

1 A bill to be entitled
 2 An act relating to child exploitation offenses;
 3 creating s. 847.01385, F.S.; providing definitions;
 4 creating the offense of harmful communication to a
 5 minor; providing criminal penalties; amending s.
 6 921.0022, F.S.; ranking the offense on the offense
 7 severity ranking chart of the Criminal Punishment
 8 Code; revising the ranking of specified child
 9 exploitation offenses for purposes of the offense
 10 severity ranking chart of the Criminal Punishment
 11 Code; prohibiting the raising of specified arguments
 12 as a defense in a prosecution for certain violations;
 13 providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Section 847.01385, Florida Statutes, is created
 18 to read:

19 847.01385 Harmful Communication to a Minor.—

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

21 (a) "Communication" means any verbal or written
 22 communication.

23 (b) "Sexual activity" has the same meaning as in s.
 24 800.04(1).

25 (2) An adult who engages in a pattern of communication to

26 a minor that includes explicit and detailed verbal descriptions
 27 or narrative accounts of sexual activity, sexual conduct, or
 28 sexual excitement and that is harmful to minors commits a felony
 29 of the third degree, punishable as provided in s. 775.082, s.
 30 775.083, or s. 775.084.

31 (3) A person's ignorance of a minor's age, a minor's
 32 misrepresentation of his or her age, a bona fide belief of a
 33 minor's age, or a minor's consent may not be raised as a defense
 34 in a prosecution for a violation of this section.

35 Section 2. Paragraphs (c), (e), (f), and (g) of subsection
 36 (3) of section 921.0022, Florida Statutes, are amended to read:

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

39 (3) OFFENSE SEVERITY RANKING CHART

40 (c) LEVEL 3

41

Florida Statute	Felony Degree	Description
119.10(2) (b)	3rd	Unlawful use of confidential information from police reports.
316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.

42

43

44

45	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
46	316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
47	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
48	319.33(1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
49	319.33(1) (c)	3rd	Procure or pass title on stolen vehicle.
50	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
51	327.35(2) (b)	3rd	Felony BUI.

52	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
53	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
54	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
55	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.
	379.2431 (1) (e) 6.	3rd	Possessing any marine turtle species or hatchling, or parts

56	379.2431 (1) (e) 7.	3rd	thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
57	400.9935(4) (a) or (b)	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
58	400.9935(4) (e)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
59	440.1051(3)	3rd	Filing a false license application or other required information or failing to report information.
60	501.001(2) (b)	2nd	False report of workers' compensation fraud or retaliation for making such a report.
			Tampers with a consumer product

			or the container using materially false/misleading information.
61	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
62	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
63	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
64	697.08	3rd	Equity skimming.
65	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
66	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.

67	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
68	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
69	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
70	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
71	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
72	812.015(8)(b)	3rd	Retail theft with intent to sell; conspires with others.
73	812.081(2)	3rd	Theft of a trade secret.

74	815.04(4)(b)	2nd	Computer offense devised to defraud or obtain property.
75	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
76	817.233	3rd	Burning to defraud insurer.
77	817.234 (8)(b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
78	817.234(11)(a)	3rd	Insurance fraud; property value less than \$20,000.
79	817.236	3rd	Filing a false motor vehicle insurance application.
80	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
81			

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

87	<u>847.01385</u>	<u>3rd</u>	<u>Harmful Communication to a Minor.</u>
88	860.15(3)	3rd	Overcharging for repairs and parts.
89	870.01(2)	3rd	Riot.
90	870.01(4)	3rd	Inciting a riot.
91	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).
92	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., (2)(c)10., (3), or (4) drugs within 1,000 feet of university.
93			

94	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.
95	893.13(4)(c)	3rd	Use or hire of minor; deliver to minor other controlled substances.
96	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
97	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
98	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

99	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
100	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
101	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.
102	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.
	893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a

fictitious person.

103
104
105
106
107
108
109

- 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.
- 918.13(1) 3rd Tampering with or fabricating physical evidence.
- 944.47
 (1)(a)1. & 2. 3rd Introduce contraband to correctional facility.
- 944.47(1)(c) 2nd Possess contraband while upon the grounds of a correctional institution.
- 985.721 3rd Escapes from a juvenile facility (secure detention or residential commitment facility).

110	(e)	LEVEL 5	
111	Florida	Felony	Description
	Statute	Degree	
112	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
113	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
114	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
115	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
116	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
117	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.

118

379.367 (4) 3rd Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

119

379.407 (5) (b) 3. 3rd Possession of 100 or more undersized spiny lobsters.

120

381.0041 (11) (b) 3rd Donate blood, plasma, or organs

knowing HIV positive.

121

440.10(1)(g) 2nd Failure to obtain workers' compensation coverage.

