

By Senator Rodriguez

40-00408A-25

20251104__

A bill to be entitled

An act relating to local government code enforcement; amending s. 162.01, F.S.; revising a short title; amending s. 162.02, F.S.; revising legislative intent; amending s. 162.03, F.S.; authorizing a county or municipality to designate a special magistrate; authorizing a local governmental entity to assess administrative fees through the adoption of an alternate code enforcement system; reordering and amending s. 162.04, F.S.; defining the term "special magistrate"; making technical changes; amending s. 162.05, F.S.; revising the circumstances in which an enforcement board must declare an enforcement board member's office vacant; amending s. 162.06, F.S.; revising the code violation notice, correction period, and hearing process; amending s. 162.07, F.S.; authorizing an enforcement board to record an original order issued by the board in the public records of the county; amending s. 162.08, F.S.; authorizing a person designated by the local governing body to serve certain subpoenas in a specified manner; amending s. 162.09, F.S.; clarifying certain penalty provisions; authorizing an enforcement board to record an original order in the public records of the county; amending s. 162.10, F.S.; conforming a provision to a change made by the act; amending s. 162.12, F.S.; revising the method by which certain notices may be provided to an alleged code violator; requiring an affidavit of delivery in certain circumstances; creating s. 162.41,

40-00408A-25

20251104__

F.S.; defining terms; requiring a governmental entity that permits its code inspectors to wear body cameras to establish certain policies and procedures; requiring such governmental entity to ensure that certain training occurs, retain certain data in accordance with public records laws, and perform a periodic review of actual body camera practices; amending s. 784.07, F.S.; defining the term "code enforcement officer"; requiring the reclassification of certain offenses committed against code enforcement officers while engaged in the performance of their duties; amending s. 784.083, F.S.; conforming a cross-reference; increasing criminal penalties for certain crimes committed against a code inspector in certain circumstances; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Section 162.01, Florida Statutes, is amended to read:

162.01 Short title.—Sections 162.01-162.13 may be cited as the "Local Government Code Enforcement ~~Boards~~ Act."

Section 2. Section 162.02, Florida Statutes, is amended to read:

162.02 Intent.—It is the intent of this part to promote, protect, and improve the health, safety, and welfare of the citizens of the counties and municipalities of this state by

40-00408A-25

20251104__

authorizing the creation of administrative boards, and the
designation of special magistrates, with authority to impose
administrative fines and other noncriminal penalties to provide
an equitable, expeditious, effective, and inexpensive method of
enforcing any state laws or local codes and ordinances, land
development regulations, or other technical codes adopted by a
county or municipality in force in counties and municipalities,
where a pending or repeated violation continues to exist.

Section 3. Section 162.03, Florida Statutes, is amended to
read:

162.03 Applicability.—

(1) Each county or municipality may, at its option, create
or abolish by ordinance local government code enforcement boards
or designate special magistrates as provided herein.

(2) A charter county, a noncharter county, or a
municipality may, by ordinance, adopt an alternate code
enforcement system that gives code enforcement boards or special
magistrates designated by the local governing body, or both, the
authority to hold hearings and assess fines and administrative
fees against violators of the respective county or municipal
codes and ordinances. A special magistrate has ~~shall have~~ the
same status as an enforcement board under this chapter.
References in this chapter to an enforcement board, except in s.
162.05, ~~shall~~ include a special magistrate if the context
permits.

Section 4. Section 162.04, Florida Statutes, is reordered
and amended to read:

162.04 Definitions.—As used in ss. 162.01-162.13, the term:

(3) ~~(1)~~ "Local governing body" means the governing body of

40-00408A-25

20251104__

the county or municipality, however designated.

(1)~~(2)~~ "Code inspector" means any authorized agent or employee of the county or municipality whose duty it is to assure code compliance.

(4)~~(3)~~ "Local governing body attorney" means the legal counselor for the county or municipality.

(2)~~(4)~~ "Enforcement board" means a local government code enforcement board.

(5) "Repeat violation" means a violation of a provision of a code or an ordinance by a person who has ~~been~~ previously been found, through a code enforcement board or any other quasi-judicial or judicial process, to have violated or who has admitted violating the same provision within the 5 years preceding ~~prior to~~ the violation, notwithstanding that the violations occurred ~~occur~~ at different locations.

