

By Senator Garcia

36-00058-25

202554__

1 A bill to be entitled
 2 An act relating to criminal offenses; amending s.
 3 784.048, F.S.; revising the definitions of the terms
 4 "harass," "course of conduct," and "cyberstalk";
 5 providing criminal penalties for persons who willfully
 6 or maliciously harass or cyberstalk specified justice
 7 system personnel; revising the elements of an offense
 8 constituting aggravated stalking; amending s. 901.02,
 9 F.S.; authorizing courts to issue a warrant for a
 10 defendant's arrest under specified circumstances;
 11 making technical changes; amending ss. 921.0022,
 12 948.06, and 948.062, F.S.; conforming cross-
 13 references; reenacting s. 784.0493(1), F.S., relating
 14 to harassment or intimidation based on religious or
 15 ethnic heritage, to incorporate the amendment made to
 16 s. 784.048, F.S., in a reference thereto; reenacting
 17 and amending s. 1006.147, F.S.; conforming a cross-
 18 reference; providing an effective date.

19
 20 Be It Enacted by the Legislature of the State of Florida:

21
 22 Section 1. Present subsections (5) through (9) of section
 23 784.048, Florida Statutes, are redesignated as subsections (6)
 24 through (10), respectively, a new subsection (5) is added to
 25 that section, and subsection (1) and present subsection (7) of
 26 that section, are amended, to read:

27 784.048 Stalking; definitions; penalties.—

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

29 (d) ~~(a)~~ "Harass" means to engage in a course of conduct,

36-00058-25

202554__

30 directly or through a third party, directed at a specific person
31 which causes substantial emotional distress to that person and
32 serves no legitimate purpose.

33 (a)-(b) "Course of conduct" means a pattern of conduct
34 composed of a series of acts over a period of time, however
35 short, which evidences a continuity of purpose. The term
36 includes acts done through a third party or by using a camera,
37 drone, or other means to observe or spy upon a victim. The term
38 does not include constitutionally protected activity such as
39 picketing or other organized protests.

40 (b)-(e) "Credible threat" means a verbal or nonverbal
41 threat, or a combination of the two, including threats delivered
42 by electronic communication or implied by a pattern of conduct,
43 which places the person who is the target of the threat in
44 reasonable fear for his or her safety or the safety of his or
45 her family members or individuals closely associated with the
46 person, and which is made with the apparent ability to carry out
47 the threat to cause such harm. It is not necessary to prove that
48 the person making the threat had the intent to actually carry
49 out the threat. The present incarceration of the person making
50 the threat is not a bar to prosecution under this section.

51 (c)-(d) "Cyberstalk" means:

52 1. To engage in a course of conduct to communicate, or to
53 cause to be communicated, directly or indirectly, words, images,
54 or language by or through the use of electronic mail or
55 electronic communication, directed at or pertaining to a
56 specific person; or

57 2. To access, or attempt to access, the online accounts or
58 Internet-connected home electronic systems of another person

36-00058-25

202554__

59 without that person's prior written permission and without that
60 permission being withdrawn,

61
62 causing substantial emotional distress to that person and
63 serving no legitimate purpose.

64 (5) A person who willfully or maliciously harasses or
65 cyberstalks justice system personnel specified in s. 775.0823,
66 which offense arises out of or is within the scope of the
67 official duties of such justice system personnel, commits the
68 offense of aggravated stalking, a felony of the third degree,
69 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

70 (8)~~(7)~~ A person who, after having been sentenced for a
71 violation of s. 794.011, s. 800.04, or s. 847.0135(5) and
72 prohibited from contacting the victim of the offense under s.
73 921.244, willfully or~~r~~ maliciously~~,~~ ~~and repeatedly follows,~~
74 harasses~~r~~ or cyberstalks the victim commits the offense of
75 aggravated stalking, a felony of the third degree, punishable as
76 provided in s. 775.082, s. 775.083, or s. 775.084.