122

440.105(5) 2nd Unlawful solicitation for the purpose of making workers' compensation claims.

123

440.381(2) 3rd Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.

124

624.401(4)(b)2. 2nd Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

125

626.902(1)(c) 2nd Representing an unauthorized insurer; repeat offender.

126

790.01(3) 3rd Unlawful carrying of a concealed firearm.

127	790.162	2nd	Threat to throw or discharge destructive device.
128	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
129	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
130	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
131	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
132	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
133	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or

older.

134

806.111 (1) 3rd Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.

135

812.0145 (2) (b) 2nd Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.

136

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

137

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

138

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

139

812.081 (3) 2nd Trafficking in trade secrets.

140

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

141

142	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
143	817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
144	817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
145	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.
	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.

146

817.611(2)(a) 2nd Traffic in or possess 5 to 14 counterfeit credit cards or related documents.

147

817.625(2)(b) 2nd Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.

148

825.1025(4) 3rd Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

149

~~827.071(4) 2nd Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.~~

150

~~827.071(5) 3rd Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.~~

151

152	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
153	836.14(4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
154	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.
155	843.01(1)	3rd	Resist officer with violence to person; resist arrest with violence.
156	847.0135(5)(b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
	847.0137	3rd	Transmission of pornography by

157	(2) & (3)		electronic device or equipment.
158	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
159	874.05(1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
160	874.05(2)(a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
161	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).
161	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., (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.

162

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.

163

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 site.

164

165	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.
166	893.13(4)(b)	2nd	Use or hire of minor; deliver to minor other controlled substance.
167	893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
168			
169	(f) LEVEL 6		
170			
171	Florida Statute	Felony Degree	Description
172	316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
	316.193(2)(b)	3rd	Felony DUI, 4th or subsequent

conviction.

173

400.9935(4)(c) 2nd Operating a clinic, or offering services requiring licensure, without a license.

174

499.0051(2) 2nd Knowing forgery of transaction history, transaction information, or transaction statement.

175

499.0051(3) 2nd Knowing purchase or receipt of prescription drug from unauthorized person.

176

499.0051(4) 2nd Knowing sale or transfer of prescription drug to unauthorized person.

177

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

178

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

179

180	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
181	784.041	3rd	Felony battery; domestic battery by strangulation.
182	784.048 (3)	3rd	Aggravated stalking; credible threat.
183	784.048 (5)	3rd	Aggravated stalking of person under 16.
184	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
185	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
186	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
187	784.081 (2)	2nd	Aggravated assault on specified official or employee.

188	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
189	784.083 (2)	2nd	Aggravated assault on code inspector.
190	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
191	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
192	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
	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.

193	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
194	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
195	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
196	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.
197	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
198	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
199			

200	810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
201	810.145(8)(b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
202	812.014(2)(b)1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
203	812.014(2)(c)5.	3rd	Grand theft; third degree; firearm.
204	812.014(6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
205	812.015(9)(a)	2nd	Retail theft; property stolen \$750 or more; second or subsequent conviction.
	812.015(9)(b)	2nd	Retail theft; aggregated property stolen within 30 days is \$3,000 or more; coordination of others.

206	812.015 (9) (d)	2nd	Retail theft; multiple thefts within specified period.
207	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
208	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
209	817.49 (2) (b) 2.	2nd	Willful making of a false report of a crime resulting in death.
210	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
211	817.5695 (3) (b)	2nd	Exploitation of person 65 years of age or older, value \$10,000 or more, but less than \$50,000.
212	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
213	825.102 (3) (c)	3rd	Neglect of an elderly person or

disabled adult.

214

825.1025(3) 3rd Lewd or lascivious molestation
of an elderly person or disabled
adult.

215

825.103(3)(c) 3rd Exploiting an elderly person or
disabled adult and property is
valued at less than \$10,000.

216

827.03(2)(c) 3rd Abuse of a child.

217

827.03(2)(d) 3rd Neglect of a child.

218

~~827.071(2) & (3)~~ 2nd ~~Use or induce a child in a
sexual performance, or promote
or direct such performance.~~

219

827.071(5) 3rd Possess, control, or
intentionally view any
photographic material, motion
picture, etc., which includes
child pornography.

220

828.126(3) 3rd Sexual activities involving

animals.

221

836.05 2nd Threats; extortion.

222

836.10 2nd Written or electronic threats to
kill, do bodily injury, or
conduct a mass shooting or an
act of terrorism.

223

843.12 3rd Aids or assists person to
escape.

224

847.011 3rd Distributing, offering to
distribute, or possessing with
intent to distribute obscene
materials depicting minors.

225

847.012 3rd Knowingly using a minor in the
production of materials harmful
to minors.

226

847.0135(2) 3rd Facilitates sexual conduct of or
with a minor or the visual
depiction of such conduct.

