812.16 (2) 3rd Owning, operating, or
conducting a chop shop.

447

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

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\$50,000.

448

817.234 (11) (b)

2nd

Insurance fraud;
property value \$20,000
or more but less than
\$100,000.

449

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.

450

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.

451

817.611 (2) (a)

2nd

Traffic in or possess 5

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to 14 counterfeit credit
cards or related
documents.

452

817.625 (2) (b)

2nd

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

453

825.1025 (4)

3rd

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

454

827.071 (4)

2nd

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

455

827.071 (5)

3rd

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

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456
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461

- 828.12 (2) 3rd Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
- 836.14 (4) 2nd Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
- 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.
- 843.01 (1) 3rd Resist officer with violence to person; resist arrest with violence.
- 847.0135 (5) (b) 2nd Lewd or lascivious exhibition using computer; offender 18 years or older.

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847.0137
(2) & (3)

3rd

Transmission of
pornography by
electronic device or
equipment.

462

847.0138
(2) & (3)

3rd

Transmission of material
harmful to minors to a
minor by electronic
device or equipment.

463

874.05 (1) (b)

2nd

Encouraging or
recruiting another to
join a criminal gang;
second or subsequent
offense.

464

874.05 (2) (a)

2nd

Encouraging or
recruiting person under
13 years of age to join
a criminal gang.

465

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).

466

893.13 (1) (c) 2.

2nd

Sell, manufacture, or

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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.

467

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.

468

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.,

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(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
 site.

469

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.

470

893.13(4)(b)

2nd

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

471

893.1351(1)

3rd

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

472

473

(f) LEVEL 6

474

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	Florida Statute	Felony Degree	Description
475	316.027 (2) (b)	2nd	Leaving the scene of a crash involving serious bodily injury.
476	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
477	400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
478	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
479	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
480	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.

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481

775.0875 (1) 3rd Taking firearm from law enforcement officer.

482

784.021 (1) (a) 3rd Aggravated assault; deadly weapon without intent to kill.

483

784.021 (1) (b) 3rd Aggravated assault; intent to commit felony.

484

784.041 3rd Felony battery; domestic battery by strangulation.

485

784.048 (3) 3rd Aggravated stalking; credible threat.

486

784.048 (5) 3rd Aggravated stalking of person under 16.

487

784.07 (2) (c) 2nd Aggravated assault on law enforcement officer.

488

784.074 (1) (b) 2nd Aggravated assault on sexually violent predators facility staff.

489

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490	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
491	784.081 (2)	2nd	Aggravated assault on specified official or employee.
492	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
493	784.083 (2)	2nd	Aggravated assault on code inspector.
494	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
495	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
495	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.

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496
497
498
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501

790.164 (1)

2nd

False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.

790.19

2nd

Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.

794.011 (8) (a)

3rd

Solicitation of minor to participate in sexual activity by custodial adult.

794.05 (1)

2nd

Unlawful sexual activity with specified minor.

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.

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502	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
503	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
504	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
505	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
506	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
507	812.014 (2) (c) 5.	3rd	Grand theft; third degree; firearm.
508	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.

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509	812.015 (9) (a)	2nd	Retail theft; property stolen \$750 or more; second or subsequent conviction.
510	812.015 (9) (b)	2nd	Retail theft; aggregated property stolen within 30 days is \$3,000 or more; coordination of others.
511	812.015 (9) (d)	2nd	Retail theft; multiple thefts within specified period.
512	<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>
513	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.

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and property is valued
at less than \$10,000.

521

827.03(2)(c)

3rd

Abuse of a child.

522

827.03(2)(d)

3rd

Neglect of a child.

523

827.071(2) & (3)

2nd

Use or induce a child in
a sexual performance, or
promote or direct such
performance.

524

828.126(3)

3rd

Sexual activities
involving animals.

525

836.05

2nd

Threats; extortion.

526

836.10

2nd

Written or electronic
threats to kill, do
bodily injury, or
conduct a mass shooting
or an act of terrorism.

527

843.12

3rd

Aids or assists person
to escape.

528

847.011

3rd

Distributing, offering
to distribute, or
possessing with intent

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to distribute obscene materials depicting minors.

529

847.012

3rd

Knowingly using a minor in the production of materials harmful to minors.

530

847.0135 (2)

3rd

Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.

