



652162

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/30/2024	.	
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The Committee on Criminal Justice (Martin) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

800.045 Lewd or lascivious grooming.-

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

(a) "Inappropriate communication or conduct" means any
verbal, written, or electronic communication or any conduct in



11 which a person describes, depicts, or demonstrates sexual
12 conduct or sexual excitement.

13 (b) "Sexual activity" has the same meaning as in s.
14 800.04(1).

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

17 (d) "Sexual performance" has the same meaning as in s.
18 827.071(1).

19 (2) A person 18 years of age or older who engages in a
20 pattern of inappropriate communication or conduct directed
21 toward a person less than 16 years of age for the purpose of
22 preparing, encouraging, or enticing such person to engage in any
23 unlawful sexual activity, sexual conduct, or sexual performance
24 commits lewd or lascivious grooming, a felony of the third
25 degree, punishable as provided in s. 775.082, s. 775.083, or s.
26 775.084.

27 Section 2. Paragraph (c) of subsection (3) of section
28 921.0022, Florida Statutes, is amended to read:

29 921.0022 Criminal Punishment Code; offense severity ranking
30 chart.—

31 (3) OFFENSE SEVERITY RANKING CHART

32 (c) LEVEL 3

33
34

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police

35



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reports.

36

316.066 3rd Unlawfully obtaining or using
(3) (b) - (d) confidential crash reports.

37

316.193 (2) (b) 3rd Felony DUI, 3rd conviction.

38

316.1935 (2) 3rd Fleeing or attempting to elude
law enforcement officer in
patrol vehicle with siren and
lights activated.

39

319.30 (4) 3rd Possession by junkyard of motor
vehicle with identification
number plate removed.

40

319.33 (1) (a) 3rd Alter or forge any certificate
of title to a motor vehicle or
mobile home.

41

319.33 (1) (c) 3rd Procure or pass title on stolen
vehicle.

42

319.33 (4) 3rd With intent to defraud,
possess, sell, etc., a blank,
forged, or unlawfully obtained
title or registration.

43

327.35 (2) (b) 3rd Felony BUI.



44	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
45	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
46	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
47	379.2431 (1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
48	379.2431 (1)(e)6.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection



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56	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
57	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
58	697.08	3rd	Equity skimming.
59	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
60	794.053	3rd	Lewd or lascivious written solicitation of a person 16 or 17 years of age by a person 24 years of age or older.
61	<u>800.045 (2)</u>	<u>3rd</u>	<u>Lewd or lascivious grooming.</u>
62	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
63	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.



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64	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
65	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
66	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
67	812.015(8)(b)	3rd	Retail theft with intent to sell; conspires with others.
68	812.081(2)	3rd	Theft of a trade secret.
69	815.04(4)(b)	2nd	Computer offense devised to defraud or obtain property.
70	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
71	817.233	3rd	Burning to defraud insurer.
	817.234 (8)(b) & (c)	3rd	Unlawful solicitation of persons involved in motor



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72			vehicle accidents.
	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
73			
	817.236	3rd	Filing a false motor vehicle insurance application.
74			
	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
75			
	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
76			
	817.49 (2) (b) 1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
77			
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
78			
	831.29	2nd	Possession of instruments for



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counterfeiting driver licenses
or identification cards.

836.13(2)

3rd

Person who promotes an altered
sexual depiction of an
identifiable person without
consent.

80

838.021(3)(b)

3rd

Threatens unlawful harm to
public servant.

81

860.15(3)

3rd

Overcharging for repairs and
parts.

82

870.01(2)

3rd

Riot.

83

870.01(4)

3rd

Inciting a riot.

84

893.13(1)(a)2.

3rd

Sell, manufacture, or deliver
cannabis (or other s.
893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs).

85

893.13(1)(d)2.

2nd

Sell, manufacture, or deliver
s. 893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,



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(2)(c)10., (3), or (4) drugs
within 1,000 feet of
university.

893.13(1)(f)2.

2nd

Sell, manufacture, or deliver
s. 893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs
within 1,000 feet of public
housing facility.

87

893.13(4)(c)

3rd

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

88

893.13(6)(a)

3rd

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

89

893.13(7)(a)8.

3rd

Withhold information from
practitioner regarding previous
receipt of or prescription for
a controlled substance.

90

893.13(7)(a)9.

3rd

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



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

92

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

93

893.13(8)(a)1. 3rd Knowingly assist a patient,
other person, or owner of an
animal in obtaining a
controlled substance through
deceptive, untrue, or
fraudulent representations in
or related to the
practitioner's practice.

94

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

95

893.13(8)(a)3. 3rd Knowingly write a prescription
for a controlled substance for
a fictitious person.



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107 Delete everything before the enacting clause
108 and insert:

109 A bill to be entitled
110 An act relating to lewd or lascivious grooming;
111 creating s. 800.045, F.S.; providing definitions;
112 creating the offense of lewd or lascivious grooming;
113 providing criminal penalties; amending s. 921.0022,
114 F.S.; ranking the offense on the offense severity
115 ranking chart of the Criminal Punishment Code;
116 providing an effective date.