(6) "Special magistrate" means a member of The Florida Bar in good standing who is appointed by a county or municipality to oversee quasi-judicial proceedings related to a code violation in lieu of or in addition to a code enforcement board.

Section 5. Paragraph (e) of subsection (3) of section 162.05, Florida Statutes, is amended to read:

162.05 Local government code enforcement boards; organization.—

(3)

(e) An appointment to fill any vacancy on an enforcement board must ~~shall~~ be for the remainder of the unexpired term of office. If any member fails to attend two of three successive meetings without cause and without notifying the recording secretary ~~prior approval of the chair~~, the enforcement board

40-00408A-25

20251104__

117 ~~must shall~~ declare the member's office vacant, and the local
118 governing body must ~~shall~~ promptly fill such vacancy.

119 Section 6. Subsections (2), (3), and (4) of section 162.06,
120 Florida Statutes, are amended to read:

121 162.06 Enforcement procedure.—

122 (2) Except as provided in subsections (3) and (4), if a
123 violation of the codes is found, the code inspector must ~~shall~~
124 notify the violator and give him or her a reasonable period of
125 time to correct the violation. If the violation is not corrected
126 within the reasonable period of time, the code inspector must
127 schedule a hearing and issue a notice of violation provided in
128 accordance with s. 162.12 which states the violation, provides
129 correction instructions, and includes the date and time of the
130 hearing. The notice may grant the violator an additional period
131 of time in which to correct the violation. The notice must state
132 that ~~Should the violation continue beyond the time specified for~~
133 ~~correction, the code inspector shall notify an enforcement board~~
134 ~~and request a hearing. The code enforcement board, through its~~
135 ~~clerical staff, shall schedule a hearing, and written notice of~~
136 ~~such hearing shall be hand delivered or mailed as provided in s.~~
137 ~~162.12 to said violator. At the option of the code enforcement~~
138 ~~board, notice may additionally be served by publication or~~
139 ~~posting as provided in s. 162.12. If the violation is corrected~~
140 ~~and then recurs or if the violation is not corrected by the time~~
141 ~~specified for correction by the code inspector, the case may be~~
142 ~~presented to the enforcement board~~ or special magistrate ~~even if~~
143 ~~the violation is~~ has been ~~corrected before~~ prior to the board
144 ~~hearing, and the notice shall so state.~~

145 (3) If a repeat violation is found, the code inspector must

40-00408A-25

20251104__

146 ~~shall~~ notify the violator but is not required to give the
147 violator a reasonable period of time to correct the violation.
148 The code inspector shall, upon notifying the violator of a
149 repeat violation, ~~shall notify an enforcement board and request~~
150 ~~a hearing. The code enforcement board, through its clerical~~
151 ~~staff, shall~~ schedule a hearing and ~~shall~~ provide notice
152 pursuant to s. 162.12. The notice must state that the case may
153 be presented to the enforcement board or special magistrate even
154 if the repeat violation has been corrected before ~~prior to~~ the
155 board hearing, ~~and the notice shall so state~~. If the repeat
156 violation has been corrected, the code enforcement board retains
157 the right to schedule a hearing to determine costs and impose
158 the payment of reasonable enforcement fees upon the repeat
159 violator. The repeat violator may choose to waive his or her
160 rights to this hearing and pay the ~~said~~ costs as determined by
161 the code enforcement board.

162 (4) If the code inspector has reason to believe a violation
163 or the condition causing the violation presents a serious threat
164 to the public health, safety, and welfare or if the violation is
165 irreparable or irreversible in nature, the code inspector must
166 ~~shall~~ make a reasonable effort to notify the violator and may
167 immediately schedule ~~notify the enforcement board and request a~~
168 hearing.