77 Section 2. Section 901.02, Florida Statutes, is amended to
78 read:

79 901.02 Issuance of arrest warrants.—

80 (1) As used in this section, the term "electronic
81 signature" has the same meaning as in s. 933.40.

82 (2) A judge, upon examination of the complaint and proofs
83 submitted, if satisfied that probable cause exists for the
84 issuance of an arrest warrant for any crime committed within the
85 judge's jurisdiction, shall thereupon issue an arrest warrant
86 signed by the judge with the judge's name of office.

87 (3)~~(2)~~ The court may issue a warrant for the defendant's

36-00058-25

202554__

88 arrest ~~if when~~ all of the following circumstances apply:

89 (a) A complaint has been filed charging only the commission
90 of a misdemeanor ~~only~~.

91 (b) The summons issued to the defendant has been returned
92 unserved.

93 (c) The conditions of subsection (2) ~~(1)~~ are met.

94 (4)-(3) The court may issue a warrant for the defendant's
95 arrest if all of the following criteria apply:

96 (a) A complaint has been filed charging only the commission
97 of a misdemeanor.

98 (b) The alleged crime involves driving under the influence
99 as described in s. 316.193, assault as defined in s. 784.011,
100 battery as described in s. 784.03, or stalking as described in
101 s. 784.048, or there is reason to believe that the defendant
102 poses a danger to a victim or the public.

103 (c) The conditions of subsection (2) are met.

104 (5) A judge may electronically sign an arrest warrant if
105 the requirements of ~~subsection (1) or~~ subsection (2), subsection
106 (3), or subsection (4) are met and if the judge, based on an
107 examination of the complaint and proofs submitted, determines
108 that the complaint meets all of the following criteria:

109 (a) It bears the affiant's signature, or, if the complaint
110 was submitted electronically, the affiant's electronic signature
111 if the complaint was submitted electronically.

112 (b) It is supported by an oath or affirmation administered
113 by the judge or other person authorized by law to administer
114 oaths.

115 (c) If submitted electronically, it is submitted by
116 reliable electronic means.

36-00058-25

202554__

117 (6)~~(4)~~ An arrest warrant is ~~shall be~~ deemed to be issued by
 118 a judge at the time the judge affixes the judge's signature or
 119 electronic signature to the warrant. ~~As used in this section,~~
 120 ~~the term "electronic signature" has the same meaning as provided~~
 121 ~~in s. 933.40.~~

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

124 921.0022 Criminal Punishment Code; offense severity ranking
 125 chart.—

126 (3) OFFENSE SEVERITY RANKING CHART

127 (f) LEVEL 6

128

Florida Statute	Felony Degree	Description
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
400.9935(4)(c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
499.0051(2)	2nd	Knowing forgery of transaction history,

132

36-00058-25

202554__

133

transaction
information, or
transaction statement.

499.0051 (3)

2nd

Knowing purchase or
receipt of prescription
drug from unauthorized
person.

134

499.0051 (4)

2nd

Knowing sale or
transfer of
prescription drug to
unauthorized person.

135

775.0875 (1)

3rd

Taking firearm from law
enforcement officer.

136

784.021 (1) (a)

3rd

Aggravated assault;
deadly weapon without
intent to kill.

137

784.021 (1) (b)

3rd

Aggravated assault;
intent to commit
felony.

138

784.041

3rd

Felony battery;
domestic battery by
strangulation.

139

36-00058-25 202554__

140	784.048 (3)	3rd	Aggravated stalking; credible threat.
141	<u>784.048 (6)</u> 784.048 (5)	3rd	Aggravated stalking of person under 16.
142	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
143	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
144	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
145	784.081 (2)	2nd	Aggravated assault on specified official or employee.
146	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
146	784.083 (2)	2nd	Aggravated assault on

36-00058-25

202554__

code inspector.

