

By the Committee on Criminal Justice; and Senator Martin

591-02653-24

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

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

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

14           800.045 Lewd or lascivious grooming.-

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

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

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

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

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

26           (2) A person 18 years of age or older who engages in a  
27 pattern of inappropriate communication or conduct directed  
28 toward a person less than 16 years of age for the purpose of  
29 preparing, encouraging, or enticing such person to engage in any

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30 unlawful sexual activity, sexual conduct, or sexual performance  
 31 commits lewd or lascivious grooming, a felony of the third  
 32 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 33 775.084.

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

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

38 (3) OFFENSE SEVERITY RANKING CHART

39 (c) LEVEL 3

| Florida Statute          | Felony Degree | Description   |
|--------------------------|---------------|---|
| 119.10 (2) (b)           | 3rd           | Unlawful use of confidential information from police reports.   |
| 316.066<br>(3) (b) - (d) | 3rd           | Unlawfully obtaining or using confidential crash reports.   |
| 316.193 (2) (b)          | 3rd           | Felony DUI, 3rd conviction.   |
| 316.1935 (2)             | 3rd           | Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated. |
| 319.30 (4)               | 3rd           | Possession by junkyard of motor   |

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vehicle with identification  
number plate removed.

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

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

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

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

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328.05(2) 3rd Possess, sell, or counterfeit  
fictitious, stolen, or  
fraudulent titles or bills of  
sale of vessels.

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328.07(4) 3rd Manufacture, exchange, or  
possess vessel with counterfeit  
or wrong ID number.

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376.302(5) 3rd Fraud related to reimbursement  
for cleanup expenses under the  
Inland Protection Trust Fund.



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information or failing to report information.

- 440.1051(3)
3rd
False report of workers' compensation fraud or retaliation for making such a report.
- 501.001(2)(b)
2nd
Tampers with a consumer product or the container using materially false/misleading information.
- 624.401(4)(a)
3rd
Transacting insurance without a certificate of authority.
- 624.401(4)(b)1.
3rd
Transacting insurance without a certificate of authority; premium collected less than \$20,000.
- 626.902(1)(a) & (b)
3rd
Representing an unauthorized insurer.
- 697.08
3rd
Equity skimming.
- 790.15(3)
3rd
Person directs another to discharge firearm from a vehicle.

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

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sell; conspires with others.

812.081 (2) 3rd Theft of a trade secret.

815.04 (4) (b) 2nd Computer offense devised to defraud or obtain property.

817.034 (4) (a) 3. 3rd Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.

817.233 3rd Burning to defraud insurer.

817.234 (8) (b) & (c) 3rd Unlawful solicitation of persons involved in motor vehicle accidents.

817.234 (11) (a) 3rd Insurance fraud; property value less than \$20,000.

817.236 3rd Filing a false motor vehicle insurance application.

817.2361 3rd Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

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82 817.413(2) 3rd Sale of used goods of \$1,000 or more as new.

83 817.49(2)(b)1. 3rd Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.

84 831.28(2)(a) 3rd Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.

85 831.29 2nd Possession of instruments for counterfeiting driver licenses or identification cards.

86 836.13(2) 3rd Person who promotes an altered sexual depiction of an identifiable person without consent.

87 838.021(3)(b) 3rd Threatens unlawful harm to public servant.

860.15(3) 3rd Overcharging for repairs and parts.



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| 870.01 (2)        | 3rd | Riot.   |
| 870.01 (4)        | 3rd | Inciting a riot.  |
| 893.13 (1) (a) 2. | 3rd | Sell, manufacture, or deliver<br>cannabis (or other s.<br>893.03 (1) (c), (2) (c) 1.,<br>(2) (c) 2., (2) (c) 3., (2) (c) 6.,<br>(2) (c) 7., (2) (c) 8., (2) (c) 9.,<br>(2) (c) 10., (3), or (4) drugs).                             |
| 893.13 (1) (d) 2. | 2nd | Sell, manufacture, or deliver<br>s. 893.03 (1) (c), (2) (c) 1.,<br>(2) (c) 2., (2) (c) 3., (2) (c) 6.,<br>(2) (c) 7., (2) (c) 8., (2) (c) 9.,<br>(2) (c) 10., (3), or (4) drugs<br>within 1,000 feet of<br>university.              |
| 893.13 (1) (f) 2. | 2nd | Sell, manufacture, or deliver<br>s. 893.03 (1) (c), (2) (c) 1.,<br>(2) (c) 2., (2) (c) 3., (2) (c) 6.,<br>(2) (c) 7., (2) (c) 8., (2) (c) 9.,<br>(2) (c) 10., (3), or (4) drugs<br>within 1,000 feet of public<br>housing facility. |
| 893.13 (4) (c)    | 3rd | Use or hire of minor; deliver   |

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to minor other controlled substances.

893.13(6)(a) 3rd Possession of any controlled substance other than felony possession of cannabis.

893.13(7)(a)8. 3rd Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.

893.13(7)(a)9. 3rd Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

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

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

893.13(8)(a)1. 3rd Knowingly assist a patient, other person, or owner of an animal in obtaining a

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controlled substance through  
deceptive, untrue, or  
fraudulent representations in  
or related to the  
practitioner's practice.

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

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

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893.13 (8) (a) 4.            3rd    Write a prescription for a  
controlled substance for a  
patient, other person, or an  
animal if the sole purpose of  
writing the prescription is a  
monetary benefit for the  
practitioner.

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

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944.47                        3rd    Introduce contraband to

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(1) (a) 1. & 2.

correctional facility.

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944.47 (1) (c)

2nd

Possess contraband while upon  
the grounds of a correctional  
institution.

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985.721

3rd

Escapes from a juvenile  
facility (secure detention or  
residential commitment  
facility).

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Section 3. This act shall take effect October 1, 2024.