169 Section 7. Subsection (4) of section 162.07, Florida
170 Statutes, is amended to read:

171 162.07 Conduct of hearing.—

172 (4) At the conclusion of the hearing, the enforcement board
173 shall issue findings of fact, based on evidence of record and
174 conclusions of law, and shall issue an order affording the

40-00408A-25

20251104__

proper relief consistent with powers granted herein. The finding ~~must~~ shall be by motion approved by a majority of those members present and voting, except that at least four members of a seven-member enforcement board, or three members of a five-member enforcement board, must vote in order for the action to be official. The order may include a notice that it must be complied with by a specified date and that a fine may be imposed and, under the conditions specified in s. 162.09(1), the cost of repairs may be included along with the fine if the order is not complied with by that ~~said~~ date. The original order or a certified copy of the ~~such~~ order may be recorded in the public records of the county and constitutes ~~shall constitute~~ notice to any subsequent purchaser ~~purchasers~~, successor ~~successors~~ in interest, or assign ~~assigns~~ if the violation concerns real property, and the findings therein are ~~shall be~~ binding upon the violator and, if the violation concerns real property, any subsequent purchaser ~~purchasers~~, successor ~~successors~~ in interest, or assign ~~assigns~~. If an order is recorded in the public records pursuant to this subsection and the order is complied with by the date specified in the order, the enforcement board must ~~shall~~ issue an order acknowledging compliance that must ~~shall~~ be recorded in the public records. A hearing is not required to issue ~~such~~ an order acknowledging compliance.

Section 8. Subsection (2) of section 162.08, Florida Statutes, is amended to read:

162.08 Powers of enforcement boards.—Each enforcement board shall have the power to:

(2) Subpoena alleged violators and witnesses to its

40-00408A-25

20251104__

hearings. Subpoenas may be served by the sheriff of the county or police department of the municipality or by a person designated to serve subpoenas by the local governing body, provided that the person hand delivers the subpoena and signs an affidavit of service that includes the date and time of service and the name of the person served.

Section 9. Paragraph (a) of subsection (2) and subsection (3) of section 162.09, Florida Statutes, are amended to read:

162.09 Administrative fines; costs of repair; liens.—

(2)(a) A fine imposed pursuant to this section may ~~shall~~ not exceed \$250 per day per violation for a first violation and may ~~shall~~ not exceed \$500 per day per violation for a repeat violation, and, in addition, may include all costs of repairs pursuant to subsection (1). However, if a code enforcement board finds the violation to be irreparable or irreversible in nature, it may impose a fine not to exceed \$5,000 per violation.

(3) The original order or a certified copy of an order imposing a fine, or a fine plus repair costs, may be recorded in the public records and thereafter constitutes ~~shall constitute~~ a lien against the land on which the violation exists and upon any other real or personal property owned by the violator. Upon petition to the circuit court, such order must ~~shall~~ be enforceable in the same manner as a court judgment by the sheriffs of this state, including execution and levy against the personal property of the violator, but such order may ~~shall~~ not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this part continues ~~shall continue~~ to accrue until the violator comes into compliance or until judgment is rendered in a suit filed pursuant to this

40-00408A-25

20251104__

section, whichever occurs first. A lien arising from a fine imposed pursuant to this section runs in favor of the local governing body, and the local governing body may execute a satisfaction or release of lien entered pursuant to this section. After 3 months from the filing of any such lien which remains unpaid, the enforcement board may authorize the local governing body attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. No lien created pursuant to ~~the provisions of~~ this part may be foreclosed on real property which is a homestead under s. 4, Art. X of the State Constitution. The money judgment provisions of this section do ~~shall~~ not apply to real property or personal property which is covered under s. 4(a), Art. X of the State Constitution.

Section 10. Section 162.10, Florida Statutes, is amended to read:

162.10 Duration of lien.—No lien provided under the Local Government Code Enforcement ~~Boards~~ Act may ~~shall~~ continue for a period longer than 20 years after the certified copy of an order imposing a fine has been recorded, unless within that time an action is commenced pursuant to s. 162.09(3) in a court of competent jurisdiction. In an action to foreclose on a lien or for a money judgment, the prevailing party is entitled to recover all costs, including a reasonable attorney ~~attorney's~~ fee, which ~~that~~ it incurs in the action. The local governing body is ~~shall be~~ entitled to collect all costs incurred in recording and satisfying a valid lien. The continuation of the lien effected by the commencement of the action is ~~shall~~ not be good against creditors or subsequent purchasers for valuable

40-00408A-25

20251104__

consideration without notice, unless a notice of lis pendens is recorded.