147

787.02 (2)

3rd

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

148

790.115 (2) (d)

2nd

Discharging firearm or
weapon on school
property.

149

790.161 (2)

2nd

Make, possess, or throw
destructive device with
intent to do bodily
harm or damage
property.

150

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.

151

790.19

2nd

Shooting or throwing
deadly missiles into
dwellings, vessels, or

36-00058-25

202554__

vehicles.

152

794.011 (8) (a)

3rd

Solicitation of minor to participate in sexual activity by custodial adult.

153

794.05 (1)

2nd

Unlawful sexual activity with specified minor.

154

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.

155

800.04 (6) (b)

2nd

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

156

806.031 (2)

2nd

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

157

810.02 (3) (c)

2nd

Burglary of occupied structure; unarmed; no

36-00058-25

202554__

158

assault or battery.

810.145 (8) (b)

2nd

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

159

812.014 (2) (b) 1.

2nd

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

160

812.014 (2) (c) 5.

3rd

Grand theft; third
degree; firearm.

161

812.014 (6)

2nd

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

162

812.015 (9) (a)

2nd

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

163

812.015 (9) (b)

2nd

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

36-00058-25

202554__

164

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

165

812.015 (9) (e) 2nd Retail theft; committed with specified number of other persons and use of social media platform.

166

812.13 (2) (c) 2nd Robbery, no firearm or other weapon (strong-arm robbery).

167

817.4821 (5) 2nd Possess cloning paraphernalia with intent to create cloned cellular telephones.

168

817.49 (2) (b) 2. 2nd Willful making of a false report of a crime resulting in death.

169

817.505 (4) (b) 2nd Patient brokering; 10 or more patients.

170

817.5695 (3) (b) 2nd Exploitation of person 65 years of age or

36-00058-25

202554__

older, value \$10,000 or more, but less than \$50,000.

171

825.102 (1)

3rd

Abuse of an elderly person or disabled adult.

172

825.102 (3) (c)

3rd

Neglect of an elderly person or disabled adult.

173

825.1025 (3)

3rd

Lewd or lascivious molestation of an elderly person or disabled adult.

174

825.103 (3) (c)

3rd

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

175

827.03 (2) (c)

3rd

Abuse of a child.

176

827.03 (2) (d)

3rd

Neglect of a child.

177

827.071 (5)

3rd

Possess, control, or intentionally view any

36-00058-25

202554__

photographic material,
 motion picture, etc.,
 which includes child
 pornography.

178

828.126(3)

3rd

Sexual activities
 involving animals.

179

836.05

2nd

Threats; extortion.

180

836.10

2nd

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

181

843.12

3rd

Aids or assists person
 to escape.

182

847.011

3rd

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

183

847.012

3rd

Knowingly using a minor
 in the production of
 materials harmful to

36-00058-25

202554__

184

847.0135(2)

3rd

minors.

Facilitates sexual
conduct of or with a
minor or the visual
depiction of such
conduct.

185

893.131

2nd

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

186

914.23

2nd

Retaliation against a
witness, victim, or
informant, with bodily
injury.

187

918.13(2)(b)

2nd

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

188

944.35(3)(a)2.

3rd

Committing malicious
battery upon or
inflicting cruel or
inhuman treatment on an
inmate or offender on

36-00058-25

202554__

189			community supervision, resulting in great bodily harm.
190	944.40	2nd	Escapes.
191	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
192	944.47 (1) (a) 5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
193	951.22 (1) (i)	3rd	Firearm or weapon introduced into county detention facility.
194	(g) LEVEL 7		
195	Florida Statute	Felony Degree	Description
196	316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
197			

36-00058-25 202554__

198

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.

199

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

200

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

201

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

36-00058-25

202554__

202

409.920
(2) (b) 1.b.

2nd

Medicaid provider
fraud; more than
\$10,000, but less than
\$50,000.

203

456.065 (2)

3rd

Practicing a health
care profession without
a license.

