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CS/HB 549, Engrossed 1

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1
 2 An act relating to theft; amending s. 812.014, F.S.;
 3 reducing the minimum threshold amount for an offense
 4 of grand theft of the third degree; creating an
 5 offense of grand theft of the third degree; providing
 6 criminal penalties; creating an offense of grand theft
 7 of the second degree; providing criminal penalties;
 8 creating an offense of petit theft of the first
 9 degree; providing criminal penalties; providing
 10 enhanced criminal penalties for committing petit theft
 11 of the first degree and having certain previous
 12 convictions; amending s. 812.015, F.S.; defining the
 13 term "social media platform"; revising the number of
 14 thefts required within a specified aggregation period
 15 required to commit a specified violation for retail
 16 theft; revising specified timeframes, from 30-day
 17 periods to 120-day periods, in which individual acts
 18 of retail theft may be aggregated to establish
 19 specified thresholds; prohibiting a person from
 20 committing retail theft with a specified number of
 21 other persons for a specified purpose; providing a
 22 criminal penalty; revising the number of thefts
 23 required within a specified aggregation period
 24 required to commit a specified violation for retail
 25 theft; prohibiting a person from committing retail

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26 theft with a specific number of other persons for a
 27 specified purpose when such person uses a social media
 28 platform to solicit the participation of other
 29 persons; providing a criminal penalty; providing
 30 criminal penalties for a person who commits retail
 31 theft and has certain prior retail theft convictions;
 32 providing criminal penalties for a person who commits
 33 retail theft who possesses a firearm during the
 34 commission of the offense; requiring a court to order
 35 a person convicted of retail theft to pay specified
 36 restitution; amending s. 921.0022, F.S.; ranking
 37 offenses on the offense severity ranking chart of the
 38 Criminal Punishment Code; amending s. 784.07, F.S.;
 39 correcting a cross-reference; providing an effective
 40 date.

41

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

43

44 Section 1. Paragraphs (e) and (f) of subsection (2) of
 45 section 812.014, Florida Statutes, are renumbered as paragraphs
 46 (f) and (g), respectively, paragraphs (c) and (d) of that
 47 subsection are amended, and a new paragraph (e) is added to that
 48 subsection, to read:

49 812.014 Theft.—

50 (2)

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51 (c) It is grand theft of the third degree and a felony of
 52 the third degree, punishable as provided in s. 775.082, s.
 53 775.083, or s. 775.084, if the property stolen is:

- 54 1. Valued at \$750 or more, but less than \$5,000.
- 55 2. Valued at \$5,000 or more, but less than \$10,000.
- 56 3. Valued at \$10,000 or more, but less than \$20,000.
- 57 4. A will, codicil, or other testamentary instrument.
- 58 5. A firearm, except as provided in paragraph (g)

59 ~~paragraph (f)~~.

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

61 7. Any commercially farmed animal, including any animal of
 62 the equine, avian, bovine, or swine class or other grazing
 63 animal; a bee colony of a registered beekeeper; and aquaculture
 64 species raised at a certified aquaculture facility. If the
 65 property stolen is a commercially farmed animal, including an
 66 animal of the equine, avian, bovine, or swine class or other
 67 grazing animal; a bee colony of a registered beekeeper; or an
 68 aquaculture species raised at a certified aquaculture facility,
 69 a \$10,000 fine shall be imposed.

70 8. Any fire extinguisher that, at the time of the taking,
 71 was installed in any building for the purpose of fire prevention
 72 and control. This subparagraph does not apply to a fire
 73 extinguisher taken from the inventory at a point-of-sale
 74 business.

75 9. Any amount of citrus fruit consisting of 2,000 or more

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76 individual pieces of fruit.

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

79 11. Any stop sign.

80 12. Anhydrous ammonia.

81 13. Any amount of a controlled substance as defined in s.
82 893.02. Notwithstanding any other law, separate judgments and
83 sentences for theft of a controlled substance under this
84 subparagraph and for any applicable possession of controlled
85 substance offense under s. 893.13 or trafficking in controlled
86 substance offense under s. 893.135 may be imposed when all such
87 offenses involve the same amount or amounts of a controlled
88 substance.