Section 11. Subsection (1) of section 162.12, Florida Statutes, is amended to read:

162.12 Notices.—

(1) All notices required by this part must be provided to the alleged violator by:

(a) Certified mail, and at the option of the local government return receipt requested, to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database. The local government may also provide an additional notice to any other address it may find for the property owner. For property owned by:

1. A corporation, notices must ~~may~~ be provided by certified mail to the registered agent of the corporation. If any notice sent by certified mail is not signed as received within 15 ~~30~~ days after the postmarked date of mailing, notice may be provided by posting as described in subparagraphs (2)(b)1. and 2.~~.~~

2. A condominium association, notices must be provided by certified mail to the current board of directors and the association's management company. If none of the notices sent by certified mail are signed as received within 15 days after the postmarked date of mailing, a notice must be posted on the property of each board member or at the location at which board meetings are held. Additional notice may be provided by posting as described in subparagraphs (2)(b)1. and 2.;

(b) Hand delivery by the sheriff or other law enforcement

40-00408A-25

20251104__

officer, code inspector, or other person designated by the local governing body, provided that the person making the delivery signs an affidavit of delivery that includes the date and time of delivery and the name of the person or entity to which the notice is delivered;

(c) Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or

(d) In the case of commercial premises, leaving the notice with the manager or other person in charge.

Section 12. Section 162.41, Florida Statutes, is created to read:

162.41 Code inspector body cameras; policies and procedures.—

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

(a) "Body camera" means a portable electronic recording device worn on a code inspector's person which records audio and video data of the code inspector's encounters and activities.

(b) "Code inspector" has the same meaning as provided in s. 162.04.

(2) A governmental entity that permits its code inspectors to wear body cameras must establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by body cameras. The policies and procedures must include all of the following:

(a) General guidelines for the proper use, maintenance, and storage of body cameras.

(b) Any limitations on which code inspectors are permitted

40-00408A-25

20251104__

to wear body cameras.

(c) Any limitations on code enforcement-related encounters and activities in which code inspectors are permitted to wear body cameras. A code inspector must be permitted to use a body camera to record any encounter with a member of the public which occurs while the inspector is performing his or her duties.

(d) General guidelines for the proper storage, retention, and release of audio and video data recorded by body cameras.

(3) A governmental entity that permits its code inspectors to wear body cameras shall:

(a) Ensure that all personnel who wear, use, maintain, or store body cameras are trained in the governmental entity's body camera policies and procedures.

(b) Retain audio and video data recorded by body cameras in accordance with the requirements of s. 119.021, except as otherwise provided by law.

(c) Perform a periodic review of actual body camera practices to ensure conformity with the governmental entity's body camera policies and procedures.

Section 13. Present paragraphs (a) through (g) of subsection (1) of section 784.07, Florida Statutes, are redesignated as paragraphs (b) through (h), respectively, a new paragraph (a) is added to that subsection, and subsection (2) of that section is amended, to read:

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

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

(a) "Code enforcement officer" has the same meaning as in

40-00408A-25

20251104__

s. 162.21(1) and includes a code inspector as defined in s. 162.04.

(2) Whenever any person is charged with knowingly committing an assault or battery upon a law enforcement officer, a firefighter, an emergency medical care provider, hospital personnel, a railroad special officer, a traffic accident investigation officer as described in s. 316.640, a nonsworn law enforcement agency employee who is certified as an agency inspector, a blood alcohol analyst, or a breath test operator while such employee is in uniform and engaged in processing, testing, evaluating, analyzing, or transporting a person who is detained or under arrest for DUI, a law enforcement explorer, a code enforcement officer, a traffic infraction enforcement officer as described in s. 316.640, a parking enforcement specialist as defined in s. 316.640, a person licensed as a security officer as defined in s. 493.6101 and wearing a uniform that bears at least one patch or emblem that is visible at all times that clearly identifies the employing agency and that clearly identifies the person as a licensed security officer, or a security officer employed by the board of trustees of a community college, while the officer, firefighter, emergency medical care provider, hospital personnel, railroad special officer, traffic accident investigation officer, traffic infraction enforcement officer, inspector, analyst, operator, law enforcement explorer, code enforcement officer, parking enforcement specialist, public transit employee or agent, or security officer is engaged in the lawful performance of his or her duties, the offense for which the person is charged shall be reclassified as follows:

40-00408A-25

20251104__

(a) In the case of assault, from a misdemeanor of the second degree to a misdemeanor of the first degree.