227

228	893.131	2nd	Distribution of controlled substances resulting in overdose or serious bodily injury.
229	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
230	918.13(2)(b)	2nd	Tampering with or fabricating physical evidence relating to a capital felony.
231	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.
232	944.40	2nd	Escapes.
233	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
	944.47(1)(a)5.	2nd	Introduction of contraband

(firearm, weapon, or explosive)
into correctional facility.

234

951.22(1)(i) 3rd Firearm or weapon introduced
into county detention facility.

235

236

237 (g) LEVEL 7

238

Florida	Felony	Description
Statute	Degree	

239

316.027(2)(c) 1st Accident involving death,
failure to stop; leaving scene.

240

316.193(3)(c)2. 3rd DUI resulting in serious bodily
injury.

241

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.

242

327.35(3)(c)2. 3rd Vessel BUI resulting in serious
bodily injury.

243

402.319(2) 2nd Misrepresentation and negligence
or intentional act resulting in
great bodily harm, permanent
disfiguration, permanent
disability, or death.

244

409.920 3rd Medicaid provider fraud; \$10,000
(2)(b)1.a. or less.

245

409.920 2nd Medicaid provider fraud; more
(2)(b)1.b. than \$10,000, but less than
\$50,000.

246

456.065(2) 3rd Practicing a health care
profession without a license.

247

456.065(2) 2nd Practicing a health care
profession without a license
which results in serious bodily
injury.

248	458.327 (1)	3rd	Practicing medicine without a license.
249	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
250	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
251	461.012 (1)	3rd	Practicing podiatric medicine without a license.
252	462.17	3rd	Practicing naturopathy without a license.
253	463.015 (1)	3rd	Practicing optometry without a license.
254	464.016 (1)	3rd	Practicing nursing without a license.
255	465.015 (2)	3rd	Practicing pharmacy without a license.
256			

257	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
258	467.201	3rd	Practicing midwifery without a license.
259	468.366	3rd	Delivering respiratory care services without a license.
260	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
261	483.901 (7)	3rd	Practicing medical physics without a license.
262	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
263	484.053	3rd	Dispensing hearing aids without a license.
	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.

264

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.

265

560.125 (5) (a) 3rd Money services business by
unauthorized person, currency or
payment instruments exceeding
\$300 but less than \$20,000.

266

655.50 (10) (b) 1. 3rd Failure to report financial
transactions exceeding \$300 but
less than \$20,000 by financial
institution.

267

775.21 (10) (a) 3rd Sexual predator; failure to
register; failure to renew
driver license or identification
card; other registration
violations.

268

775.21 (10) (b) 3rd Sexual predator working where

children regularly congregate.

269

775.21(10) (g) 3rd Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.

270

782.051 (3) 2nd Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

271

782.07(1) 2nd Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter) .

272

782.071 2nd Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide) .

273

782.072 2nd Killing of a human being by the operation of a vessel in a

reckless manner (vessel
homicide).

274

784.045 (1) (a) 1. 2nd Aggravated battery;
intentionally causing great
bodily harm or disfigurement.

275

784.045 (1) (a) 2. 2nd Aggravated battery; using deadly
weapon.

276

784.045 (1) (b) 2nd Aggravated battery; perpetrator
aware victim pregnant.

277

784.048 (4) 3rd Aggravated stalking; violation
of injunction or court order.

278

784.048 (7) 3rd Aggravated stalking; violation
of court order.

279

784.07 (2) (d) 1st Aggravated battery on law
enforcement officer.

280

784.074 (1) (a) 1st Aggravated battery on sexually
violent predators facility
staff.

281	784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
282	784.081(1)	1st	Aggravated battery on specified official or employee.
283	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
284	784.083(1)	1st	Aggravated battery on code inspector.
285	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
286	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.
287	790.07(4)	1st	Specified weapons violation

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

288 790.16(1) 1st Discharge of a machine gun under
specified circumstances.

289 790.165(2) 2nd Manufacture, sell, possess, or
deliver hoax bomb.

290 790.165(3) 2nd Possessing, displaying, or
threatening to use any hoax bomb
while committing or attempting
to commit a felony.

291 790.166(3) 2nd Possessing, selling, using, or
attempting to use a hoax weapon
of mass destruction.

292 790.166(4) 2nd Possessing, displaying, or
threatening to use a hoax weapon
of mass destruction while
committing or attempting to
commit a felony.

293

294	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
295	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.
296	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
297	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
298	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
	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.

299

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.

300

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

301

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

302

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

303

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

304

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

305
306
307
308
309
310

- 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.
- 812.014 (2) (b) 2. 2nd Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
- 812.014 (2) (b) 3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.
- 812.014 (2) (b) 4. 2nd Property stolen, law enforcement equipment from authorized emergency vehicle.
- 812.014 (2) (f) 2nd Grand theft; second degree; firearm with previous conviction of s. 812.014(2)(c)5.