89
90 However, if the property is stolen during a riot or an
91 aggravated riot prohibited under s. 870.01 and the perpetration
92 of the theft is facilitated by conditions arising from the riot;
93 or within a county that is subject to a state of emergency
94 declared by the Governor under chapter 252, the property is
95 stolen after the declaration of emergency is made, and the
96 perpetration of the theft is facilitated by conditions arising
97 from the emergency, the offender commits a felony of the second
98 degree, punishable as provided in s. 775.082, s. 775.083, or s.
99 775.084, if the property is valued at \$5,000 or more, but less
100 than \$10,000, as provided under subparagraph 2., or if the

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101 property is valued at \$10,000 or more, but less than \$20,000, as
 102 provided under subparagraph 3. As used in this paragraph, the
 103 terms "conditions arising from a riot" and "conditions arising
 104 from the emergency" have the same meanings as provided in
 105 paragraph (b). A person arrested for committing a theft during a
 106 riot or an aggravated riot or within a county that is subject to
 107 a state of emergency may not be released until the person
 108 appears before a committing magistrate at a first appearance
 109 hearing. For purposes of sentencing under chapter 921, a felony
 110 offense that is reclassified under this paragraph is ranked one
 111 level above the ranking under s. 921.0022 or s. 921.0023 of the
 112 offense committed.

113 (d)1. It is grand theft of the third degree and a felony
 114 of the third degree, punishable as provided in s. 775.082, s.
 115 775.083, or s. 775.084, if the property stolen is valued at \$40
 116 ~~\$100~~ or more, but less than \$750, and is taken from a dwelling
 117 as defined in s. 810.011(2) or from the unenclosed curtilage of
 118 a dwelling pursuant to s. 810.09(1).

119 2. It is grand theft of the third degree and a felony of
 120 the third degree, punishable as provided in s. 775.082, s.
 121 775.083, or s. 775.084, if the property stolen is valued at \$750
 122 or more and is taken from a dwelling as defined in s. 810.011(2)
 123 or from the unenclosed curtilage of a dwelling pursuant to s.
 124 810.09(1).

125 3. It is grand theft of the second degree and a felony of

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126 the second degree, punishable as provided in s. 775.082, s.
 127 775.083, or s. 775.084, if the property stolen is taken from
 128 more than 20 dwellings as defined in s. 810.011(2) or from the
 129 unenclosed curtilage of more than 20 dwellings pursuant to s.
 130 810.09(1), or any combination thereof.

131 (e)1. It is petit theft of the first degree and a
 132 misdemeanor of the first degree, punishable as provided in s.
 133 775.082 or s. 775.083, if the property stolen is valued at less
 134 than \$40 and is taken from a dwelling as defined in s.
 135 810.011(2) or from the unenclosed curtilage of a dwelling
 136 pursuant to s. 810.09(1).

137 2. A person who commits a violation of subparagraph 1. and
 138 who has previously been convicted of any theft commits a felony
 139 of the third degree, punishable as provided in s. 775.082 or s.
 140 775.083.

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

145 Section 2. Subsection (11) of section 812.015, Florida
 146 Statutes, is renumbered as subsection (13), subsections (1),
 147 (8), (9), and (10) are amended, and new subsections (11) and
 148 (12) are added to that section, to read:

149 812.015 Retail and farm theft; transit fare evasion;
 150 mandatory fine; alternative punishment; detention and arrest;

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151 exemption from liability for false arrest; resisting arrest;
 152 penalties.—

153 (1) As used in this section:

154 (a)~~(h)~~ "Antishoplifting or inventory control device" means
 155 a mechanism or other device designed and operated for the
 156 purpose of detecting the removal from a mercantile establishment
 157 or similar enclosure, or from a protected area within such an
 158 enclosure, of specially marked or tagged merchandise. The term
 159 includes any electronic or digital imaging or any video
 160 recording or other film used for security purposes and the cash
 161 register tape or other record made of the register receipt.

162 (b)~~(i)~~ "Antishoplifting or inventory control device
 163 countermeasure" means any item or device which is designed,
 164 manufactured, modified, or altered to defeat any antishoplifting
 165 or inventory control device.

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

171 (d)~~(g)~~ "Farm theft" means the unlawful taking possession
 172 of any items that are grown or produced on land owned, rented,
 173 or leased by another person. The term includes the unlawful
 174 taking possession of equipment and associated materials used to
 175 grow or produce farm products as defined in s. 823.14(3)(e).

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176 (e)~~(f)~~ "Farmer" means a person who is engaging in the
 177 growing or producing of farm produce, milk products, honey,
 178 eggs, or meat, either part time or full time, for personal
 179 consumption or for sale and who is the owner or lessee of the
 180 land or a person designated in writing by the owner or lessee to
 181 act as her or his agent. No person defined as a farm labor
 182 contractor pursuant to s. 450.28 shall be designated to act as
 183 an agent for purposes of this section.

