

1 A bill to be entitled
2 An act relating to false reporting; amending s.
3 365.172, F.S.; providing enhanced criminal penalties
4 for a specified violation relating to the use of
5 emergency communications services which results in
6 great bodily harm, permanent disfigurement, permanent
7 disability, or death; revising requirements for a
8 specified violation relating to continued misuse of
9 emergency communications services; defining the term
10 "conviction"; providing that a conviction includes a
11 determination of guilt regardless of whether
12 adjudication is withheld or a plea of nolo contendere
13 is entered; requiring courts to order a person
14 convicted of a violation to pay the costs of
15 prosecution and investigation and restitution for
16 certain damages and injuries; providing requirements
17 for such restitution; amending s. 837.05, F.S.;
18 requiring courts to order a person convicted of a
19 violation to pay the costs of prosecution and
20 investigation and restitution for certain damages and
21 injuries; providing requirements for such restitution;
22 amending s. 921.0022, F.S.; ranking offenses on the
23 offense severity ranking chart of the Criminal
24 Punishment Code; providing an effective date.
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26 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Subsection (14) of section 365.172, Florida Statutes, is amended to read:

365.172 Emergency communications.—

(14) MISUSE OF 911, E911, OR NG911 SYSTEM; PENALTY.—911, E911, and NG911 service must be used solely for emergency communications by the public.

(a) A ~~any~~ person who does any of the following commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083:

1. Accesses or causes another party to access the number 911 for the purpose of making a false alarm or complaint or reporting false information that could result in the emergency response of any public safety agency.~~;~~ ~~any person who~~

2. Knowingly uses or attempts to use such service for a purpose other than obtaining public safety assistance.~~;~~ ~~or any person who~~

3. Knowingly uses or attempts to use such service in an effort to avoid any charge for service, ~~commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.~~

(b) If a person violates subparagraph (a)1. and the subsequent emergency response by a public safety agency results in:

51 1. Great bodily harm, permanent disfigurement, or
52 permanent disability to any person as a proximate result of
53 lawful conduct arising out of the emergency response, the person
54 commits a felony of the third degree, punishable as provided in
55 s. 775.082, s. 775.083, or s. 775.084.

56 2. Death to any person as a proximate result of lawful
57 conduct arising out of the emergency response, the person
58 commits a felony of the second degree, punishable as provided in
59 s. 775.082, s. 775.083, or s. 775.084.

60 (c) After ~~having two or more convictions~~ ~~being convicted~~
61 of unauthorized use of emergency communications services ~~such~~
62 ~~service four times~~, a person who continues to engage in such
63 unauthorized use commits a felony of the third degree,
64 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
65 As used in this paragraph, the term "conviction" means a
66 determination of guilt that is the result of a plea agreement or
67 a trial, regardless of whether adjudication is withheld or a
68 plea of nolo contendere is entered.

69 (d) A court shall order any person convicted of violating
70 this subsection to pay:

71 1. The costs of prosecution and investigation under s.
72 938.27.

73 2. Restitution to a responding public safety agency and
74 any other victim who suffers damage or injury as a proximate
75 result of lawful conduct arising out of an emergency response.

76 The restitution must include the full payment of any cost
 77 incurred by a responding public safety agency ~~In addition, if~~
 78 ~~the value of the service or the service charge obtained in a~~
 79 ~~manner prohibited by this subsection exceeds \$100, the person~~
 80 ~~committing the offense commits a felony of the third degree,~~
 81 ~~punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

82 **Section 2. Subsection (3) is added to section 837.05,**
 83 **Florida Statutes, to read:**

84 837.05 False reports to law enforcement authorities.—

85 (3) A court shall order any person convicted of violating
 86 this section to pay:

87 (a) The costs of prosecution and investigation under s.
 88 938.27.

89 (b) Restitution to any victim who suffers damage or injury
 90 as a proximate result of lawful conduct arising out of a law
 91 enforcement response.

92 **Section 3. Paragraphs (b) and (e) of subsection (3) of**
 93 **section 921.0022, Florida Statutes, are amended to read:**

94 921.0022 Criminal Punishment Code; offense severity
 95 ranking chart.—

96 (3) OFFENSE SEVERITY RANKING CHART

97 (b) LEVEL 2

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Florida	Felony	
Statute	Degree	Description

99	<u>365.172 (14) (b) 1.</u>	<u>3rd</u>	<u>Misuse of emergency communications system causing great bodily harm, permanent disfigurement, or permanent disability.</u>
100	379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
101	379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
102	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.
103	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.