531

893.131

2nd

Distribution of controlled substances resulting in overdose or serious bodily injury.

532

914.23

2nd

Retaliation against a witness, victim, or informant, with bodily injury.

533

918.13 (2) (b)

2nd

Tampering with or fabricating physical evidence relating to a capital felony.

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534

944.35 (3) (a) 2.

3rd

Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.

535

944.40

2nd

Escapes.

536

944.46

3rd

Harboring, concealing, aiding escaped prisoners.

537

944.47 (1) (a) 5.

2nd

Introduction of contraband (firearm, weapon, or explosive) into correctional facility.

538

951.22 (1) (i)

3rd

Firearm or weapon introduced into county detention facility.

539

540

(g) LEVEL 7

541

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	Florida Statute	Felony Degree	Description
542	316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
543	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
544	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.
545	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
546	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent

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disability, or death.

547

409.920
(2) (b) 1.a.

3rd Medicaid provider fraud;
\$10,000 or less.

548

409.920
(2) (b) 1.b.

2nd Medicaid provider fraud;
more than \$10,000, but
less than \$50,000.

549

456.065 (2)

3rd Practicing a health care
profession without a
license.

550

456.065 (2)

2nd Practicing a health care
profession without a
license which results in
serious bodily injury.

551

458.327 (1)

3rd Practicing medicine
without a license.

552

459.013 (1)

3rd Practicing osteopathic
medicine without a
license.

553

460.411 (1)

3rd Practicing chiropractic
medicine without a
license.

554

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555	461.012 (1)	3rd	Practicing podiatric medicine without a license.
556	462.17	3rd	Practicing naturopathy without a license.
557	463.015 (1)	3rd	Practicing optometry without a license.
558	464.016 (1)	3rd	Practicing nursing without a license.
559	465.015 (2)	3rd	Practicing pharmacy without a license.
560	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
561	467.201	3rd	Practicing midwifery without a license.
562	468.366	3rd	Delivering respiratory care services without a license.
	483.828 (1)	3rd	Practicing as clinical laboratory personnel

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without a license.

563

483.901 (7)

3rd

Practicing medical physics
without a license.

564

484.013 (1) (c)

3rd

Preparing or dispensing
optical devices without a
prescription.

565

484.053

3rd

Dispensing hearing aids
without a license.

566

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.

567

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.

568

560.125 (5) (a)

3rd

Money services business by
unauthorized person,
currency or payment

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instruments exceeding \$300
but less than \$20,000.

569

655.50(10)(b)1.

3rd

Failure to report
financial transactions
exceeding \$300 but less
than \$20,000 by financial
institution.

570

775.21(10)(a)

3rd

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

571

775.21(10)(b)

3rd

Sexual predator working
where children regularly
congregate.

572

775.21(10)(g)

3rd

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

573

782.051(3)

2nd

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

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attempted felony.

574

782.07(1)

2nd

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

575

782.071

2nd

Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).

576

782.072

2nd

Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

577

784.045(1)(a)1.

2nd

Aggravated battery; intentionally causing great bodily harm or disfigurement.

578

784.045(1)(a)2.

2nd

Aggravated battery; using deadly weapon.

579

784.045(1)(b)

2nd

Aggravated battery; perpetrator aware victim

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pregnant.

580

784.048 (4)

3rd

Aggravated stalking;
violation of injunction or
court order.

581

784.048 (7)

3rd

Aggravated stalking;
violation of court order.

582

784.07 (2) (d)

1st

Aggravated battery on law
enforcement officer.

583

784.074 (1) (a)

1st

Aggravated battery on
sexually violent predators
facility staff.

584

784.08 (2) (a)

1st

Aggravated battery on a
person 65 years of age or
older.

585

784.081 (1)

1st

Aggravated battery on
specified official or
employee.

586

784.082 (1)

1st

Aggravated battery by
detained person on visitor
or other detainee.

587

784.083 (1)

1st

Aggravated battery on code

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inspector.

588

787.06(3)(a)2.

1st

Human trafficking using coercion for labor and services of an adult.

589

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.

590

790.07(4)

1st

Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).

591

790.16(1)

1st

Discharge of a machine gun under specified circumstances.

592

790.165(2)

2nd

Manufacture, sell, possess, or deliver hoax bomb.