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

188 (g)~~(a)~~ "Merchandise" means any personal property, capable
 189 of manual delivery, displayed, held, or offered for retail sale
 190 by a merchant.

191 (h)~~(b)~~ "Merchant" means an owner or operator, or the
 192 agent, consignee, employee, lessee, or officer of an owner or
 193 operator, of any premises or apparatus used for retail purchase
 194 or sale of any merchandise.

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

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201 (j) "Social media platform" has the same meaning as
 202 provided in s. 501.2041(1).

203 ~~(k)-(l)~~ "Transit agency" means any state agency, political
 204 subdivision of the state, or municipality which operates mass
 205 transit vehicles.

206 (l)-(j) "Transit fare evasion" means the unlawful refusal
 207 to pay the appropriate fare for transportation upon a mass
 208 transit vehicle, or to evade the payment of such fare, or to
 209 enter any mass transit vehicle or facility by any door,
 210 passageway, or gate, except as provided for the entry of fare-
 211 paying passengers, and shall constitute petit theft as
 212 proscribed by this chapter.

213 (m) "Trespass" means the violation as described in s.
 214 810.08.

215 (n)-(e) "Value of merchandise" means the sale price of the
 216 merchandise at the time it was stolen or otherwise removed,
 217 depriving the owner of her or his lawful right to ownership and
 218 sale of said item.

219 (8) Except as provided in subsection (9) or subsection
 220 (11), a person who commits retail theft commits a felony of the
 221 third degree, punishable as provided in s. 775.082, s. 775.083,
 222 or s. 775.084, if the person:

223 (a) Individually, or in concert with one or more other
 224 persons, coordinates the activities of one or more individuals
 225 in committing the offense, which may occur through multiple acts

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226 of retail theft, in which the amount of each individual theft is
 227 aggregated within a 120-day ~~30-day~~ period to determine the value
 228 of the property stolen and such value is \$750 or more;

229 (b) Conspires with another person to commit retail theft
 230 with the intent to sell the stolen property for monetary or
 231 other gain, and subsequently takes or causes such property to be
 232 placed in the control of another person in exchange for
 233 consideration, in which the stolen property taken or placed
 234 within a 120-day ~~30-day~~ period is aggregated to determine the
 235 value of the stolen property and such value is \$750 or more;

236 (c) Individually, or in concert with one or more other
 237 persons, commits theft from more than one location within a 120-
 238 day ~~30-day~~ period, in which the amount of each individual theft
 239 is aggregated to determine the value of the property stolen and
 240 such value is \$750 or more;

241 (d) Acts in concert with one or more other individuals
 242 within one or more establishments to distract the merchant,
 243 merchant's employee, or law enforcement officer in order to
 244 carry out the offense, or acts in other ways to coordinate
 245 efforts to carry out the offense and such value is \$750 or more;

246 (e) Commits the offense through the purchase of
 247 merchandise in a package or box that contains merchandise other
 248 than, or in addition to, the merchandise purported to be
 249 contained in the package or box and such value is \$750 or more;

250 ~~or~~

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251 (f) Individually, or in concert with one ~~1~~ or more other
 252 persons, commits three ~~5~~ or more retail thefts within a 120-day
 253 ~~30-day~~ period and in committing such thefts obtains or uses 10
 254 or more items of merchandise, and the number of items stolen
 255 during each theft is aggregated within the 120-day ~~30-day~~ period
 256 to determine the total number of items stolen, regardless of the
 257 value of such merchandise, and two ~~2~~ or more of the thefts occur
 258 at different physical merchant locations; or

259 (g) Acts in concert with five or more other persons within
 260 one or more establishments for the purpose of overwhelming the
 261 response of a merchant, merchant's employee, or law enforcement
 262 officer in order to carry out the offense or avoid detection or
 263 apprehension for the offense.