204

456.065 (2)

2nd

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

205

458.327 (1)

3rd

Practicing medicine
without a license.

206

459.013 (1)

3rd

Practicing osteopathic
medicine without a
license.

207

460.411 (1)

3rd

Practicing chiropractic
medicine without a
license.

208

461.012 (1)

3rd

Practicing podiatric
medicine without a

36-00058-25

202554__

209			license.
	462.17	3rd	Practicing naturopathy without a license.
210			
	463.015 (1)	3rd	Practicing optometry without a license.
211			
	464.016 (1)	3rd	Practicing nursing without a license.
212			
	465.015 (2)	3rd	Practicing pharmacy without a license.
213			
	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
214			
	467.201	3rd	Practicing midwifery without a license.
215			
	468.366	3rd	Delivering respiratory care services without a license.
216			
	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
217			

36-00058-25 202554__

218 483.901 (7) 3rd Practicing medical
physics without a
license.

219 484.013 (1) (c) 3rd Preparing or dispensing
optical devices without
a prescription.

220 484.053 3rd Dispensing hearing aids
without a license.

221 494.0018 (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.

222 560.123 (8) (b) 1. 3rd Failure to report
currency or payment
instruments exceeding
\$300 but less than
\$20,000 by a money
services business.

560.125 (5) (a) 3rd Money services business
by unauthorized person,

36-00058-25

202554__

currency or payment
instruments exceeding
\$300 but less than
\$20,000.

223

655.50 (10) (b) 1.

3rd

Failure to report
financial transactions
exceeding \$300 but less
than \$20,000 by
financial institution.

224

775.21 (10) (a)

3rd

Sexual predator;
failure to register;
failure to renew driver
license or
identification card;
other registration
violations.

225

775.21 (10) (b)

3rd

Sexual predator working
where children
regularly congregate.

226

775.21 (10) (g)

3rd

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

36-00058-25

202554__

227

782.051 (3)

2nd

Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

228

782.07 (1)

2nd

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

229

782.071

2nd

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

230

782.072

2nd

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

231

784.045 (1) (a) 1.

2nd

Aggravated battery; intentionally causing

36-00058-25

202554__

			great bodily harm or disfigurement.
232	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
233	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
234	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
235	<u>784.048 (8)</u> 784.048 (7)	3rd	Aggravated stalking; violation of court order.
236	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
237	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
238	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age

36-00058-25

202554__

or older.

239

784.081(1)

1st

Aggravated battery on specified official or employee.

240

784.082(1)

1st

Aggravated battery by detained person on visitor or other detainee.

241

784.083(1)

1st

Aggravated battery on code inspector.

242

787.06(3)(a)2.

1st

Human trafficking using coercion for labor and services of an adult.

243

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.

244

790.07(4)

1st

Specified weapons violation subsequent to previous conviction of

36-00058-25

202554__

s. 790.07(1) or (2).

245

790.16(1)

1st

Discharge of a machine gun under specified circumstances.

246

790.165(2)

2nd

Manufacture, sell, possess, or deliver hoax bomb.

247

790.165(3)

2nd

Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.

248

790.166(3)

2nd

Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

249

790.166(4)

2nd

Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

36-00058-25

202554__

250

790.23

1st, PBL

Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

251

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.

252

796.05 (1)

1st

Live on earnings of a prostitute; 2nd offense.

253

796.05 (1)

1st

Live on earnings of a prostitute; 3rd and subsequent offense.

254

800.04 (5) (c) 1.

2nd

Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years

36-00058-25

202554__

of age.

255

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.

256

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.

257

806.01 (2)

2nd

Maliciously damage structure by fire or explosive.

258

810.02 (3) (a)

2nd

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

259

810.02 (3) (b)

2nd

Burglary of unoccupied dwelling; unarmed; no

36-00058-25

202554__

260

810.02 (3) (d)

2nd

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

261

810.02 (3) (e)

2nd

Burglary of authorized emergency vehicle.

