

1 A bill to be entitled
2 An act relating to sexual offenses; amending s.
3 775.0847, F.S.; providing for reclassification of a
4 child pornography offense if the offender possesses a
5 specified number of files of any child pornography;
6 providing for reclassification of a child pornography
7 offense if the offender possesses at least one file
8 containing a child younger than a specified age;
9 removing a provision relating to reclassification of a
10 certain offense; requiring mandatory minimum sentences
11 for certain reclassified offenses when committed by
12 specified offenders; amending s. 794.0116, F.S.;
13 revising mandatory minimum sentences for certain
14 sexual offenses by persons previously convicted of
15 sexual offenses; amending s. 827.071, F.S.; requiring
16 mandatory minimum sentences for certain offenses when
17 committed by specified offenders; prohibiting a person
18 from employing, authorizing, or inducing a child
19 younger than 12 years of age to engage in a sexual
20 performance; providing penalties; increasing the
21 penalty for knowingly soliciting, possessing,
22 controlling, or intentionally viewing certain
23 materials that include child pornography; amending s.
24 827.072, F.S.; increasing the penalty for
25 intentionally creating generated child pornography;

26 requiring a mandatory minimum sentence for such
27 offense when committed by specified offenders;
28 amending s. 828.126, F.S.; revising punishments for
29 certain sexual activities involving animals; requiring
30 a certain court order to be effective for a certain
31 number of years; amending s. 847.011, F.S.; providing
32 that a prohibition of certain acts in connection with
33 obscene, lewd, etc., materials does not apply to
34 certain persons; amending s. 847.0137, F.S.; providing
35 definitions; prohibiting a person from knowingly
36 granting another person access to child pornography or
37 generated child pornography in a certain manner;
38 providing a penalty; requiring mandatory minimum
39 sentences for certain offenses when committed by
40 specified offenders; specifying applicability;
41 amending s. 921.0022, F.S.; ranking offenses on the
42 offense severity ranking chart of the Criminal
43 Punishment Code; providing an effective date.

44
45 Be It Enacted by the Legislature of the State of Florida:

46
47 **Section 1. Subsections (2) and (3) of section 775.0847,**
48 **Florida Statutes, are amended to read:**

49 775.0847 Possession or promotion of certain images of
50 child pornography; reclassification.—

51 (2) A violation of s. 827.071, s. 847.0135, s. 847.0137,
52 or s. 847.0138 shall be reclassified to the next higher degree
53 as provided in subsection (3) if:

54 (a) The offender possesses 10 or more images of any form
55 of child pornography regardless of content; or ~~and~~

56 (b) The offender possesses any number of images of any
57 form of child pornography and the content of at least one image
58 contains one or more of the following:

59 1. A child who is younger than the age of 12 ~~5~~.

60 2. Sadomasochistic abuse involving a child.

61 3. Sexual battery involving a child.

62 4. Sexual bestiality involving a child.

63 5. Any motion picture, film, video, or computer-generated
64 motion picture, film, or video involving a child, regardless of
65 length and regardless of whether the motion picture, film,
66 video, or computer-generated motion picture, film, or video
67 contains sound.

68 (3)(a) In the case of a felony of the third degree, the
69 offense is reclassified to a felony of the second degree. If an
70 offense is reclassified under this paragraph and the offender is
71 18 years of age or older at the time of the offense, the
72 offender must be sentenced to a mandatory minimum term of
73 imprisonment of 5 years.

74 (b) In the case of a felony of the second degree, the
75 offense is reclassified to a felony of the first degree. If an

offense is reclassified under this paragraph and the offender is
18 years of age or older at the time of the offense, the
offender must be sentenced to a mandatory minimum term of
imprisonment of 15 years.

For purposes of sentencing under chapter 921 and determining
incentive gain-time eligibility under chapter 944, a felony
offense that is reclassified under this section is ranked one
level above the ranking under s. 921.0022 or s. 921.0023 of the
offense committed.