593

790.165(3)

2nd

Possessing, displaying, or threatening to use any hoax bomb while committing

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or attempting to commit a felony.

594

790.166(3)

2nd

Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

595

790.166(4)

2nd

Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

596

790.23

1st,PBL

Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

597

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.

598

796.05(1)

1st

Live on earnings of a prostitute; 2nd offense.

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599

796.05 (1) 1st Live on earnings of a prostitute; 3rd and subsequent offense.

600

800.04 (5) (c) 1. 2nd Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.

601

800.04 (5) (c) 2. 2nd 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.

602

800.04 (5) (e) 1st 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.

603

806.01 (2) 2nd Maliciously damage structure by fire or explosive.

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604

810.02 (3) (a) 2nd Burglary of occupied dwelling; unarmed; no assault or battery.

605

810.02 (3) (b) 2nd Burglary of unoccupied dwelling; unarmed; no assault or battery.

606

810.02 (3) (d) 2nd Burglary of occupied conveyance; unarmed; no assault or battery.

607

810.02 (3) (e) 2nd Burglary of authorized emergency vehicle.

608

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.

609

812.014 (2) (b) 2. 2nd Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

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deadly weapon, or other
 weapon.

617

817.034 (4) (a) 1.

1st

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

618

817.234 (8) (a)

2nd

Solicitation of motor
 vehicle accident victims
 with intent to defraud.

619

817.234 (9)

2nd

Organizing, planning, or
 participating in an
 intentional motor vehicle
 collision.

620

817.234 (11) (c)

1st

Insurance fraud; property
 value \$100,000 or more.

621

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.

622

817.418 (2) (a)

3rd

Offering for sale or

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advertising personal
protective equipment with
intent to defraud.

623

817.504 (1) (a)

3rd

Offering or advertising a
vaccine with intent to
defraud.

624

817.535 (2) (a)

3rd

Filing false lien or other
unauthorized document.

625

817.611 (2) (b)

2nd

Traffic in or possess 15
to 49 counterfeit credit
cards or related
documents.

626

825.102 (3) (b)

2nd

Neglecting an elderly
person or disabled adult
causing great bodily harm,
disability, or
disfigurement.

627

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.

628

827.03 (2) (b)

2nd

Neglect of a child causing

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great bodily harm,
disability, or
disfigurement.

629

827.04 (3)

3rd

Impregnation of a child
under 16 years of age by
person 21 years of age or
older.

630

837.05 (2)

3rd

Giving false information
about alleged capital
felony to a law
enforcement officer.

631

838.015

2nd

Bribery.

632

838.016

2nd

Unlawful compensation or
reward for official
behavior.

633

838.021 (3) (a)

2nd

Unlawful harm to a public
servant.

634

838.22

2nd

Bid tampering.

635

843.0855 (2)

3rd

Impersonation of a public
officer or employee.

636

843.0855 (3)

3rd

Unlawful simulation of

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legal process.

637

843.0855 (4)

3rd

Intimidation of a public officer or employee.

638

847.0135 (3)

3rd

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

639

847.0135 (4)

2nd

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

640

872.06

2nd

Abuse of a dead human body.

641

874.05 (2) (b)

1st

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

642

874.10

1st, PBL

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

643

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	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 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
644	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.
645	893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
646	893.135(1)(a)1.	1st	Trafficking in cannabis,

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more than 25 lbs., less than 2,000 lbs.

647

893.135
(1) (b) 1.a.

1st

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

648

893.135
(1) (c) 1.a.

1st

Trafficking in illegal drugs, more than 4 grams, less than 14 grams.

649

893.135
(1) (c) 2.a.

1st

Trafficking in hydrocodone, 28 grams or more, less than 50 grams.

650

893.135
(1) (c) 2.b.

1st

Trafficking in hydrocodone, 50 grams or more, less than 100 grams.

651

893.135
(1) (c) 3.a.

1st

Trafficking in oxycodone, 7 grams or more, less than 14 grams.

652

893.135
(1) (c) 3.b.

1st

Trafficking in oxycodone, 14 grams or more, less than 25 grams.

653

893.135
(1) (c) 4.b. (I)

1st

Trafficking in fentanyl, 4 grams or more, less than

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14 grams.

654

893.135
(1) (d) 1.a.

1st

Trafficking in
phencyclidine, 28 grams or
more, less than 200 grams.

