

By Senator Collins

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1 A bill to be entitled
2 An act relating to age as an element of a criminal
3 offense; creating s. 787.001, F.S.; providing that
4 ignorance of a victim's age, misrepresentation of a
5 victim's age, and a bona fide belief concerning a
6 victim's age are not defenses to certain offenses in
7 which the victim's age is an element of the offense;
8 providing an exception; amending s. 787.025, F.S.;
9 revising the classification of specified offenses
10 involving luring or enticing a child; amending s.
11 921.0022, F.S.; ranking offenses on the offense
12 severity ranking chart of the Criminal Punishment
13 Code; providing an effective date.

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

16
17 Section 1. Section 787.001, Florida Statutes, is created to
18 read:

19 787.001 Victim's age; ignorance and misrepresentation not
20 defenses.—When, in this chapter, the criminality of conduct
21 depends upon the victim being below a certain age, ignorance of
22 the victim's age is not a defense. Misrepresentation of a
23 victim's age by any person or a bona fide belief that a victim
24 is over a specified age is also not a defense. This section does
25 not apply to s. 787.30.

26 Section 2. Subsection (2) of section 787.025, Florida
27 Statutes, is amended to read:

28 787.025 Luring or enticing a child.—

29 (2) (a) A person 18 years of age or older who intentionally

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30 lures or entices, or attempts to lure or entice, a child under
 31 the age of 12 into a structure, dwelling, or conveyance for
 32 other than a lawful purpose commits a felony ~~misdemeanor~~ of the
 33 third ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~ s.
 34 775.083, or s. 775.084.

35 (b) A person 18 years of age or older who, having been
 36 previously convicted of a violation of paragraph (a),
 37 intentionally lures or entices, or attempts to lure or entice, a
 38 child under the age of 12 into a structure, dwelling, or
 39 conveyance for other than a lawful purpose commits a felony of
 40 the second ~~third~~ degree, punishable as provided in s. 775.082,
 41 s. 775.083, or s. 775.084.

42 (c) A person 18 years of age or older who, having been
 43 previously convicted of a violation of chapter 794, s. 800.04,
 44 or s. 847.0135(5), or a violation of a similar law of another
 45 jurisdiction, intentionally lures or entices, or attempts to
 46 lure or entice, a child under the age of 12 into a structure,
 47 dwelling, or conveyance for other than a lawful purpose commits
 48 a felony of the second ~~third~~ degree, punishable as provided in
 49 s. 775.082, s. 775.083, or s. 775.084.

50 Section 3. Paragraph (g) of subsection (3) of section
 51 921.0022, Florida Statutes, is amended to read:

52 921.0022 Criminal Punishment Code; offense severity ranking
 53 chart.—

54 (3) OFFENSE SEVERITY RANKING CHART

55 (g) LEVEL 7

56

Florida Statute	Felony Degree	Description
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57	316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
58	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
59	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.
60	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
61	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
62	409.920	3rd	Medicaid provider fraud;
63	(2)(b)1.a.		\$10,000 or less.
	409.920	2nd	Medicaid provider fraud; more

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(2) (b) 1.b.

than \$10,000, but less than \$50,000.

64

456.065 (2)

3rd

Practicing a health care profession without a license.

65

456.065 (2)

2nd

Practicing a health care profession without a license which results in serious bodily injury.

66

458.327 (1)

3rd

Practicing medicine without a license.

67

459.013 (1)

3rd

Practicing osteopathic medicine without a license.

68

460.411 (1)

3rd

Practicing chiropractic medicine without a license.

69

461.012 (1)

3rd

Practicing podiatric medicine without a license.

70

462.17

3rd

Practicing naturopathy without a license.

71

463.015 (1)

3rd

Practicing optometry without a license.

72

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73	464.016(1)	3rd	Practicing nursing without a license.
74	465.015(2)	3rd	Practicing pharmacy without a license.
75	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
76	467.201	3rd	Practicing midwifery without a license.
77	468.366	3rd	Delivering respiratory care services without a license.
78	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
79	483.901(7)	3rd	Practicing medical physics without a license.
80	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
81	484.053	3rd	Dispensing hearing aids without a license.
	494.0018(2)	1st	Conviction of any violation of

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chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

82

560.123(8)(b)1. 3rd Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.

83

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

84

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

85

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

86

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

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87	children regularly congregate.		
88	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
89	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
90	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
91	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
92	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

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93	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
94	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
95	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
96	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
97	784.048 (7)	3rd	Aggravated stalking; violation of court order.
98	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
99	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
100	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
101	784.081 (1)	1st	Aggravated battery on specified official or employee.