**Section 2. Subsection (1) of section 794.0116, Florida
Statutes, is amended to read:**

794.0116 Sexual offenses by persons previously convicted
of sexual offenses.—

(1) A person who was previously convicted of or had
adjudication withheld for an offense specified in s.
943.0435(1)(h)1.a. and commits a violation of s. 800.04(5); s.
825.1025(3); s. 827.071(2), (3), (4), or (5)(a); s. 847.0135; s.
847.0137; or s. 847.0145 shall be sentenced to a mandatory
minimum term of imprisonment as follows:

	Statute	Mandatory Minimum
(a)	800.04(5)	<u>15</u> 10 years

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99	(b)	825.1025 (3)	10 years
100	(c)	827.071 (2)	<u>30</u> 20 years
101	(d)	827.071 (3)	20 years
102	(e)	827.071 (4)	15 years
103	(f)	827.071 (5) (a)	10 years
104	(g)	847.0135	10 years
105	(h)	847.0137	10 years
106	(i)	847.0145	<u>30</u> 20 years

Section 3. Subsections (2) and (3) and paragraph (a) of subsection (5) of section 827.071, Florida Statutes, are amended to read:

827.071 Sexual performance by a child; child pornography; penalties.—

(2) (a) A person is guilty of the use of a child in a sexual performance if, knowing the character and content thereof, he or she employs, authorizes, or induces a child to engage in a sexual performance or, being a parent, legal

guardian, or custodian of such child, consents to the participation by such child in a sexual performance. A person who violates this subsection commits a felony of the first ~~second~~ degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A person 18 years of age or older at the time of the offense who is convicted of a violation of this paragraph must be sentenced to a mandatory minimum term of imprisonment of 15 years.

(b) A person is guilty of aggravated use of a child in a sexual performance if, knowing the character and content thereof, he or she employs, authorizes, or induces a child younger than 12 years of age to engage in a sexual performance. A person who violates this paragraph commits a life felony, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A person 18 years of age or older at the time of the offense who is convicted of a violation of this paragraph must be sentenced to a mandatory minimum term of imprisonment of 25 years.

(3) A person is guilty of promoting a sexual performance by a child when, knowing the character and content thereof, he or she produces, directs, or promotes any performance which includes sexual conduct by a child. A person who violates this subsection commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A person 18 years of age or older at the time of the offense who is convicted of a violation of this subsection must be sentenced to

141 a mandatory minimum term of imprisonment of 5 years.

142 (5)(a) It is unlawful for any person to knowingly solicit,
143 possess, control, or intentionally view a photograph, motion
144 picture, exhibition, show, representation, image, data, computer
145 depiction, or other presentation which, in whole or in part, he
146 or she knows to include child pornography. The solicitation,
147 possession, control, or intentional viewing of each such
148 photograph, motion picture, exhibition, show, image, data,
149 computer depiction, representation, or presentation is a
150 separate offense. If such photograph, motion picture,
151 exhibition, show, representation, image, data, computer
152 depiction, or other presentation includes child pornography
153 depicting more than one child, then each such child in each such
154 photograph, motion picture, exhibition, show, representation,
155 image, data, computer depiction, or other presentation that is
156 knowingly solicited, possessed, controlled, or intentionally
157 viewed is a separate offense. A person who violates this
158 paragraph commits a felony of the second ~~third~~ degree,
159 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

160 **Section 4. Paragraph (b) of subsection (2) of section**
161 **827.072, Florida Statutes, is amended to read:**

162 827.072 Generated child pornography.—

163 (2)

164 (b) A person who intentionally creates generated child
165 pornography commits a felony of the second ~~third~~ degree,

166 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
167 A person 18 years of age or older at the time of the offense who
168 is convicted of a violation of this paragraph must be sentenced
169 to a mandatory minimum term of imprisonment of 5 years.

170 **Section 5. Section 828.126, Florida Statutes, is amended**
171 **to read:**

172 828.126 Sexual activities involving animals.—

173 (1) As used in this section, the term "sexual contact with
174 an animal" means any act committed between a person and an
175 animal for the purpose of sexual gratification, abuse, or
176 financial gain which involves:

177 (a) Contact between the sex organ or anus of one and the
178 mouth, sex organ, or anus of the other;

179 (b) The fondling of the sex organ or anus of an animal; or

180 (c) The insertion, however slight, of any part of the body
181 of a person or any object into the vaginal or anal opening of an
182 animal, or the insertion of any part of the body of an animal
183 into the vaginal or anal opening of a person.