655

893.135 (1) (e) 1.

1st

Trafficking in
methaqualone, 200 grams or
more, less than 5
kilograms.

656

893.135 (1) (f) 1.

1st

Trafficking in
amphetamine, 14 grams or
more, less than 28 grams.

657

893.135
(1) (g) 1.a.

1st

Trafficking in
flunitrazepam, 4 grams or
more, less than 14 grams.

658

893.135
(1) (h) 1.a.

1st

Trafficking in gamma-
hydroxybutyric acid (GHB),
1 kilogram or more, less
than 5 kilograms.

659

893.135
(1) (j) 1.a.

1st

Trafficking in 1,4-
Butanediol, 1 kilogram or
more, less than 5
kilograms.

660

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661	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
662	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
663	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
664	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
665	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
666	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.

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667	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
668	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
669	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
670	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
671	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
671	943.0435 (14)	3rd	Sexual offender; failure

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

672

944.607(9)

3rd

Sexual offender; failure
 to comply with reporting
 requirements.

673

944.607(10)(a)

3rd

Sexual offender; failure
 to submit to the taking of
 a digitized photograph.

674

944.607(12)

3rd

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

675

944.607(13)

3rd

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

676

985.4815(10)

3rd

Sexual offender; failure
 to submit to the taking of

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a digitized photograph.

677

985.4815 (12)

3rd

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

678

985.4815 (13)

3rd

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

679

680

(h) LEVEL 8

681

Florida

Felony

Statute

Degree

Description

682

316.193

2nd

DUI manslaughter.

(3) (c) 3.a.

683

316.1935 (4) (b)

1st

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

684

327.35 (3) (c) 3.

2nd

Vessel BUI manslaughter.

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685

499.0051 (6) 1st Knowing trafficking in
contraband prescription
drugs.

686

499.0051 (7) 1st Knowing forgery of
prescription labels or
prescription drug labels.

687

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.

688

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.

689

655.50 (10) (b) 2. 2nd Failure to report
financial transactions
totaling or exceeding
\$20,000, but less than
\$100,000 by financial

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institutions.

690

777.03 (2) (a)

1st

Accessory after the fact,
capital felony.

691

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.

692

782.051 (2)

1st

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

693

782.071 (1) (b)

1st

Committing vehicular
homicide and failing to
render aid or give
information.

694

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695	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
696	787.06 (3) (a) 1.	1st	Human trafficking for labor and services of a child.
697	787.06 (3) (b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
698	787.06 (3) (c) 2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
699	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.
	787.06 (3) (f) 2.	1st	Human trafficking using coercion for commercial sexual activity by the

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transfer or transport of any adult from outside Florida to within the state.

700

790.161 (3)

1st

Discharging a destructive device which results in bodily harm or property damage.

701

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.

702

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.

703

794.011 (5) (c)

2nd

Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not

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use physical force likely to cause injury.

704

794.011 (5) (d)

1st

Sexual battery; victim 12 years of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.

705

794.08 (3)

2nd

Female genital mutilation, removal of a victim younger than 18 years of age from this state.

706

800.04 (4) (b)

2nd

Lewd or lascivious battery.

707

800.04 (4) (c)

1st

Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.

708

806.01 (1)

1st

Maliciously damage dwelling or structure by fire or explosive,

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believing person in
structure.

709

810.02 (2) (a) 1st, PBL Burglary with assault or
battery.

710

810.02 (2) (b) 1st, PBL Burglary; armed with
explosives or dangerous
weapon.

711

810.02 (2) (c) 1st Burglary of a dwelling or
structure causing
structural damage or
\$1,000 or more property
damage.

712

812.014 (2) (a) 2. 1st Property stolen; cargo
valued at \$50,000 or
more, grand theft in 1st
degree.

713

812.13 (2) (b) 1st Robbery with a weapon.

714

812.135 (2) (c) 1st Home-invasion robbery, no
firearm, deadly weapon,
or other weapon.

715

812.015 (11) (b) 1st Retail theft; possession
of a firearm during

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commission of offense.

716

817.418 (2) (b)

2nd

Offering for sale or advertising personal protective equipment with intent to defraud; second or subsequent offense.

717

817.504 (1) (b)

2nd

Offering or advertising a vaccine with intent to defraud; second or subsequent offense.