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

267 (a) Violates subsection (8) and has previously been
 268 convicted of a violation of subsection (8) or of this
 269 subsection;

270 (b) Individually, or in concert with one or more other
 271 persons, coordinates the activities of one or more persons in
 272 committing the offense of retail theft, in which the amount of
 273 each individual theft within a 120-day ~~30-day~~ period is
 274 aggregated to determine the value of the stolen property and
 275 such value is in excess of \$3,000;

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276 (c) Conspires with another person to commit retail theft
 277 with the intent to sell the stolen property for monetary or
 278 other gain, and subsequently takes or causes such property to be
 279 placed in control of another person in exchange for
 280 consideration, in which the stolen property taken or placed
 281 within a 120-day ~~30-day~~ period is aggregated to have a value in
 282 excess of \$3,000; ~~or~~

283 (d) Individually, or in concert with one ~~1~~ or more other
 284 persons, commits three ~~5~~ or more retail thefts within a 120-day
 285 ~~30-day~~ period and in committing such thefts obtains or uses 20
 286 or more items of merchandise, and the number of items stolen
 287 during each theft is aggregated within the 120-day ~~30-day~~ period
 288 to determine the total number of items stolen, regardless of the
 289 value of such merchandise, and two ~~2~~ or more of the thefts occur
 290 at a different physical retail merchant location; or

291 (e) Acts in concert with five or more other persons within
 292 one or more establishments for the purpose of overwhelming the
 293 response of a merchant, merchant's employee, or law enforcement
 294 officer in order to carry out the offense or avoid detection or
 295 apprehension for the offense and, in the course of organizing or
 296 committing the offense, solicits the participation of another
 297 person in the offense through the use of a social media
 298 platform.

299 (10) If a person commits retail theft in more than one
 300 judicial circuit within a 120-day ~~30-day~~ period, the value of

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301 the stolen property resulting from the thefts in each judicial
 302 circuit may be aggregated, and the person must be prosecuted by
 303 the Office of the Statewide Prosecutor in accordance with s.
 304 16.56.

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

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

310 (b) Possesses a firearm during the commission of such
 311 offense.

312 (12) A court must order a person convicted of violating
 313 this section to pay restitution, which must include the value of
 314 merchandise that was damaged or stolen and the cost of repairing
 315 or replacing any other property that was damaged in the course
 316 of committing the offense.

317 Section 3. Paragraphs (b) and (d) through (h) of
 318 subsection (3) of section 921.0022, Florida Statutes, are
 319 amended to read:

320 921.0022 Criminal Punishment Code; offense severity
 321 ranking chart.—

322 (3) OFFENSE SEVERITY RANKING CHART

323 (b) LEVEL 2

324

Florida	Felony	Description
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	Statute	Degree	
325	379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
326	379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
327	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.
328	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
329	590.28 (1)	3rd	Intentional burning of lands.
330	784.03 (3)	3rd	Battery during a riot or an aggravated riot.
331			

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332	784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
333	787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
334	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
335	806.13(3)	3rd	Criminal mischief; damage of \$200 or more to a memorial or historic property.
336	810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
337	810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.

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338	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$750 or more but less than \$5,000.
339	<u>812.014 (2) (d) 1.</u> 812.014 (2) (d)	3rd	Grand theft, 3rd degree; <u>\$40</u> \$100 or more but less than \$750, taken from <u>dwelling or its unenclosed curtilage</u> of dwelling .
340	<u>812.014 (2) (e) 2.</u>	<u>3rd</u>	<u>Petit theft, 1st degree; less than \$40 taken from dwelling or its unenclosed curtilage with one prior theft conviction.</u>
341	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
342	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit,

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etc., credit card, value over
\$300.

343

817.52(3) 3rd Failure to redeliver hired
vehicle.

344

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

345

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

346

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

347

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

348

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

349

831.01 3rd Forgery.

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350	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
351	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
352	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
353	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
354	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
355	832.05(3) (a)	3rd	Cashing or depositing item with intent to defraud.
356	843.01(2)	3rd	Resist police canine or police horse with violence; under certain circumstances.

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357	843.08	3rd	False personation.
358	843.19(3)	3rd	Touch or strike police, fire, SAR canine or police horse.
359	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.
360	893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.
361			
362			
363	(d) LEVEL 4		
364			
365			
	Florida	Felony	Description
	Statute	Degree	
366	316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to

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elude law enforcement officer
 who is in a patrol vehicle with
 siren and lights activated.

367

499.0051(1) 3rd Failure to maintain or deliver
 transaction history, transaction
 information, or transaction
 statements.

368

499.0051(5) 2nd Knowing sale or delivery, or
 possession with intent to sell,
 contraband prescription drugs.

369

517.07(1) 3rd Failure to register securities.

370

517.12(1) 3rd Failure of dealer or associated
 person of a dealer of securities
 to register.

371

784.031 3rd Battery by strangulation.

372

784.07(2) (b) 3rd Battery of law enforcement
 officer, firefighter, etc.

373

784.074(1) (c) 3rd Battery of sexually violent

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predators facility staff.