(b) In the case of battery, from a misdemeanor of the first degree to a felony of the third degree. Notwithstanding any other provision of law, a person convicted of battery upon a law enforcement officer committed in furtherance of a riot or an aggravated riot prohibited under s. 870.01 shall be sentenced to a minimum term of imprisonment of 6 months.

(c) In the case of aggravated assault, from a felony of the third degree to a felony of the second degree. Notwithstanding any other provision of law, any person convicted of aggravated assault upon a law enforcement officer shall be sentenced to a minimum term of imprisonment of 3 years.

(d) In the case of aggravated battery, from a felony of the second degree to a felony of the first degree. Notwithstanding any other provision of law, any person convicted of aggravated battery of a law enforcement officer shall be sentenced to a minimum term of imprisonment of 5 years.

Section 14. Section 784.083, Florida Statutes, is amended to read:

784.083 Assault or battery on code inspectors.—Whenever a person is charged with committing an assault or aggravated assault or a battery or aggravated battery upon a code inspector, as defined in s. 162.04 ~~s. 162.04(2)~~, while the code inspector is engaged in the lawful performance of his or her duties and when the person committing the offense knows or has reason to know the identity or employment of the victim, the offense for which the person is charged shall be reclassified as follows:

40-00408A-25

20251104__

(1) In the case of aggravated battery, from a felony of the second degree to a felony of the first degree.

(2) In the case of aggravated assault, from a felony of the third degree to a felony of the first ~~second~~ degree.

(3) In the case of battery, from a misdemeanor of the first degree to a felony of the first ~~third~~ degree.

(4) In the case of assault, from a misdemeanor of the second degree to a felony ~~misdemeanor~~ of the third ~~first~~ degree.

Section 15. Paragraphs (d) and (f) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(d) LEVEL 4

Florida Statute	Felony Degree	Description
316.1935 (3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
499.0051 (1)	3rd	Failure to maintain or deliver transaction

40-00408A-25

20251104__

history, transaction
information, or
transaction statements.

424

499.0051 (5)

2nd

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

425

517.07 (1)

3rd

Failure to register
securities.

426

517.12 (1)

3rd

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

427

784.031

3rd

Battery by
strangulation.

428

784.07 (2) (b)

3rd

Battery of law
enforcement officer,
firefighter, etc.

429

784.074 (1) (c)

3rd

Battery of sexually
violent predators
facility staff.

430

40-00408A-25

20251104__

784.075

3rd

Battery on detention or
commitment facility
staff.

431

784.078

3rd

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

432

784.08 (2) (c)

3rd

Battery on a person 65
years of age or older.

433

784.081 (3)

3rd

Battery on specified
official or employee.

434

784.082 (3)

3rd

Battery by detained
person on visitor or
other detainee.

435

784.083 (3)

1st ~~3rd~~

Battery on code
inspector.

436

784.085

3rd

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

437

40-00408A-25

20251104__

787.03 (1)

3rd

Interference with
custody; wrongly takes
minor from appointed
guardian.

787.04 (2)

3rd

Take, entice, or remove
child beyond state
limits with criminal
intent pending custody
proceedings.

787.04 (3)

3rd

Carrying child beyond
state lines with
criminal intent to avoid
producing child at
custody hearing or
delivering to designated
person.

787.07

3rd

Human smuggling.

790.115 (1)

3rd

Exhibiting firearm or
weapon within 1,000 feet
of a school.

790.115 (2) (b)

3rd

Possessing electric
weapon or device,
destructive device, or
other weapon on school

40-00408A-25

20251104__

property.

443

790.115 (2) (c)

3rd

Possessing firearm on
school property.

444

794.051 (1)

3rd

Indecent, lewd, or
lascivious touching of
certain minors.