262

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.

263

812.014 (2) (b) 2.

2nd

Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

264

812.014 (2) (b) 3.

2nd

Property stolen, emergency medical equipment; 2nd degree grand theft.

265

812.014 (2) (b) 4.

2nd

Property stolen, law

36-00058-25

202554__

266	812.014 (2) (g)	2nd	enforcement equipment from authorized emergency vehicle.
267	812.0145 (2) (a)	1st	Grand theft; second degree; firearm with previous conviction of s. 812.014 (2) (c) 5.
268	812.019 (2)	1st	Theft from person 65 years of age or older; \$50,000 or more.
269	812.131 (2) (a)	2nd	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
270	812.133 (2) (b)	1st	Robbery by sudden snatching.
271	817.034 (4) (a) 1.	1st	Carjacking; no firearm, deadly weapon, or other weapon.
			Communications fraud, value greater than

36-00058-25

202554__

\$50,000.

272

817.234 (8) (a)

2nd

Solicitation of motor vehicle accident victims with intent to defraud.

273

817.234 (9)

2nd

Organizing, planning, or participating in an intentional motor vehicle collision.

274

817.234 (11) (c)

1st

Insurance fraud; property value \$100,000 or more.

275

817.2341
(2) (b) & (3) (b)

1st

Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.

276

817.418 (2) (a)

3rd

Offering for sale or advertising personal

36-00058-25

202554__

277

protective equipment
with intent to defraud.

817.504 (1) (a)

3rd

Offering or advertising
a vaccine with intent
to defraud.

278

817.535 (2) (a)

3rd

Filing false lien or
other unauthorized
document.

279

817.611 (2) (b)

2nd

Traffic in or possess
15 to 49 counterfeit
credit cards or related
documents.

280

825.102 (3) (b)

2nd

Neglecting an elderly
person or disabled
adult causing great
bodily harm,
disability, or
disfigurement.

281

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.

36-00058-25

202554__

282

827.03 (2) (b)

2nd

Neglect of a child causing great bodily harm, disability, or disfigurement.

283

827.04 (3)

3rd

Impregnation of a child under 16 years of age by person 21 years of age or older.

284

827.071 (2) & (3)

2nd

Use or induce a child in a sexual performance, or promote or direct such performance.

285

827.071 (4)

2nd

Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.

286

837.05 (2)

3rd

Giving false information about alleged capital felony to a law enforcement officer.

36-00058-25

202554__

287
288
289
290
291
292
293
294
295

838.015	2nd	Bribery.
838.016	2nd	Unlawful compensation or reward for official behavior.
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

36-00058-25

202554__

296

minor to commit an
unlawful sex act.

872.06

2nd

Abuse of a dead human
body.

297

874.05 (2) (b)

1st

Encouraging or
recruiting person under
13 to join a criminal
gang; second or
subsequent offense.

298

874.10

1st,PBL

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

299

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

36-00058-25

202554__

park or publicly owned recreational facility or community center.

300

893.13(1)(e)1.

1st

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

301

893.13(4)(a)

1st

Use or hire of minor; deliver to minor other controlled substance.

302

893.135(1)(a)1.

1st

Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

303

893.135
(1)(b)1.a.

1st

Trafficking in cocaine, more than 28 grams, less than 200 grams.

304

36-00058-25

202554__

893.135
(1) (c) 1.a.

1st Trafficking in illegal
drugs, more than 4
grams, less than 14
grams.

305

893.135
(1) (c) 2.a.

1st Trafficking in
hydrocodone, 28 grams
or more, less than 50
grams.

306

893.135
(1) (c) 2.b.

1st Trafficking in
hydrocodone, 50 grams
or more, less than 100
grams.

307

893.135
(1) (c) 3.a.

1st Trafficking in
oxycodone, 7 grams or
more, less than 14
grams.

308

893.135
(1) (c) 3.b.