374

784.075 3rd Battery on detention or
commitment facility staff.

375

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

376

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

377

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

378

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

379

784.083(3) 3rd Battery on code inspector.

380

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

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382	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
383	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
384	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
385	787.07	3rd	Human smuggling.
386	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
387	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
	790.115(2)(c)	3rd	Possessing firearm on school

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property.

388

794.051 (1) 3rd Indecent, lewd, or lascivious touching of certain minors.

389

800.04 (7) (c) 3rd Lewd or lascivious exhibition; offender less than 18 years.

390

806.135 2nd Destroying or demolishing a memorial or historic property.

391

810.02 (4) (a) 3rd Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.

392

810.02 (4) (b) 3rd Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.

393

810.06 3rd Burglary; possession of tools.

394

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

395

812.014 (2) (c) 3. 3rd Grand theft, 3rd degree \$10,000

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or more but less than \$20,000.

396

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

397

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

398

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.

399

812.0195(2) 3rd Dealing in stolen property by
 use of the Internet; property
 stolen \$300 or more.

400

817.505 (4) (a) 3rd Patient brokering.

401

817.563 (1) 3rd Sell or deliver substance other
 than controlled substance agreed
 upon, excluding s. 893.03 (5)

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drugs.

402

817.568 (2) (a) 3rd Fraudulent use of personal
identification information.

403

817.5695 (3) (c) 3rd Exploitation of person 65 years
of age or older, value less than
\$10,000.

404

817.625 (2) (a) 3rd Fraudulent use of scanning
device, skimming device, or
reencoder.

405

817.625 (2) (c) 3rd Possess, sell, or deliver
skimming device.

406

828.125 (1) 2nd Kill, maim, or cause great
bodily harm or permanent
breeding disability to any
registered horse or cattle.

407

836.14 (2) 3rd Person who commits theft of a
sexually explicit image with
intent to promote it.

408

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409	836.14(3)	3rd	Person who willfully possesses a sexually explicit image with certain knowledge, intent, and purpose.
410	837.02(1)	3rd	Perjury in official proceedings.
411	837.021(1)	3rd	Make contradictory statements in official proceedings.
412	838.022	3rd	Official misconduct.
413	839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
414	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Families.
415	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
	843.025	3rd	Deprive law enforcement,

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correctional, or correctional
probation officer of means of
protection or communication.

416

843.15(1) (a) 3rd Failure to appear while on bail
for felony (bond estreature or
bond jumping).

417

843.19(2) 2nd Injure, disable, or kill police,
fire, or SAR canine or police
horse.

418

847.0135(5) (c) 3rd Lewd or lascivious exhibition
using computer; offender less
than 18 years.

419

870.01(3) 2nd Aggravated rioting.

420

870.01(5) 2nd Aggravated inciting a riot.

421

874.05(1) (a) 3rd Encouraging or recruiting
another to join a criminal gang.

422

893.13(2) (a) 1. 2nd Purchase of cocaine (or other s.
893.03(1) (a), (b), or (d),

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(2) (a), (2) (b), or (2) (c) 5.
drugs).

423

914.14 (2) 3rd Witnesses accepting bribes.

424

914.22 (1) 3rd Force, threaten, etc., witness,
victim, or informant.

425

914.23 (2) 3rd Retaliation against a witness,
victim, or informant, no bodily
injury.

426

916.1085 3rd Introduction of specified
(2) (c) 1. contraband into certain DCF
facilities.

427

918.12 3rd Tampering with jurors.

428

934.215 3rd Use of two-way communications
device to facilitate commission
of a crime.

429

944.47 (1) (a) 6. 3rd Introduction of contraband
(cellular telephone or other
portable communication device)

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into correctional institution.

430

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.

431

432

433

(e) LEVEL 5

434

Florida
Statute

Felony
Degree

Description

435

316.027(2)(a)

3rd

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

436

316.1935(4)(a)

2nd

Aggravated fleeing or eluding.

437

316.80(2)

2nd

Unlawful conveyance of fuel;
obtaining fuel fraudulently.

438

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439	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
440	327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
	379.365(2)(c)1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or 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

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or revoked.

441

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

442

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

443

381.0041 (11) (b) 3rd Donate blood, plasma, or organs knowing HIV positive.

444

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

445

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

446

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

447

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448	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
449	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
450	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
451	790.162	2nd	Threat to throw or discharge destructive device.
452	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
453	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.