184 (2) A person may not÷

185 ~~(a)~~ knowingly engage in any sexual contact with an animal.
186 A person who violates this subsection commits a felony of the
187 second degree, punishable as provided in s. 775.082, s. 775.083,
188 or s. 775.084.÷

189 (3)÷ A person may not knowingly cause, aid, or abet
190 another person to engage in any sexual contact with an animal. A

191 person who violates this subsection commits a felony of the
192 second degree, punishable as provided in s. 775.082, s. 775.083,
193 or s. 775.084.†

194 (4)~~(e)~~ A person may not knowingly permit any sexual
195 contact with an animal to be conducted on any premises under his
196 or her charge or control. A person who violates this subsection
197 commits a felony of the third degree, punishable as provided in
198 s. 775.082, s. 775.083, or s. 775.084.†

199 (5)~~(d)~~ A person may not knowingly organize, promote,
200 conduct, aid, abet, participate in as an observer, or advertise,
201 offer, solicit, or accept an offer of an animal for the purpose
202 of sexual contact with such animal, or perform any service in
203 the furtherance of an act involving any sexual contact with an
204 animal. A person who violates this subsection commits a felony
205 of the third degree, punishable as provided in s. 775.082, s.
206 775.083, or s. 775.084.† ~~or~~

207 (6)~~(e)~~ A person may not knowingly film, distribute, or
208 possess any pornographic image or video of a person and an
209 animal engaged in any of the activities prohibited by this
210 section.

211 ~~(3)~~ A person who violates this subsection ~~section~~ commits
212 a felony of the third degree, punishable as provided in s.
213 775.082, s. 775.083, or s. 775.084.

214 (7)~~(4)~~ In addition to other penalties prescribed by law,
215 the court shall issue an order prohibiting a person convicted

216 under this section from harboring, owning, possessing, or
217 exercising control over any animal; from residing in any
218 household in which animals are present; and from engaging in an
219 occupation, whether paid or unpaid, or participating in a
220 volunteer position at any establishment at which animals are
221 present. The order shall ~~may~~ be effective for at least ~~up to~~ 5
222 years after the date of the conviction, regardless of whether
223 adjudication is withheld.

224 ~~(8)(5)~~ This section does not apply to accepted animal
225 husbandry practices, including, but not limited to, bona fide
226 agricultural purposes, assistance with the birthing process or
227 artificial insemination of an animal for reproductive purposes,
228 accepted conformation judging practices, or accepted veterinary
229 medical practices.

230 **Section 6. Subsection (12) is added to section 847.011,**
231 **Florida Statutes, and subsections (1) through (11) of that**
232 **section are republished, to read:**

233 847.011 Prohibition of certain acts in connection with
234 obscene, lewd, etc., materials; penalty.—

235 (1)(a) Except as provided in paragraph (c), any person who
236 knowingly sells, lends, gives away, distributes, transmits,
237 shows, or transmutes, or offers to sell, lend, give away,
238 distribute, transmit, show, or transmute, or has in his or her
239 possession, custody, or control with intent to sell, lend, give
240 away, distribute, transmit, show, transmute, or advertise in any

manner, any obscene book, magazine, periodical, pamphlet, newspaper, comic book, story paper, written or printed story or article, writing, paper, card, picture, drawing, photograph, motion picture film, figure, image, phonograph record, or wire or tape or other recording, or any written, printed, or recorded matter of any such character which may or may not require mechanical or other means to be transmuted into auditory, visual, or sensory representations of such character, or any article or instrument for obscene use, or purporting to be for obscene use or purpose; or who knowingly designs, copies, draws, photographs, poses for, writes, prints, publishes, or in any manner whatsoever manufactures or prepares any such material, matter, article, or thing of any such character; or who knowingly writes, prints, publishes, or utters, or causes to be written, printed, published, or uttered, any advertisement or notice of any kind, giving information, directly or indirectly, stating, or purporting to state, where, how, of whom, or by what means any, or what purports to be any, such material, matter, article, or thing of any such character can be purchased, obtained, or had; or who in any manner knowingly hires, employs, uses, or permits any person knowingly to do or assist in doing any act or thing mentioned above, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. A person who, after having been convicted of a violation of this subsection, thereafter violates any of its

provisions, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) The knowing possession by any person of three or more identical or similar materials, matters, articles, or things coming within the provisions of paragraph (a) is prima facie evidence of the violation of the paragraph.

