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CS/HB 687, Engrossed 1

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1
2 An act relating to driving and boating offenses;
3 providing a short title; amending s. 316.193, F.S.;
4 providing an enhanced penalty for DUI manslaughter if
5 a person has a prior conviction for specified
6 offenses; amending s. 316.1932, F.S.; requiring that a
7 person be told that his or her failure to submit to
8 lawful test of breath or urine subsequent to a DUI
9 arrest is either a second degree misdemeanor or a
10 first degree misdemeanor; amending s. 316.1939, F.S.;
11 creating a criminal penalty for a first refusal to
12 submit to a breath or urine test subsequent to a DUI
13 arrest; amending s. 327.35, F.S.; providing an
14 enhanced penalty for BUI manslaughter if a person has
15 a prior conviction for specified offenses; amending s.
16 782.071, F.S.; providing an enhanced penalty for
17 vehicular homicide if a person has a prior conviction
18 for specified offenses; amending s. 782.072, F.S.;
19 providing an enhanced penalty for vessel homicide if a
20 person has a prior conviction for specified offenses;
21 amending s. 921.0022, F.S.; ranking offenses on the
22 offense severity ranking chart of the Criminal
23 Punishment Code; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

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Section 1. The act may be cited as "Trenton's Law."

Section 2. Paragraph (c) of subsection (3) of section 316.193, Florida Statutes, is amended to read:

316.193 Driving under the influence; penalties.—

(3) Any person:

(c) Who, by reason of such operation, causes or contributes to causing:

1. Damage to the property or person of another commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

2. Serious bodily injury to another, as defined in s. 316.1933, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. The death of any human being or unborn child commits DUI manslaughter, and commits:

a. A felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

b. A felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if:

(I) At the time of the crash, the person knew, or should have known, that the crash occurred; and

(II) The person failed to give information and render aid as required by s. 316.062.

c. A felony of the first degree, punishable as provided in

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51 s. 775.082, s. 775.083, or s. 775.084, if the person has a prior
52 conviction under this subparagraph, s. 327.35(3)(c)3., s.
53 782.071, or s. 782.072.

54
55 For purposes of this subsection, the term "unborn child" has the
56 same meaning as provided in s. 775.021(5). A person who is
57 convicted of DUI manslaughter shall be sentenced to a mandatory
58 minimum term of imprisonment of 4 years.

59 Section 3. Paragraph (a) of subsection (1) of section
60 316.1932, Florida Statutes, is amended to read:

61 316.1932 Tests for alcohol, chemical substances, or
62 controlled substances; implied consent; refusal.—

63 (1)(a)1.a. A person who accepts the privilege extended by
64 the laws of this state of operating a motor vehicle within this
65 state is, by operating such vehicle, deemed to have given his or
66 her consent to submit to an approved chemical test or physical
67 test including, but not limited to, an infrared light test of
68 his or her breath for the purpose of determining the alcoholic
69 content of his or her blood or breath if the person is lawfully
70 arrested for any offense allegedly committed while the person
71 was driving or was in actual physical control of a motor vehicle
72 while under the influence of alcoholic beverages. The chemical
73 or physical breath test must be incidental to a lawful arrest
74 and administered at the request of a law enforcement officer who
75 has reasonable cause to believe such person was driving or was