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102	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
103	784.083 (1)	1st	Aggravated battery on code inspector.
104	<u>787.025 (2) (a)</u>	<u>3rd</u>	<u>Luring or enticing a child.</u>
105	<u>787.025 (2) (b)</u>	<u>2nd</u>	<u>Luring or enticing a child; second or subsequent offense.</u>
106	<u>787.025 (2) (c)</u>	<u>2nd</u>	<u>Luring or enticing a child with a specified prior conviction.</u>
107	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
108	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.
	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2).

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109

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

110

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

111

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

112

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

113

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

114

790.23 1st,PBL Possession of a firearm by a
person who qualifies for the
penalty enhancements provided
for in s. 874.04.

115

794.08(4) 3rd Female genital mutilation;
consent by a parent, guardian,

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or a person in custodial
 authority to a victim younger
 than 18 years of age.

116

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

117

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

118

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

119

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.

120

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.

121

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- 122
806.01 (2)
2nd
Maliciously damage structure by fire or explosive.
- 123
810.02 (3) (a)
2nd
Burglary of occupied dwelling; unarmed; no assault or battery.
- 124
810.02 (3) (b)
2nd
Burglary of unoccupied dwelling; unarmed; no assault or battery.
- 125
810.02 (3) (d)
2nd
Burglary of occupied conveyance; unarmed; no assault or battery.
- 126
810.02 (3) (e)
2nd
Burglary of authorized emergency vehicle.
- 127
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.
- 128
812.014 (2) (b) 2.
2nd
Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

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129	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
130	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
131	812.014 (2) (g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014 (2) (c) 5.
132	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
133	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
134	812.131 (2) (a)	2nd	Robbery by sudden snatching.
135	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
136	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.

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137 817.234 (8) (a) 2nd Solicitation of motor vehicle
accident victims with intent to
defraud.

138 817.234 (9) 2nd Organizing, planning, or
participating in an intentional
motor vehicle collision.

139 817.234 (11) (c) 1st Insurance fraud; property value
\$100,000 or more.

140 817.2341 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.

141 817.418 (2) (a) 3rd Offering for sale or
advertising personal protective
equipment with intent to
defraud.

142 817.504 (1) (a) 3rd Offering or advertising a
vaccine with intent to defraud.

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

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143

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

144

825.102(3)(b) 2nd Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

145

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.

146

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

147

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

148

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

149

827.071(4) 2nd Possess with intent to promote any photographic material,

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motion picture, etc., which includes child pornography.

150

837.05(2) 3rd Giving false information about alleged capital felony to a law enforcement officer.

151

838.015 2nd Bribery.

152

838.016 2nd Unlawful compensation or reward for official behavior.

153

838.021(3)(a) 2nd Unlawful harm to a public servant.

154

838.22 2nd Bid tampering.

155

843.0855(2) 3rd Impersonation of a public officer or employee.

156

843.0855(3) 3rd Unlawful simulation of legal process.

157

843.0855(4) 3rd Intimidation of a public officer or employee.

158

847.0135(3) 3rd Solicitation of a child, via a computer service, to commit an unlawful sex act.

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159

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

160

872.06 2nd Abuse of a dead human body.

161

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

162

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

163

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.

164

893.13 (1) (e) 1. 1st Sell, manufacture, or deliver

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cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5., within 1,000 feet of property used for religious services or a specified business site.

165

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

166

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

167

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

168

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

169

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

170

893.135 1st Trafficking in hydrocodone, 50

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171	(1) (c) 2.b.		grams or more, less than 100 grams.
172	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
173	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
174	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
175	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
176	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
177	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14

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grams.

178

893.135
(1) (h) 1.a.

1st

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

179

893.135
(1) (j) 1.a.

1st

Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.

180

893.135
(1) (k) 2.a.

1st

Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

181

893.135
(1) (m) 2.a.

1st

Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.

182

893.135
(1) (m) 2.b.

1st

Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.

183

893.135
(1) (n) 2.a.

1st

Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.

184

893.1351(2)

2nd

Possession of place for trafficking in or manufacturing

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of controlled substance.

185

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

186

896.104(4)(a)1. 3rd Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

187

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

188

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

189

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

190

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

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conceal a sexual offender.

191

943.0435(14)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

192

944.607(9)

3rd

Sexual offender; failure to comply with reporting requirements.

193

944.607(10)(a)

3rd

Sexual offender; failure to submit to the taking of a digitized photograph.

194

944.607(12)

3rd

Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

195

944.607(13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

196

985.4815(10)

3rd

Sexual offender; failure to submit to the taking of a

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digitized photograph.

197

985.4815(12)

3rd

Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

198

985.4815(13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

199

200

Section 4. This act shall take effect October 1, 2025.