(c) A person who commits a violation of paragraph (a) or subsection (2) which is based on materials that depict a minor engaged in any act or conduct that is harmful to minors commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) A person's ignorance of a minor's age, a minor's misrepresentation of his or her age, a bona fide belief of a minor's age, or a minor's consent may not be raised as a defense in a prosecution for one or more violations of paragraph (a) or subsection (2).

(2) Except as provided in paragraph (1)(c), a person who knowingly has in his or her possession, custody, or control any obscene book, magazine, periodical, pamphlet, newspaper, comic book, story paper, written or printed story or article, writing, paper, card, picture, drawing, photograph, motion picture film, film, any sticker, decal, emblem or other device attached to a motor vehicle containing obscene descriptions, photographs, or depictions, any figure, image, phonograph record, or wire or tape or other recording, or any written, printed, or recorded

291 matter of any such character which may or may not require
292 mechanical or other means to be transmuted into auditory,
293 visual, or sensory representations of such character, or any
294 article or instrument for obscene use, or purporting to be for
295 obscene use or purpose, without intent to sell, lend, give away,
296 distribute, transmit, show, transmute, or advertise the same,
297 commits a misdemeanor of the second degree, punishable as
298 provided in s. 775.082 or s. 775.083. A person who, after having
299 been convicted of violating this subsection, thereafter violates
300 any of its provisions commits a misdemeanor of the first degree,
301 punishable as provided in s. 775.082 or s. 775.083. In any
302 prosecution for such possession, it is not necessary to allege
303 or prove the absence of such intent.

304 (3) No person shall as a condition to a sale, allocation,
305 consignment, or delivery for resale of any paper, magazine,
306 book, periodical, or publication require that the purchaser or
307 consignee receive for resale any other article, paper, magazine,
308 book, periodical, or publication reasonably believed by the
309 purchaser or consignee to be obscene, and no person shall deny
310 or threaten to deny or revoke any franchise or impose or
311 threaten to impose any penalty, financial or otherwise, by
312 reason of the failure of any person to accept any such article,
313 paper, magazine, book, periodical, or publication, or by reason
314 of the return thereof. Whoever violates this subsection is
315 guilty of a felony of the third degree, punishable as provided

in s. 775.082, s. 775.083, or s. 775.084.

(4) Any person who knowingly promotes, conducts, performs, or participates in an obscene show, exhibition, or performance by live persons or a live person before an audience is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Any person who, after having been convicted of violating this subsection, thereafter violates any of its provisions and is convicted thereof is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5)(a)1. A person may not knowingly sell, lend, give away, distribute, transmit, show, or transmute; offer to sell, lend, give away, distribute, transmit, show, or transmute; have in his or her possession, custody, or control with the intent to sell, lend, give away, distribute, transmit, show, or transmute; or advertise in any manner an obscene, child-like sex doll.

2.a. Except as provided in sub-subparagraph b., a person who violates this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

b. A person who is convicted of violating this paragraph a second or subsequent time commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b)1. Except as provided in subparagraph 2., a person who knowingly has in his or her possession, custody, or control an

341 obscene, child-like sex doll commits a misdemeanor of the first
342 degree, punishable as provided in s. 775.082 or s. 775.083.

343 2. A person who is convicted of violating this paragraph a
344 second or subsequent time commits a felony of the third degree,
345 punishable as provided in s. 775.082 or s. 775.083.

346 (c)1. A law enforcement officer may arrest without a
347 warrant any person who he or she has probable cause to believe
348 has violated paragraph (b).

349 2. Upon proper affidavits being made, a search warrant may
350 be issued to further investigate a violation of paragraph (b),
351 including to search a private dwelling.

352 (6) Every act, thing, or transaction forbidden by this
353 section shall constitute a separate offense and shall be
354 punishable as such.