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76 | in actual physical control of the motor vehicle within this
77 | state while under the influence of alcoholic beverages. The
78 | administration of a breath test does not preclude the
79 | administration of another type of test. The person shall be told
80 | that his or her failure to submit to any lawful test of his or
81 | her breath will result in the suspension of the person's
82 | privilege to operate a motor vehicle for a period of 1 year for
83 | a first refusal, or for a period of 18 months if the driving
84 | privilege of such person has been previously suspended or if he
85 | or she has previously been fined under s. 327.35215 as a result
86 | of a refusal to submit to a test or tests required under this
87 | chapter or chapter 327, and shall also be told that if he or she
88 | refuses to submit to a lawful test of his or her breath ~~and his~~
89 | ~~or her driving privilege has been previously suspended or if he~~
90 | ~~or she has previously been fined under s. 327.35215 for a prior~~
91 | ~~refusal to submit to a lawful test of his or her breath, urine,~~
92 | ~~or blood as required under this chapter or chapter 327,~~ he or
93 | she commits a misdemeanor of the second ~~first~~ degree, punishable
94 | as provided in s. 775.082 or s. 775.083, or a misdemeanor of the
95 | first degree, punishable as provided in s. 775.082 or s.
96 | 775.083, if his or her driving privilege has been previously
97 | suspended or if he or she has previously been fined under s.
98 | 327.35215 for a prior refusal to submit to a lawful test of his
99 | or her breath, urine, or blood as required under this chapter or
100 | chapter 327, in addition to any other penalties provided by law.

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101 The refusal to submit to a chemical or physical breath test upon
102 the request of a law enforcement officer as provided in this
103 section is admissible into evidence in any criminal proceeding.

104 b. A person who accepts the privilege extended by the laws
105 of this state of operating a motor vehicle within this state is,
106 by operating such vehicle, deemed to have given his or her
107 consent to submit to a urine test for the purpose of detecting
108 the presence of chemical substances as set forth in s. 877.111
109 or controlled substances if the person is lawfully arrested for
110 any offense allegedly committed while the person was driving or
111 was in actual physical control of a motor vehicle while under
112 the influence of chemical substances or controlled substances.
113 The urine test must be incidental to a lawful arrest and
114 administered at a detention facility or any other facility,
115 mobile or otherwise, which is equipped to administer such tests
116 at the request of a law enforcement officer who has reasonable
117 cause to believe such person was driving or was in actual
118 physical control of a motor vehicle within this state while
119 under the influence of chemical substances or controlled
120 substances. The urine test shall be administered at a detention
121 facility or any other facility, mobile or otherwise, which is
122 equipped to administer such test in a reasonable manner that
123 will ensure the accuracy of the specimen and maintain the
124 privacy of the individual involved. The administration of a
125 urine test does not preclude the administration of another type

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126 of test. The person shall be told that his or her failure to
127 submit to any lawful test of his or her urine will result in the
128 suspension of the person's privilege to operate a motor vehicle
129 for a period of 1 year for the first refusal, or for a period of
130 18 months if the driving privilege of such person has been
131 previously suspended or if he or she has previously been fined
132 under s. 327.35215 as a result of a refusal to submit to a test
133 or tests required under this chapter or chapter 327, and shall
134 also be told that if he or she refuses to submit to a lawful
135 test of his or her urine ~~and his or her driving privilege has~~
136 ~~been previously suspended or if he or she has previously been~~
137 ~~fined under s. 327.35215 for a prior refusal to submit to a~~
138 ~~lawful test of his or her breath, urine, or blood as required~~
139 ~~under this chapter or chapter 327,~~ he or she commits a
140 misdemeanor of the second ~~first~~ degree, punishable as provided
141 in s. 775.082 or s. 775.083, or a misdemeanor of the first
142 degree, punishable as provided in s. 775.082 or s. 775.083, if
143 his or her driving privilege has been previously suspended or if
144 he or she has previously been fined under s. 327.35215 for a
145 prior refusal to submit to a lawful test of his or her breath,
146 urine, or blood as required under this chapter or chapter 327,
147 in addition to any other penalties provided by law. The refusal
148 to submit to a urine test upon the request of a law enforcement
149 officer as provided in this section is admissible into evidence
150 in any criminal proceeding.