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454	796.05(1)	2nd	Live on earnings of a prostitute; 1st offense.
455	800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
456	800.04(7)(b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
457	806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
458	<u>812.014(2)(d)3.</u>	<u>2nd</u>	<u>Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.</u>
459	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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460	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
461	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
462	<u>812.015 (8) (g)</u>	<u>3rd</u>	<u>Retail theft; committed with specified number of other persons.</u>
463	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
464	812.081 (3)	2nd	Trafficking in trade secrets.
465	812.131 (2) (b)	3rd	Robbery by sudden snatching.
466	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
467	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.

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468	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
469	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.
470	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.
471	817.611 (2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.

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472	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, <u>skimming device</u> , or reencoder.
473	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
474	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
475	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
476	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
477	836.14 (4)	2nd	Person who willfully promotes

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for financial gain a sexually explicit image of an identifiable person without consent.

478

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.

479

843.01(1)

3rd

Resist officer with violence to person; resist arrest with violence.

480

847.0135(5)(b)

2nd

Lewd or lascivious exhibition using computer; offender 18 years or older.

481

847.0137
(2) & (3)

3rd

Transmission of pornography by electronic device or equipment.

482

847.0138
(2) & (3)

3rd

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

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483	874.05(1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
484	874.05(2)(a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
485	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).
486	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

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facility or community center.

487

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.

488

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.

489

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

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499	499.0051(2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
500	499.0051(3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
501	499.0051(4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
502	775.0875(1)	3rd	Taking firearm from law enforcement officer.
503	784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
504	784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
505	784.041	3rd	Felony battery; domestic battery by strangulation.

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506	784.048 (3)	3rd	Aggravated stalking; credible threat.
507	784.048 (5)	3rd	Aggravated stalking of person under 16.
508	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
509	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
510	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
511	784.081 (2)	2nd	Aggravated assault on specified official or employee.
512	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
513	784.083 (2)	2nd	Aggravated assault on code

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inspector.

514

787.02(2) 3rd False imprisonment; restraining with purpose other than those in s. 787.01.

515

790.115(2)(d) 2nd Discharging firearm or weapon on school property.

516

790.161(2) 2nd Make, possess, or throw destructive device with intent to do bodily harm or damage property.

517

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.

518

790.19 2nd Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.

519

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520	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
521	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
522	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.
523	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
524	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
525	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent

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offense.

526

812.014 (2) (b) 1. 2nd Property stolen \$20,000 or more,
but less than \$100,000, grand
theft in 2nd degree.

527

812.014 (2) (c) 5. 3rd Grand theft; third degree;
firearm.

528

812.014 (6) 2nd Theft; property stolen \$3,000 or
more; coordination of others.

529

812.015 (9) (a) 2nd Retail theft; property stolen
\$750 or more; second or
subsequent conviction.

530

812.015 (9) (b) 2nd Retail theft; aggregated
property stolen within 120 ~~30~~
days is \$3,000 or more;
coordination of others.

531

812.015 (9) (d) 2nd Retail theft; multiple thefts
within specified period.

532

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533	<u>812.015 (9) (e)</u>	<u>2nd</u>	<u>Retail theft; committed with specified number of other persons and use of social media platform.</u>
534	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
535	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
536	817.49 (2) (b) 2.	2nd	Willful making of a false report of a crime resulting in death.
537	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
538	817.5695 (3) (b)	2nd	Exploitation of person 65 years of age or older, value \$10,000 or more, but less than \$50,000.
539	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.

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540	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
541	825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
542	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
543	827.03(2) (c)	3rd	Abuse of a child.
544	827.03(2) (d)	3rd	Neglect of a child.
545	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
546	828.126(3)	3rd	Sexual activities involving animals.
547	836.05	2nd	Threats; extortion.
	836.10	2nd	Written or electronic threats to

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kill, do bodily injury, or
conduct a mass shooting or an
act of terrorism.

548

843.12 3rd Aids or assists person to
escape.

549

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

550

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

551

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

552

893.131 2nd Distribution of controlled
substances resulting in overdose
or serious bodily injury.

553

914.23 2nd Retaliation against a witness,

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victim, or informant, with
bodily injury.

554

918.13(2)(b) 2nd Tampering with or fabricating
physical evidence relating to a
capital felony.

555

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.

556

944.40 2nd Escapes.

557

944.46 3rd Harboring, concealing, aiding
escaped prisoners.

558

944.47(1)(a)5. 2nd Introduction of contraband
(firearm, weapon, or explosive)
into correctional facility.