445

800.04 (7) (c)

3rd

Lewd or lascivious
exhibition; offender
less than 18 years.

446

806.135

2nd

Destroying or
demolishing a memorial
or historic property.

447

810.02 (4) (a)

3rd

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

448

810.02 (4) (b)

3rd

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

449

40-00408A-25

20251104__

810.06 3rd Burglary; possession of
tools.

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

810.145(3)(b) 3rd Digital voyeurism
dissemination.

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

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

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

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.

40-00408A-25

20251104__

456

812.0195(2)

3rd

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

457

817.505(4)(a)

3rd

Patient brokering.

458

817.563(1)

3rd

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

459

817.568(2)(a)

3rd

Fraudulent use of
personal identification
information.

460

817.5695(3)(c)

3rd

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

461

817.625(2)(a)

3rd

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

462

817.625(2)(c)

3rd

Possess, sell, or

40-00408A-25

20251104__

deliver skimming device.

463

828.125(1)

2nd

Kill, maim, or cause
great bodily harm or
permanent breeding
disability to any
registered horse or
cattle.

464

836.14(2)

3rd

Person who commits theft
of a sexually explicit
image with intent to
promote it.

465

836.14(3)

3rd

Person who willfully
possesses a sexually
explicit image with
certain knowledge,
intent, and purpose.

466

837.02(1)

3rd

Perjury in official
proceedings.

467

837.021(1)

3rd

Make contradictory
statements in official
proceedings.

468

838.022

3rd

Official misconduct.

469

40-00408A-25

20251104__

839.13 (2) (a)

3rd

Falsifying records of an individual in the care and custody of a state agency.

839.13 (2) (c)

3rd

Falsifying records of the Department of Children and Families.

843.021

3rd

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

843.025

3rd

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

843.15 (1) (a)

3rd

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

843.19 (2)

2nd

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

40-00408A-25

20251104__

847.0135 (5) (c)

3rd

Lewd or lascivious
exhibition using
computer; offender less
than 18 years.

476

870.01 (3)

2nd

Aggravated rioting.

477

870.01 (5)

2nd

Aggravated inciting a
riot.

478

874.05 (1) (a)

3rd

Encouraging or
recruiting another to
join a criminal gang.

479

893.13 (2) (a) 1.

2nd

Purchase of cocaine (or
other s. 893.03 (1) (a),
(b), or (d), (2) (a),
(2) (b), or (2) (c) 5.
drugs).

480

914.14 (2)

3rd

Witnesses accepting
bribes.

481

914.22 (1)

3rd

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

482

914.23 (2)

3rd

Retaliation against a
witness, victim, or

40-00408A-25

20251104__

informant, no bodily
injury.

483

916.1085
(2) (c) 1.

3rd

Introduction of
specified contraband
into certain DCF
facilities.

484

918.12

3rd

Tampering with jurors.

485

934.215

3rd

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

486

944.47 (1) (a) 6.

3rd

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

487

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

3rd

Intoxicating drug,
instrumentality or other
device to aid escape, or
cellular telephone or
other portable
communication device

40-00408A-25

20251104__

introduced into county
detention facility.

488

489 (f) LEVEL 6

490

Florida
Statute

Felony
Degree

Description

491

316.027(2)(b)

2nd

Leaving the scene of a
crash involving serious
bodily injury.

492

316.193(2)(b)

3rd

Felony DUI, 4th or
subsequent conviction.

493

400.9935(4)(c)

2nd

Operating a clinic, or
offering services
requiring licensure,
without a license.

494

499.0051(2)

2nd

Knowing forgery of
transaction history,
transaction information,
or transaction
statement.

495

499.0051(3)

2nd

Knowing purchase or
receipt of prescription
drug from unauthorized

40-00408A-25

20251104__

person.

496

499.0051(4)

2nd

Knowing sale or transfer
of prescription drug to
unauthorized person.

497

775.0875(1)

3rd

Taking firearm from law
enforcement officer.

498

784.021(1)(a)

3rd

Aggravated assault;
deadly weapon without
intent to kill.

499

784.021(1)(b)

3rd

Aggravated assault;
intent to commit felony.