718

817.505 (4) (c)

1st

Patient brokering; 20 or more patients.

719

817.535 (2) (b)

2nd

Filing false lien or other unauthorized document; second or subsequent offense.

720

817.535 (3) (a)

2nd

Filing false lien or other unauthorized document; property owner is a public officer or employee.

721

817.535 (4) (a) 1.

2nd

Filing false lien or other unauthorized

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document; defendant is incarcerated or under supervision.

722

817.535 (5) (a)

2nd

Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.

723

817.568 (6)

2nd

Fraudulent use of personal identification information of an individual under the age of 18.

724

817.611 (2) (c)

1st

Traffic in or possess 50 or more counterfeit credit cards or related documents.

725

825.102 (2)

1st

Aggravated abuse of an elderly person or disabled adult.

726

825.1025 (2)

2nd

Lewd or lascivious battery upon an elderly person or disabled adult.

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727

825.103 (3) (a)

1st

Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.

728

837.02 (2)

2nd

Perjury in official proceedings relating to prosecution of a capital felony.

729

837.021 (2)

2nd

Making contradictory statements in official proceedings relating to prosecution of a capital felony.

730

860.121 (2) (c)

1st

Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.

731

860.16

1st

Aircraft piracy.

732

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).

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733
734
735
736
737
738
739

893.13 (2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
893.13 (6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
893.135 (1) (a) 2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
893.135 (1) (b) 1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
893.135 (1) (c) 1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
893.135 (1) (c) 2.c.	1st	Trafficking in hydrocodone, 100 grams or more, less than 300 grams.

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740 893.135 1st Trafficking in oxycodone,
 (1) (c) 3.c. 25 grams or more, less
 than 100 grams.

741 893.135 1st Trafficking in fentanyl,
 (1) (c) 4.b. (II) 14 grams or more, less
 than 28 grams.

742 893.135 1st Trafficking in
 (1) (d) 1.b. phencyclidine, 200 grams
 or more, less than 400
 grams.

743 893.135 1st Trafficking in
 (1) (e) 1.b. methaqualone, 5 kilograms
 or more, less than 25
 kilograms.

744 893.135 1st Trafficking in
 (1) (f) 1.b. amphetamine, 28 grams or
 more, less than 200
 grams.

745 893.135 1st Trafficking in
 (1) (g) 1.b. flunitrazepam, 14 grams
 or more, less than 28
 grams.

893.135 1st Trafficking in gamma-

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(1) (h) 1.b.

hydroxybutyric acid
(GHB), 5 kilograms or
more, less than 10
kilograms.

746

893.135

1st

Trafficking in 1,4-
Butanediol, 5 kilograms
or more, less than 10
kilograms.

(1) (j) 1.b.

747

893.135

1st

Trafficking in
Phenethylamines, 200
grams or more, less than
400 grams.

(1) (k) 2.b.

748

893.135

1st

Trafficking in synthetic
cannabinoids, 1,000 grams
or more, less than 30
kilograms.

(1) (m) 2.c.

749

893.135

1st

Trafficking in n-benzyl
phenethylamines, 100
grams or more, less than
200 grams.

(1) (n) 2.b.

750

893.1351 (3)

1st

Possession of a place
used to manufacture
controlled substance when
minor is present or

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resides there.

751

895.03 (1)

1st

Use or invest proceeds derived from pattern of racketeering activity.

752

895.03 (2)

1st

Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.

753

895.03 (3)

1st

Conduct or participate in any enterprise through pattern of racketeering activity.

754

896.101 (5) (b)

2nd

Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.

755

896.104 (4) (a) 2.

2nd

Structuring transactions to evade reporting or registration requirements, financial transactions totaling or

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exceeding \$20,000 but
less than \$100,000.

756

757 Section 4. Paragraph (f) of subsection (1) of section
758 784.07, Florida Statutes, is amended to read:

759 784.07 Assault or battery of law enforcement officers and
760 other specified personnel; reclassification of offenses; minimum
761 sentences.—

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

763 (f) "Public transit employees or agents" means bus
764 operators, train operators, revenue collectors, security
765 personnel, equipment maintenance personnel, or field
766 supervisors, who are employees or agents of a transit agency as
767 defined ~~described~~ in s. 812.015(1) ~~s. 812.015(1)(1)~~.

768 Section 5. This act shall take effect October 1, 2024.