559

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

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560
561
562
563
564
565
566
567

(g) LEVEL 7

Florida Statute	Felony Degree	Description
316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
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.
327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
402.319 (2)	2nd	Misrepresentation and

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negligence or intentional act
 resulting in great bodily harm,
 permanent disfiguration,
 permanent disability, or death.

568

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

569

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

570

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

571

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

572

458.327 (1) 3rd Practicing medicine without a
 license.

573

459.013 (1) 3rd Practicing osteopathic medicine
 without a license.

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574	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
575	461.012 (1)	3rd	Practicing podiatric medicine without a license.
576	462.17	3rd	Practicing naturopathy without a license.
577	463.015 (1)	3rd	Practicing optometry without a license.
578	464.016 (1)	3rd	Practicing nursing without a license.
579	465.015 (2)	3rd	Practicing pharmacy without a license.
580	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
581	467.201	3rd	Practicing midwifery without a license.
582			

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583	468.366	3rd	Delivering respiratory care services without a license.
584	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
585	483.901 (7)	3rd	Practicing medical physics without a license.
586	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
587	484.053	3rd	Dispensing hearing aids without a license.
588	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.
	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding

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\$300 but less than \$20,000 by a money services business.

589

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

590

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

591

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

592

775.21 (10) (b) 3rd Sexual predator working where children regularly congregate.

593

775.21 (10) (g) 3rd Failure to report or providing false information about a

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sexual predator; harbor or
conceal a sexual predator.

594

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

595

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

596

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

597

782.072 2nd Killing of a human being by the
operation of a vessel in a
reckless manner (vessel
homicide).

598

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599	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
600	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
601	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
602	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
603	784.048 (7)	3rd	Aggravated stalking; violation of court order.
604	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
605	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.

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606	784.081(1)	1st	Aggravated battery on specified official or employee.
607	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
608	784.083(1)	1st	Aggravated battery on code inspector.
609	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
610	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.
611	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).

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612	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
613	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
614	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
615	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
616	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
617	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided

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for in s. 874.04.

618

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.

619

796.05(1) 1st Live on earnings of a
prostitute; 2nd offense.

620

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

621

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

622

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.

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623	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.
624	806.01(2)	2nd	Maliciously damage structure by fire or explosive.
625	810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
626	810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
627	810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
628	810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
629			

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630	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.
631	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
632	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
633	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
634	<u>812.014 (2) (g)</u> 812.014 (2) (f)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014 (2) (c) 5.

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635	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
636	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
637	812.131(2)(a)	2nd	Robbery by sudden snatching.
638	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
639	817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
640	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
641	817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
	817.234(11)(c)	1st	Insurance fraud; property value

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\$100,000 or more.

642

817.2341 1st Making false entries of
 (2) (b) & material fact or false
 (3) (b) statements regarding property
 values relating to the solvency
 of an insuring entity which are
 a significant cause of the
 insolvency of that entity.

643

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

644

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

645

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

646

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

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648	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
649	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.
650	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
651	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
652	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
653	838.015	2nd	Bribery.
	838.016	2nd	Unlawful compensation or reward

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for official behavior.

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838.021 (3) (a)	2nd	Unlawful harm to a public servant.
838.22	2nd	Bid tampering.
843.0855 (2)	3rd	Impersonation of a public officer or employee.
843.0855 (3)	3rd	Unlawful simulation of legal process.
843.0855 (4)	3rd	Intimidation of a public officer or employee.
847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
872.06	2nd	Abuse of a dead human body.

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663	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
664	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
665	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.
	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s.

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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.

666

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

667

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

668

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

669

893.135 (1) (c) 1.a. 1st Trafficking in illegal drugs,
 more than 4 grams, less than 14
 grams.

670

893.135 (1) (c) 2.a. 1st Trafficking in hydrocodone, 28
 grams or more, less than 50
 grams.

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671	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
672	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
673	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
674	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
675	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
676	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
677			

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678	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
679	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
680	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
681	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
682	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
683	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.

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684	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
685	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
686	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
687	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
688	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting

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requirements.

689

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

690

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

691

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

692

943.0435(14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

693

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

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694

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

695

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

696

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

697

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

698

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

699

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700	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
701	(h) LEVEL 8		
702			
703	Florida Statute	Felony Degree	Description
704	316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
705	316.1935(4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
706	327.35(3) (c) 3.	2nd	Vessel BUI manslaughter.
707	499.0051(6)	1st	Knowing trafficking in contraband prescription drugs.
	499.0051(7)	1st	Knowing forgery of prescription labels or prescription drug

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labels.