1st Trafficking in
oxycodone, 14 grams or
more, less than 25
grams.

309

893.135
(1) (c) 4.b. (I)

1st Trafficking in
fentanyl, 4 grams or
more, less than 14
grams.

36-00058-25

202554__

310

893.135
(1) (d) 1.a.

1st

Trafficking in
phencyclidine, 28 grams
or more, less than 200
grams.

311

893.135 (1) (e) 1.

1st

Trafficking in
methaqualone, 200 grams
or more, less than 5
kilograms.

312

893.135 (1) (f) 1.

1st

Trafficking in
amphetamine, 14 grams
or more, less than 28
grams.

313

893.135
(1) (g) 1.a.

1st

Trafficking in
flunitrazepam, 4 grams
or more, less than 14
grams.

314

893.135
(1) (h) 1.a.

1st

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

315

893.135
(1) (j) 1.a.

1st

Trafficking in 1,4-
Butanediol, 1 kilogram

36-00058-25

202554__

or more, less than 5 kilograms.

316

893.135
(1) (k) 2.a.

1st

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

317

893.135
(1) (m) 2.a.

1st

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

318

893.135
(1) (m) 2.b.

1st

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

319

893.135
(1) (n) 2.a.

1st

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

320

893.1351 (2)

2nd

Possession of place for trafficking in or manufacturing of controlled substance.

321

896.101 (5) (a)

3rd

Money laundering,

36-00058-25

202554__

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

322

896.104 (4) (a) 1.

3rd

Structuring
 transactions to evade
 reporting or
 registration
 requirements, financial
 transactions exceeding
 \$300 but less than
 \$20,000.

323

943.0435 (4) (c)

2nd

Sexual offender
 vacating permanent
 residence; failure to
 comply with reporting
 requirements.

324

943.0435 (8)

2nd

Sexual offender;
 remains in state after
 indicating intent to
 leave; failure to
 comply with reporting
 requirements.

325

943.0435 (9) (a)

3rd

Sexual offender;
 failure to comply with
 reporting requirements.

36-00058-25

202554__

326

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

327

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

328

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

329

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

330

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

36-00058-25

202554__

or conceal a sexual
offender.

331

944.607(13)

3rd

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

332

985.4815(10)

3rd

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

333

985.4815(12)

3rd

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

334

985.4815(13)

3rd

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

36-00058-25

202554__

information.

335

336 Section 4. Paragraph (c) of subsection (8) of section
337 948.06, Florida Statutes, is amended to read:

338 948.06 Violation of probation or community control;
339 revocation; modification; continuance; failure to pay
340 restitution or cost of supervision.—

341 (8)

342 (c) For purposes of this section, the term "qualifying
343 offense" means any of the following:

344 1. Kidnapping or attempted kidnapping under s. 787.01,
345 false imprisonment of a child under the age of 13 under s.
346 787.02(3), or luring or enticing a child under s. 787.025(2)(b)
347 or (c).

348 2. Murder or attempted murder under s. 782.04, attempted
349 felony murder under s. 782.051, or manslaughter under s. 782.07.

350 3. Aggravated battery or attempted aggravated battery under
351 s. 784.045.

352 4. Sexual battery or attempted sexual battery under s.
353 794.011(2), (3), (4), or (8)(b) or (c).

354 5. Lewd or lascivious battery or attempted lewd or
355 lascivious battery under s. 800.04(4), lewd or lascivious
356 molestation under s. 800.04(5)(b) or (c)2., lewd or lascivious
357 conduct under s. 800.04(6)(b), lewd or lascivious exhibition
358 under s. 800.04(7)(b), or lewd or lascivious exhibition on
359 computer under s. 847.0135(5)(b).

360 6. Robbery or attempted robbery under s. 812.13, carjacking
361 or attempted carjacking under s. 812.133, or home invasion
362 robbery or attempted home invasion robbery under s. 812.135.