311	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
312	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
313	812.131(2)(a)	2nd	Robbery by sudden snatching.
314	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
315	817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
316	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
317	817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
	817.234(11)(c)	1st	Insurance fraud; property value

\$100,000 or more.

318 817.2341 1st Making false entries of material
 (2) (b) & (3) (b) 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.

319 817.418 (2) (a) 3rd Offering for sale or advertising
 personal protective equipment
 with intent to defraud.

320 817.504 (1) (a) 3rd Offering or advertising a
 vaccine with intent to defraud.

321 817.535 (2) (a) 3rd Filing false lien or other
 unauthorized document.

322 817.611 (2) (b) 2nd Traffic in or possess 15 to 49
 counterfeit credit cards or
 related documents.

323 825.102 (3) (b) 2nd Neglecting an elderly person or

disabled adult causing great
bodily harm, disability, or
disfigurement.

324

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.

325

827.03(2)(b) 2nd Neglect of a child causing great
bodily harm, disability, or
disfigurement.

326

827.04(3) 3rd Impregnation of a child under 16
years of age by person 21 years
of age or older.

327

827.071(2) & (3) 2nd Use or induce a child in a
sexual performance, or promote
or direct such performance.

328

827.071(4) 2nd Possess with intent to promote
any photographic material,
motion picture, etc., which
includes child pornography.

329	837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
330	838.015	2nd	Bribery.
331	838.016	2nd	Unlawful compensation or reward for official behavior.
332	838.021(3)(a)	2nd	Unlawful harm to a public servant.
333	838.22	2nd	Bid tampering.
334	843.0855(2)	3rd	Impersonation of a public officer or employee.
335	843.0855(3)	3rd	Unlawful simulation of legal process.
336	843.0855(4)	3rd	Intimidation of a public officer or employee.
337	847.0135(3)	3rd	Solicitation of a child, via a

computer service, to commit an unlawful sex act.

338

847.0135(4) 2nd Traveling to meet a minor to commit an unlawful sex act.

339

872.06 2nd Abuse of a dead human body.

340

874.05(2) (b) 1st Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.

341

874.10 1st,PBL Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

342

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.

343

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.

344

893.13(4)(a) 1st Use or hire of minor; deliver to minor other controlled substance.

345

893.135(1)(a)1. 1st Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

346

893.135 1st Trafficking in cocaine, more than 28 grams, less than 200 grams.
 (1)(b)1.a.

347

348	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
349	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
350	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
351	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
352	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
353	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200

grams.

354

893.135 (1) (e) 1. 1st Trafficking in methaqualone, 200
grams or more, less than 5
kilograms.

355

893.135 (1) (f) 1. 1st Trafficking in amphetamine, 14
grams or more, less than 28
grams.

356

893.135 1st Trafficking in flunitrazepam, 4
(1) (g) 1.a. grams or more, less than 14
grams.

357

893.135 1st Trafficking in gamma-
(1) (h) 1.a. hydroxybutyric acid (GHB), 1
kilogram or more, less than 5
kilograms.

358

893.135 1st Trafficking in 1,4-Butanediol, 1
(1) (j) 1.a. kilogram or more, less than 5
kilograms.

359

893.135 1st Trafficking in Phenethylamines,
(1) (k) 2.a. 10 grams or more, less than 200

grams.

360

893.135 1st Trafficking in synthetic
 (1) (m) 2.a. cannabinoids, 280 grams or more,
 less than 500 grams.

361

893.135 1st Trafficking in synthetic
 (1) (m) 2.b. cannabinoids, 500 grams or more,
 less than 1,000 grams.

362

893.135 1st Trafficking in n-benzyl
 (1) (n) 2.a. phenethylamines, 14 grams or
 more, less than 100 grams.

363

893.1351(2) 2nd Possession of place for
 trafficking in or manufacturing
 of controlled substance.

364

896.101(5)(a) 3rd Money laundering, financial
 transactions exceeding \$300 but
 less than \$20,000.

365

896.104(4)(a)1. 3rd Structuring transactions to
 evade reporting or registration
 requirements, financial

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

366

943.0435(4)(c) 2nd Sexual offender vacating permanent residence; failure to comply with reporting requirements.

367

943.0435(8) 2nd Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

368

943.0435(9)(a) 3rd Sexual offender; failure to comply with reporting requirements.

369

943.0435(13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

370

943.0435(14) 3rd Sexual offender; failure to report and reregister; failure to respond to address

verification; providing false registration information.

371

944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

372

944.607(10)(a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

373

944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

374

944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

375

985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

376

985.4815(12) 3rd Failure to report or providing
false information about a sexual
offender; harbor or conceal a
sexual offender.

377

985.4815(13) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification; providing false
registration information.

378

379

380

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