500

784.041

3rd

Felony battery; domestic
battery by
strangulation.

501

784.048(3)

3rd

Aggravated stalking;
credible threat.

502

784.048(5)

3rd

Aggravated stalking of
person under 16.

503

784.07(2)(c)

2nd

Aggravated assault on
law enforcement officer.

504

40-00408A-25

20251104__

784.074 (1) (b)

2nd

Aggravated assault on
sexually violent
predators facility
staff.

505

784.08 (2) (b)

2nd

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

506

784.081 (2)

2nd

Aggravated assault on
specified official or
employee.

507

784.082 (2)

2nd

Aggravated assault by
detained person on
visitor or other
detainee.

508

784.083 (2)

1st ~~2nd~~

Aggravated assault on
code inspector.

509

787.02 (2)

3rd

False imprisonment;
restraining with purpose
other than those in s.
787.01.

510

790.115 (2) (d)

2nd

Discharging firearm or
weapon on school
property.

40-00408A-25

20251104__

511	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
512	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.
513	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
514	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
515	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
516	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12

40-00408A-25

20251104__

years of age or older
but less than 16 years
of age; offender less
than 18 years.

517

800.04 (6) (b)

2nd

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

518

806.031 (2)

2nd

Arson resulting in great
bodily harm to
firefighter or any other
person.

519

810.02 (3) (c)

2nd

Burglary of occupied
structure; unarmed; no
assault or battery.

520

810.145 (8) (b)

2nd

Digital voyeurism;
certain minor victims;
2nd or subsequent
offense.

521

812.014 (2) (b) 1.

2nd

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

522

812.014 (2) (c) 5.

3rd

Grand theft; third

40-00408A-25

20251104__

degree; firearm.

523

812.014 (6)

2nd

Theft; property stolen
\$3,000 or more;
coordination of others.

524

812.015 (9) (a)

2nd

Retail theft; property
stolen \$750 or more;
second or subsequent
conviction.

525

812.015 (9) (b)

2nd

Retail theft; aggregated
property stolen within
120 days is \$3,000 or
more; coordination of
others.

526

812.015 (9) (d)

2nd

Retail theft; multiple
thefts within specified
period.

527

812.015 (9) (e)

2nd

Retail theft; committed
with specified number of
other persons and use of
social media platform.

528

812.13 (2) (c)

2nd

Robbery, no firearm or
other weapon (strong-arm
robbery).

40-00408A-25

20251104__

529	817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
530	817.49(2)(b)2.	2nd	Willful making of a false report of a crime resulting in death.
531	817.505(4)(b)	2nd	Patient brokering; 10 or more patients.
532	817.5695(3)(b)	2nd	Exploitation of person 65 years of age or older, value \$10,000 or more, but less than \$50,000.
533	825.102(1)	3rd	Abuse of an elderly person or disabled adult.
534	825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
535	825.1025(3)	3rd	Lewd or lascivious molestation of an

40-00408A-25

20251104__

elderly person or
disabled adult.

536

825.103(3)(c)

3rd

Exploiting an elderly
person or disabled adult
and property is valued
at less than \$10,000.

537

827.03(2)(c)

3rd

Abuse of a child.

538

827.03(2)(d)

3rd

Neglect of a child.

539

827.071(5)

3rd

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

540

828.126(3)

3rd

Sexual activities
involving animals.

541

836.05

2nd

Threats; extortion.

542

836.10

2nd

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

40-00408A-25

20251104__

543	843.12	3rd	Aids or assists person to escape.
544	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
545	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
546	847.0135 (2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
547	893.131	2nd	Distribution of controlled substances resulting in overdose or serious bodily injury.
548	914.23	2nd	Retaliation against a witness, victim, or

40-00408A-25

20251104__

informant, with bodily
injury.

918.13(2)(b)

2nd

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

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.

944.40

2nd

Escapes.

944.46

3rd

Harboring, concealing,
aiding escaped
prisoners.

944.47(1)(a)5.

2nd

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

40-00408A-25

20251104__

951.22 (1) (i)

3rd

Firearm or weapon
introduced into county
detention facility.

555

556

Section 16. This act shall take effect July 1, 2025.