36-00058-25

202554__

363 7. Lewd or lascivious offense upon or in the presence of an
364 elderly or disabled person or attempted lewd or lascivious
365 offense upon or in the presence of an elderly or disabled person
366 under s. 825.1025.

367 8. Sexual performance by a child or attempted sexual
368 performance by a child under s. 827.071.

369 9. Computer pornography under s. 847.0135(2) or (3),
370 transmission of child pornography under s. 847.0137, or selling
371 or buying of minors under s. 847.0145.

372 10. Poisoning food or water under s. 859.01.

373 11. Abuse of a dead human body under s. 872.06.

374 12. Any burglary offense or attempted burglary offense that
375 is either a first degree felony or second degree felony under s.
376 810.02(2) or (3).

377 13. Arson or attempted arson under s. 806.01(1).

378 14. Aggravated assault under s. 784.021.

379 15. Aggravated stalking under s. 784.048(3), (4), (6), or
380 (8) ~~s. 784.048(3), (4), (5), or (7)~~.

381 16. Aircraft piracy under s. 860.16.

382 17. Unlawful throwing, placing, or discharging of a
383 destructive device or bomb under s. 790.161(2), (3), or (4).

384 18. Treason under s. 876.32.

385 19. Any offense committed in another jurisdiction which
386 would be an offense listed in this paragraph if that offense had
387 been committed in this state.

388 Section 5. Section 948.062, Florida Statutes, is amended to
389 read:

390 948.062 Reviewing and reporting serious offenses committed
391 by offenders placed on probation or community control.—The

36-00058-25

202554__

392 department shall review the circumstances related to an offender
393 placed on probation or community control who has been arrested
394 while on supervision for the following offenses:

395 (1) Any murder as provided in s. 782.04;

396 (2) Any sexual battery as provided in s. 794.011 or s.
397 794.023;

398 (3) Any sexual performance by a child as provided in s.
399 827.071;

400 (4) Any kidnapping, false imprisonment, or luring of a
401 child as provided in s. 787.01, s. 787.02, or s. 787.025;

402 (5) Any lewd and lascivious battery or lewd and lascivious
403 molestation as provided in s. 800.04(4) or (5);

404 (6) Any aggravated child abuse as provided in s.
405 827.03(2) (a);

406 (7) Any robbery with a firearm or other deadly weapon, home
407 invasion robbery, or carjacking as provided in s. 812.13(2) (a),
408 s. 812.135, or s. 812.133;

409 (8) Any aggravated stalking as provided in s. 784.048(3),
410 (4), or (6) ~~s. 784.048(3), (4), or (5);~~

411 (9) Any forcible felony as provided in s. 776.08, committed
412 by a person on probation or community control who is designated
413 as a sexual predator; or

414 (10) Any DUI manslaughter as provided in s. 316.193(3) (c),
415 or vehicular or vessel homicide as provided in s. 782.071 or s.
416 782.072, committed by a person who is on probation or community
417 control for an offense involving death or injury resulting from
418 a driving incident.

419 Section 6. For the purpose of incorporating the amendment
420 made by this act to section 784.048, Florida Statutes, in a

36-00058-25

202554__

421 reference thereto, subsection (1) of section 784.0493, Florida
422 Statutes, is reenacted to read:

423 784.0493 Harassment or intimidation based on religious or
424 ethnic heritage.—

425 (1) As used in this section, the terms “credible threat”
426 and “harass” have the same meaning as in s. 784.048(1).

427 Section 7. Paragraph (e) of subsection (3) of section
428 1006.147, Florida Statutes, is reenacted and amended to read:

429 1006.147 Bullying and harassment prohibited.—

430 (3) For purposes of this section:

431 (e) Definitions in s. 815.03 and the definition in s.
432 784.048(1)(c) ~~s. 784.048(1)(d)~~ relating to stalking are
433 applicable to this section.

434 Section 8. This act shall take effect October 1, 2025.