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151 2. The Alcohol Testing Program within the Department of
152 Law Enforcement is responsible for the regulation of the
153 operation, inspection, and registration of breath test
154 instruments utilized under the driving and boating under the
155 influence provisions and related provisions located in this
156 chapter and chapters 322 and 327. The program is responsible for
157 the regulation of the individuals who operate, inspect, and
158 instruct on the breath test instruments utilized in the driving
159 and boating under the influence provisions and related
160 provisions located in this chapter and chapters 322 and 327. The
161 program is further responsible for the regulation of blood
162 analysts who conduct blood testing to be utilized under the
163 driving and boating under the influence provisions and related
164 provisions located in this chapter and chapters 322 and 327. The
165 program shall:

166 a. Establish uniform criteria for the issuance of permits
167 to breath test operators, agency inspectors, instructors, blood
168 analysts, and instruments.

169 b. Have the authority to permit breath test operators,
170 agency inspectors, instructors, blood analysts, and instruments.

171 c. Have the authority to discipline and suspend, revoke,
172 or renew the permits of breath test operators, agency
173 inspectors, instructors, blood analysts, and instruments.

174 d. Establish uniform requirements for instruction and
175 curricula for the operation and inspection of approved

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176 instruments.

177 e. Have the authority to specify one approved curriculum
178 for the operation and inspection of approved instruments.

179 f. Establish a procedure for the approval of breath test
180 operator and agency inspector classes.

181 g. Have the authority to approve or disapprove breath test
182 instruments and accompanying paraphernalia for use pursuant to
183 the driving and boating under the influence provisions and
184 related provisions located in this chapter and chapters 322 and
185 327.

186 h. With the approval of the executive director of the
187 Department of Law Enforcement, make and enter into contracts and
188 agreements with other agencies, organizations, associations,
189 corporations, individuals, or federal agencies as are necessary,
190 expedient, or incidental to the performance of duties.

191 i. Issue final orders which include findings of fact and
192 conclusions of law and which constitute final agency action for
193 the purpose of chapter 120.

194 j. Enforce compliance with this section through civil or
195 administrative proceedings.

196 k. Make recommendations concerning any matter within the
197 purview of this section, this chapter, chapter 322, or chapter
198 327.

199 l. Promulgate rules for the administration and
200 implementation of this section, including definitions of terms.

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201 m. Consult and cooperate with other entities for the
202 purpose of implementing the mandates of this section.

203 n. Have the authority to approve the type of blood test
204 utilized under the driving and boating under the influence
205 provisions and related provisions located in this chapter and
206 chapters 322 and 327.

207 o. Have the authority to specify techniques and methods
208 for breath alcohol testing and blood testing utilized under the
209 driving and boating under the influence provisions and related
210 provisions located in this chapter and chapters 322 and 327.

211 p. Have the authority to approve repair facilities for the
212 approved breath test instruments, including the authority to set
213 criteria for approval.

214
215 Nothing in this section shall be construed to supersede
216 provisions in this chapter and chapters 322 and 327. The
217 specifications in this section are derived from the power and
218 authority previously and currently possessed by the Department
219 of Law Enforcement and are enumerated to conform with the
220 mandates of chapter 99-379, Laws of Florida.

221 Section 4. Subsection (1) of section 316.1939, Florida
222 Statutes, is amended to read:

223 316.1939 Refusal to submit to testing; penalties.—

224 (1) A person who has refused to submit to a chemical or
225 physical test of his or her breath or urine, as described in s.

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226 316.1932, ~~and whose driving privilege was previously suspended~~
227 ~~or who was previously fined under s. 327.35215 for a prior~~
228 ~~refusal to submit to a lawful test of his or her breath, urine,~~
229 ~~or blood required under this chapter or chapter 327,~~ and:

230 (a) Who the arresting law enforcement officer had probable
231 cause to believe was driving or in actual physical control of a
232 motor vehicle in this state while under the influence of
233 alcoholic beverages, chemical substances, or controlled
234 substances;

235 (b) Who was placed under lawful arrest for a violation of
236 s. 316.193 unless such test was requested pursuant to s.
237 316.1932(1)(c);