104	590.28 (1)	3rd	Intentional burning of lands.
105	784.03 (3)	3rd	Battery during a riot or an aggravated riot.
106	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
107	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
108	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
109	806.13 (3)	3rd	Criminal mischief; damage of \$200 or more to a memorial or historic property.
110	810.061 (2)	3rd	Impairing or impeding telephone

or power to a dwelling;
 facilitating or furthering
 burglary.

111	810.09(2)(d)	3rd	Trespassing on posted commercial horticulture property.
112	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$750 or more but less than \$5,000.
113	812.014(2)(d)1.	3rd	Grand theft, 3rd degree; \$40 or more but less than \$750, taken from dwelling or its unenclosed curtilage.
114	812.014(2)(e)2.	3rd	Petit theft, 1st degree; less than \$40 taken from dwelling or its unenclosed curtilage with one prior theft conviction.
115	812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.

116	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
117	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
118	817.52 (3)	3rd	Failure to redeliver hired vehicle.
119	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
120	817.60 (5)	3rd	Dealing in credit cards of another.
121	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
122	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.

123	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
124	831.01	3rd	Forgery.
125	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
126	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
127	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
128	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
129	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.

130	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
131	843.01 (2)	3rd	Resist police canine or police horse with violence; under certain circumstances.
132	843.08	3rd	False personation.
133	843.19 (3)	3rd	Touch or strike police, fire, SAR canine or police horse.
134	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.
135	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.
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137	(e) LEVEL 5		
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	Florida Statute	Felony Degree	Description
139	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
140	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
141	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
142	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
143	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
144	<u>365.172 (14) (b) 2.</u>	<u>2nd</u>	<u>Misuse of emergency communications system resulting in death.</u>
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379.365 (2) (c) 1. 3rd Violation of rules relating to:
willful molestation of stone
crab traps, lines, or buoys;
illegal bartering, trading, or
sale, conspiring or aiding in
such barter, trade, or sale, or
supplying, agreeing to supply,
aiding in supplying, or giving
away stone crab trap tags or
certificates; making, altering,
forging, counterfeiting, or
reproducing stone crab trap
tags; possession of forged,
counterfeit, or imitation stone
crab trap tags; and engaging in
the commercial harvest of stone
crabs while license is
suspended or revoked.

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

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

148	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
149	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
150	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
151	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
152	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
153	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
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155	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
156	790.162	2nd	Threat to throw or discharge destructive device.
157	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
158	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
159	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
160	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
161	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.

162	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
163	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
164	810.145 (4) (c)	3rd	Commercial digital voyeurism dissemination.
165	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
166	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.
167	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
	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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812.015 3rd Retail theft; property stolen
(8) (a) & (c) - is valued at \$750 or more and
(e) one or more specified acts.

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

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812.015 (8) (g) 3rd Retail theft; committed with
specified number of other
persons.

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

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812.081 (3) 2nd Trafficking in trade secrets.

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

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812.16 (2) 3rd Owning, operating, or
conducting a chop shop.

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817.034 (4) (a) 2. 2nd Communications fraud, value
\$20,000 to \$50,000.

176	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
177	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.
178	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.
179	817.611 (2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.

180	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
181	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
182	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
183	836.14 (4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
184	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.

185	843.01 (1)	3rd	Resist officer with violence to person; resist arrest with violence.
186	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
187	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
188	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
189	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
190	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
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192	893.13(1)(a)1.	2nd	<p>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).</p>
193	893.13(1)(c)2.	2nd	<p>Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.</p>
193	893.13(1)(d)1.	1st	<p>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.</p>

194	893.13 (1) (e) 2.	2nd	<p>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.</p>
195	893.13 (1) (f) 1.	1st	<p>Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), or (2) (a), (2) (b), or (2) (c) 5. drugs) within 1,000 feet of public housing facility.</p>
196	893.13 (4) (b)	2nd	<p>Use or hire of minor; deliver to minor other controlled substance.</p>
197	893.1351 (1)	3rd	<p>Ownership, lease, or rental for trafficking in or manufacturing</p>

of controlled substance.

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