708

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.

709

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.

710

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

711

777.03 (2) (a) 1st Accessory after the fact,
 capital felony.

712

782.04 (4) 2nd Killing of human without design
 when engaged in act or attempt

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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.

713

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

714

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

715

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

716

787.06 (3) (a) 1. 1st Human trafficking for labor and
services of a child.

717

787.06 (3) (b) 1st Human trafficking using

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coercion for commercial sexual activity of an adult.

718

787.06(3)(c)2. 1st Human trafficking using coercion for labor and services of an unauthorized alien adult.

719

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.

720

787.06(3)(f)2. 1st Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from outside Florida to within the state.

721

790.161(3) 1st Discharging a destructive device which results in bodily harm or property damage.

722

794.011(5)(a) 1st Sexual battery; victim 12 years

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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.

723

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.

724

794.011 (5) (c) 2nd

Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.

725

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.

726

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727	794.08(3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
728	800.04(4)(b)	2nd	Lewd or lascivious battery.
729	800.04(4)(c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
730	806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
731	810.02(2)(a)	1st, PBL	Burglary with assault or battery.
732	810.02(2)(b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
	810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more

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property damage.

733

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

734

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

735

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

736

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

737

817.418 (2) (b) 2nd Offering for sale or advertising personal protective equipment with intent to defraud; second or subsequent offense.

738

817.504 (1) (b) 2nd Offering or advertising a

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739	817.505 (4) (c)	1st	vaccine with intent to defraud; second or subsequent offense.
740	817.535 (2) (b)	2nd	Patient brokering; 20 or more patients.
741	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
742	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
743	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.

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744	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
745	817.611 (2) (c)	1st	Traffic in or possess 50 or more counterfeit credit cards or related documents.
746	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
747	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
748	825.103 (3) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.
749	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
750			

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751	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
752	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
753	860.16	1st	Aircraft piracy.
754	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).
755	893.13 (2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03 (1) (a) or (b).
756	893.13 (6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03 (1) (a) or (b).

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757	893.135 (1) (a) 2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
758	893.135 (1) (b) 1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
759	893.135 (1) (c) 1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
760	893.135 (1) (c) 2.c.	1st	Trafficking in hydrocodone, 100 grams or more, less than 300 grams.
761	893.135 (1) (c) 3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
762	893.135 (1) (c) 4.b. (II)	1st	Trafficking in fentanyl, 14 grams or more, less than 28 grams.
	893.135	1st	Trafficking in phencyclidine,

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763	(1) (d) 1.b.		200 grams or more, less than 400 grams.
	893.135	1st	Trafficking in methaqualone, 5 kilograms or more, less than 25 kilograms.
764	(1) (e) 1.b.		
	893.135	1st	Trafficking in amphetamine, 28 grams or more, less than 200 grams.
765	(1) (f) 1.b.		
	893.135	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
766	(1) (g) 1.b.		
	893.135	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
767	(1) (h) 1.b.		
	893.135	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
768	(1) (j) 1.b.		
	893.135	1st	Trafficking in Phenethylamines,

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769	(1) (k) 2.b.		200 grams or more, less than 400 grams.
	893.135	1st	Trafficking in synthetic
	(1) (m) 2.c.		cannabinoids, 1,000 grams or more, less than 30 kilograms.
770			
	893.135	1st	Trafficking in n-benzyl
	(1) (n) 2.b.		phenethylamines, 100 grams or more, less than 200 grams.
771			
	893.1351(3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
772			
	895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
773			
	895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
774			

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775 895.03(3) 1st Conduct or participate in any
enterprise through pattern of
racketeering activity.

776 896.101(5)(b) 2nd Money laundering, financial
transactions totaling or
exceeding \$20,000, but less
than \$100,000.

777 896.104(4)(a)2. 2nd Structuring transactions to
evade reporting or registration
requirements, financial
transactions totaling or
exceeding \$20,000 but less than
\$100,000.

778 Section 4. Paragraph (f) of subsection (1) of section
779 784.07, Florida Statutes, is amended to read:

780 784.07 Assault or battery of law enforcement officers and
781 other specified personnel; reclassification of offenses; minimum
782 sentences.—

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

784 (f) "Public transit employees or agents" means bus
785 operators, train operators, revenue collectors, security
786 personnel, equipment maintenance personnel, or field

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787 supervisors, who are employees or agents of a transit agency as
788 described in s. 812.015(1) ~~s. 812.015(1)(1)~~.
789 Section 5. This act shall take effect October 1, 2024.