238 (c) Who was informed that, if he or she refused to submit
239 to such test, his or her privilege to operate a motor vehicle
240 would be suspended for a period of 1 year or, in the case of a
241 second or subsequent refusal, for a period of 18 months;

242 (d) Who was informed that a refusal to submit to a lawful
243 test of his or her breath or urine is a misdemeanor of the
244 second degree, punishable as provided in s. 775.082 or s.
245 775.083, or if his or her driving privilege has been previously
246 suspended or if he or she has previously been fined under s.
247 327.35215 for a prior refusal to submit to a lawful test of his
248 or her breath, urine, or blood as required under this chapter or
249 chapter 327, that a refusal to submit to a lawful test of his or
250 her breath or urine is a misdemeanor of the first degree,

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251 punishable as provided in s. 775.082 or s. 775.083, in addition
252 to any other penalties provided by law; and

253 (e) Who, after having been so informed, refused to submit
254 to any such test when requested to do so by a law enforcement
255 officer or correctional officer

256
257 commits a misdemeanor of the second ~~first~~ degree for a first
258 refusal or a misdemeanor of the first degree for a second or
259 subsequent refusal, and is subject to punishment as provided in
260 s. 775.082 or s. 775.083.

261 Section 5. Paragraph (c) of subsection (3) of section
262 327.35, Florida Statutes, is amended to read:

263 327.35 Boating under the influence; penalties; "designated
264 drivers."—

265 (3) Any person:

266 (c) Who, by reason of such operation, causes or
267 contributes to causing:

268 1. Damage to the property or person of another commits a
269 misdemeanor of the first degree, punishable as provided in s.
270 775.082 or s. 775.083.

271 2. Serious bodily injury to another, as defined in s.
272 327.353, commits a felony of the third degree, punishable as
273 provided in s. 775.082, s. 775.083, or s. 775.084.

274 3. The death of any human being commits BUI manslaughter,
275 and commits:

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a. A felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

b. A felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if:

(I) At the time of the accident, the person knew, or should have known, that the accident occurred; and

(II) The person failed to give information and render aid as required by s. 327.30.

This sub-subparagraph does not require that the person knew that the accident resulted in injury or death.

c. A felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the person has a prior conviction under this subparagraph, s. 316.193(3)(c)3., s. 782.071, or s. 782.072.

Section 6. Subsection (1) of section 782.071, Florida Statutes, is amended to read:

782.071 Vehicular homicide.—"Vehicular homicide" is the killing of a human being, or the killing of an unborn child by any injury to the mother, caused by the operation of a motor vehicle by another in a reckless manner likely to cause the death of, or great bodily harm to, another.

(1) Vehicular homicide is:

(a) A felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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301 (b) A felony of the first degree, punishable as provided
302 in s. 775.082, s. 775.083, or s. 775.084, if:

303 1. At the time of the accident, the person knew, or should
304 have known, that the accident occurred; and

305 2. The person failed to give information and render aid as
306 required by s. 316.062.

307
308 This paragraph does not require that the person knew that the
309 accident resulted in injury or death.

310 (c) A felony of the first degree, punishable as provided
311 in s. 775.082, s. 775.083, or s. 775.084, if the person has a
312 prior conviction under this section, s. 316.193(3)(c)3., s.
313 327.35(3)(c)3., or s. 782.072.

314 Section 7. Section 782.072, Florida Statutes, is amended
315 to read:

316 782.072 Vessel homicide.—"Vessel homicide" is the killing
317 of a human being by the operation of a vessel as defined in s.
318 327.02 by another in a reckless manner likely to cause the death
319 of, or great bodily harm to, another. Vessel homicide is:

320 (1) A felony of the second degree, punishable as provided
321 in s. 775.082, s. 775.083, or s. 775.084.

322 (2) A felony of the first degree, punishable as provided
323 in s. 775.082, s. 775.083, or s. 775.084, if:

324 (a) At the time of the accident, the person knew, or
325 should have known, that the accident occurred; and

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(b) The person failed to give information and render aid as required by s. 327.30(1).

This subsection does not require that the person knew that the accident resulted in injury or death.

(3) A felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the person has a prior conviction under this section, s. 316.193(3)(c)3., s. 327.35(3)(c)3., or s. 782.071.

Section 8. Paragraphs (h) and (i) 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

(h) LEVEL 8

Florida Statute	Felony Degree	Description
316.193 (3)(c)3.a.	2nd	DUI manslaughter.
316.1935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.

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344	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
345	499.0051 (6)	1st	Knowing trafficking in contraband prescription drugs.
346	499.0051 (7)	1st	Knowing forgery of prescription labels or prescription drug labels.
347	560.123 (8) (b) 2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
348	560.125 (5) (b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
349	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less

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than \$100,000 by financial
institutions.

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

782.04 (4) 2nd Killing of human without design
when engaged in act or attempt
of any felony other than arson,
sexual battery, robbery,
burglary, kidnapping,
aggravated fleeing or eluding
with serious bodily injury or
death, aircraft piracy, or
unlawfully discharging bomb.

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

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

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355	<u>782.071 (1) (c)</u>	<u>1st</u>	<u>Vehicular homicide with a prior conviction for DUI manslaughter, BUI manslaughter, vehicular homicide, or vessel homicide.</u>
356	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
357	<u>782.072 (3)</u>	<u>1st</u>	<u>Vessel homicide with a prior conviction for DUI manslaughter, BUI manslaughter, vehicular homicide, or vessel homicide.</u>
358	787.06 (3) (a) 1.	1st	Human trafficking for labor and services of a child.
359	787.06 (3) (b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
	787.06 (3) (c) 2.	1st	Human trafficking using coercion for labor and services

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of an unauthorized alien adult.

360

787.06(3)(e)1. 1st Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state.

361

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

362

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

363

794.011(5)(a) 1st Sexual battery; victim 12 years of age or older but younger than 18 years; offender 18 years or older; offender does not use physical force likely to cause serious injury.

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364	794.011 (5) (b)	2nd	Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.
365	794.011 (5) (c)	2nd	Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.
366	794.011 (5) (d)	1st	Sexual battery; victim 12 years of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.
367	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
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369	800.04 (4) (b)	2nd	Lewd or lascivious battery.
	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
370			
	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
371			
	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
372			
	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
373			
	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
374			
	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.

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375	812.015 (11) (b)	1st	Retail theft; possession of a firearm during commission of offense.
376	812.13 (2) (b)	1st	Robbery with a weapon.
377	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
378	817.418 (2) (b)	2nd	Offering for sale or advertising personal protective equipment with intent to defraud; second or subsequent offense.
379	817.504 (1) (b)	2nd	Offering or advertising a vaccine with intent to defraud; second or subsequent offense.
380	817.505 (4) (c)	1st	Patient brokering; 20 or more patients.
381	817.535 (2) (b)	2nd	Filing false lien or other

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unauthorized document; second
or subsequent offense.

382

817.535 (3) (a) 2nd Filing false lien or other
unauthorized document; property
owner is a public officer or
employee.

383

817.535 (4) (a) 1. 2nd Filing false lien or other
unauthorized document;
defendant is incarcerated or
under supervision.

384

817.535 (5) (a) 2nd Filing false lien or other
unauthorized document; owner of
the property incurs financial
loss as a result of the false
instrument.

385

817.568 (6) 2nd Fraudulent use of personal
identification information of
an individual under the age of
18.

386

817.611 (2) (c) 1st Traffic in or possess 50 or

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more counterfeit credit cards
or related documents.

387

825.102 (2) 1st Aggravated abuse of an elderly
person or disabled adult.

388

825.1025 (2) 2nd Lewd or lascivious battery upon
an elderly person or disabled
adult.

389

825.103 (3) (a) 1st Exploiting an elderly person or
disabled adult and property is
valued at \$50,000 or more.

390

837.02 (2) 2nd Perjury in official proceedings
relating to prosecution of a
capital felony.

391

837.021 (2) 2nd Making contradictory statements
in official proceedings
relating to prosecution of a
capital felony.

392

860.121 (2) (c) 1st Shooting at or throwing any
object in path of railroad

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vehicle resulting in great
bodily harm.

860.16 1st Aircraft piracy.

893.13(1)(b) 1st Sell or deliver in excess of 10
grams of any substance
specified in s. 893.03(1)(a) or
(b).

893.13(2)(b) 1st Purchase in excess of 10 grams
of any substance specified in
s. 893.03(1)(a) or (b).

893.13(6)(c) 1st Possess in excess of 10 grams
of any substance specified in
s. 893.03(1)(a) or (b).

893.135(1)(a)2. 1st Trafficking in cannabis, more
than 2,000 lbs., less than
10,000 lbs.

893.135 1st Trafficking in cocaine, more
(1)(b)1.b. than 200 grams, less than 400
grams.

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399	893.135	1st	Trafficking in illegal drugs,
	(1) (c) 1.b.		more than 14 grams, less than
			28 grams.
400	893.135	1st	Trafficking in hydrocodone, 100
	(1) (c) 2.c.		grams or more, less than 300
			grams.
401	893.135	1st	Trafficking in oxycodone, 25
	(1) (c) 3.c.		grams or more, less than 100
			grams.
402	893.135	1st	Trafficking in fentanyl, 14
	(1) (c) 4.b. (II)		grams or more, less than 28
			grams.
403	893.135	1st	Trafficking in phencyclidine,
	(1) (d) 1.b.		200 grams or more, less than
			400 grams.
404	893.135	1st	Trafficking in methaqualone, 5
	(1) (e) 1.b.		kilograms or more, less than 25
			kilograms.
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406	893.135 (1) (f) 1.b.	1st	Trafficking in amphetamine, 28 grams or more, less than 200 grams.
407	893.135 (1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
408	893.135 (1) (h) 1.b.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
409	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
410	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
411	893.135 (1) (m) 2.c.	1st	Trafficking in synthetic cannabinoids, 1,000 grams or more, less than 30 kilograms.

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412	893.135 (1) (n) 2.b.	1st	Trafficking in n-benzyl phenethylamines, 100 grams or more, less than 200 grams.
413	893.1351(3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
414	895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
415	895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
416	895.03(3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
	896.101(5) (b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less

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than \$100,000.

417

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

418

419 (i) LEVEL 9

420

Florida Statute	Felony Degree	Description
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421

316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
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422

<u>316.193</u> <u>(3) (c) 3.c.</u>	<u>1st</u>	<u>DUI manslaughter; prior</u> <u>conviction for DUI</u> <u>manslaughter, BUI manslaughter,</u> <u>vehicular homicide, or vessel</u> <u>homicide.</u>
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423

327.35	1st	BUI manslaughter; failing to
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424	(3) (c) 3.b.		render aid or give information.
	<u>327.35</u>	<u>1st</u>	<u>BUI manslaughter; prior</u>
	<u>(3) (c) 3.c.</u>		<u>conviction for DUI</u>
			<u>manslaughter, BUI manslaughter,</u>
			<u>vehicular homicide, or vessel</u>
			<u>homicide.</u>
425	409.920	1st	Medicaid provider fraud;
	(2) (b) 1.c.		\$50,000 or more.
426	499.0051 (8)	1st	Knowing sale or purchase of
			contraband prescription drugs
			resulting in great bodily harm.
427	560.123 (8) (b) 3.	1st	Failure to report currency or
			payment instruments totaling or
			exceeding \$100,000 by money
			transmitter.
428	560.125 (5) (c)	1st	Money transmitter business by
			unauthorized person, currency,
			or payment instruments totaling
			or exceeding \$100,000.
429			

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430	655.50(10)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
431	775.0844	1st	Aggravated white collar crime.
432	782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
433	782.04(3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding with serious bodily injury or death, and other specified felonies.
434	782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled

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adult.

435

787.01(1)(a)1. 1st,PBL Kidnapping; hold for ransom or
reward or as a shield or
hostage.

436

787.01(1)(a)2. 1st,PBL Kidnapping with intent to
commit or facilitate commission
of any felony.

437

787.01(1)(a)4. 1st,PBL Kidnapping with intent to
interfere with performance of
any governmental or political
function.

438

787.02(3)(a) 1st,PBL False imprisonment; child under
age 13; perpetrator also
commits aggravated child abuse,
sexual battery, or lewd or
lascivious battery,
molestation, conduct, or
exhibition.

439

787.06(3)(c)1. 1st Human trafficking for labor and
services of an unauthorized

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alien child.

440

787.06(3)(d) 1st Human trafficking using
coercion for commercial sexual
activity of an unauthorized
adult alien.

441

787.06(3)(f)1. 1st,PBL Human trafficking for
commercial sexual activity by
the transfer or transport of
any child from outside Florida
to within the state.

442

790.161 1st Attempted capital destructive
device offense.

443

790.166(2) 1st,PBL Possessing, selling, using, or
attempting to use a weapon of
mass destruction.

444

794.011(2) 1st Attempted sexual battery;
victim less than 12 years of
age.

445

794.011(2) Life Sexual battery; offender

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younger than 18 years and
commits sexual battery on a
person less than 12 years.

446

794.011 (4) (a) 1st, PBL Sexual battery, certain
circumstances; victim 12 years
of age or older but younger
than 18 years; offender 18
years or older.

447

794.011 (4) (b) 1st Sexual battery, certain
circumstances; victim and
offender 18 years of age or
older.

448

794.011 (4) (c) 1st Sexual battery, certain
circumstances; victim 12 years
of age or older; offender
younger than 18 years.

449

794.011 (4) (d) 1st, PBL Sexual battery, certain
circumstances; victim 12 years
of age or older; prior
conviction for specified sex
offenses.

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450	794.011 (8) (b)	1st, PBL	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
451	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
452	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
453	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
454	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.
455	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
456	817.535 (3) (b)	1st	Filing false lien or other unauthorized document; second

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or subsequent offense; property
owner is a public officer or
employee.

817.535 (4) (a) 2.

1st

Filing false claim or other
unauthorized document;
defendant is incarcerated or
under supervision.

817.535 (5) (b)

1st

Filing false lien or other
unauthorized document; second
or subsequent offense; owner of
the property incurs financial
loss as a result of the false
instrument.

817.568 (7)

2nd,
PBL

Fraudulent use of personal
identification information of
an individual under the age of
18 by his or her parent, legal
guardian, or person exercising
custodial authority.

827.03 (2) (a)

1st

Aggravated child abuse.

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462	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
463	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
464	859.01	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.
465	893.135	1st	Attempted capital trafficking offense.
466	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.

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467	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
468	893.135 (1) (c) 2.d.	1st	Trafficking in hydrocodone, 300 grams or more, less than 30 kilograms.
469	893.135 (1) (c) 3.d.	1st	Trafficking in oxycodone, 100 grams or more, less than 30 kilograms.
470	893.135 (1) (c) 4.b. (III)	1st	Trafficking in fentanyl, 28 grams or more.
471	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, 400 grams or more.
472	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, 25 kilograms or more.
473	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, 200 grams or more.

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474	893.135 (1) (h) 1.c.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 10 kilograms or more.
475	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
476	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
477	893.135 (1) (m) 2.d.	1st	Trafficking in synthetic cannabinoids, 30 kilograms or more.
478	893.135 (1) (n) 2.c.	1st	Trafficking in n-benzyl phenethylamines, 200 grams or more.
479	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
480	896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration

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requirements, financial
transactions totaling or
exceeding \$100,000.

481

482

Section 9. This act shall take effect October 1, 2025.