355 (7) Proof that a defendant knowingly committed any act or
356 engaged in any conduct referred to in this section may be made
357 by showing that at the time such act was committed or conduct
358 engaged in the defendant had actual knowledge of the contents or
359 character of the material, matter, article, or thing possessed
360 or otherwise dealt with, by showing facts and circumstances from
361 which it may fairly be inferred that he or she had such
362 knowledge, or by showing that he or she had knowledge of such
363 facts and circumstances as would put a person of ordinary
364 intelligence and caution on inquiry as to such contents or
365 character.

366 (8) There shall be no right of property in any of the
367 materials, matters, articles, or things possessed or otherwise
368 dealt with in violation of this section; and, upon the seizure
369 of any such material, matter, article, or thing by any
370 authorized law enforcement officer, the same shall be held by
371 the arresting agency. When the same is no longer required as
372 evidence, the prosecuting officer or any claimant may move the
373 court in writing for the disposition of the same and, after
374 notice and hearing, the court, if it finds the same to have been
375 possessed or otherwise dealt with in violation of this section,
376 shall order the sheriff to destroy the same in the presence of
377 the clerk; otherwise, the court shall order the same returned to
378 the claimant if the claimant shows that he or she is entitled to
379 possession. If destruction is ordered, the sheriff and clerk
380 shall file a certificate of compliance.

381 (9) (a) The circuit court has jurisdiction to enjoin a
382 threatened violation of this section upon complaint filed by the
383 state attorney or attorney for a municipality in the name of the
384 state upon the relation of such state attorney or attorney for a
385 municipality.

386 (b) After the filing of such a complaint, the judge to
387 whom it is presented may grant an order restraining the person
388 complained of until final hearing or further order of the court.
389 Whenever the relator state attorney or attorney for a
390 municipality requests a judge of such court to set a hearing

391 upon an application for such a restraining order, such judge
392 shall set such hearing for a time within 3 days after the making
393 of such request. No such order shall be made unless such judge
394 is satisfied that sufficient notice of the application therefor
395 has been given to the party restrained of the time when and
396 place where the application for such restraining order is to be
397 made; however, such notice shall be dispensed with when it is
398 manifest to such judge, from the sworn allegations of the
399 complaint or the affidavit of the plaintiff or other competent
400 person, that the apprehended violation will be committed if an
401 immediate remedy is not afforded.

402 (c) The person sought to be enjoined shall be entitled to
403 a trial of the issues within 1 day after joinder of issue, and a
404 decision shall be rendered by the court within 2 days of the
405 conclusion of the trial.

406 (d) In any action brought as provided in this subsection,
407 no bond or undertaking shall be required of the state attorney
408 or the municipality or its attorney before the issuance of a
409 restraining order provided for by paragraph (b), and there shall
410 be no liability on the part of the state or the state attorney
411 or the municipality or its attorney for costs or for damages
412 sustained by reason of such restraining order in any case where
413 a final decree is rendered in favor of the person sought to be
414 enjoined.

415 (e) Every person who has possession, custody, or control

of, or otherwise deals with, any of the materials, matters, articles, or things described in this section, after the service upon him or her of a summons and complaint in an action for injunction brought under this subsection, is chargeable with knowledge of the contents and character thereof.

(10) The several sheriffs and state attorneys shall vigorously enforce this section within their respective jurisdictions.

(11) This section shall not apply to the exhibition of motion picture films permitted by s. 847.013.

(12) This section shall not apply to any person who is charged with any offense relating to child pornography or transmission of materials harmful to minors, including a violation of s. 827.071, s. 827.072, s. 847.0135, s. 847.0137, or s. 847.0138.

Section 7. Section 847.0137, Florida Statutes, is amended to read:

847.0137 Transmission of pornography by electronic device or equipment prohibited; penalties.—

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

(a) "Access credential" means any password, username, token, unique link, URL, hyperlink, or other data that permits or facilitates access to files or data that are stored in cloud storage.

(b) "Cloud storage" means any remote, networked, or third-

441 party provided storage service that allows a user to store,
442 host, or share digital files or data and to access such files or
443 data via the Internet or other network, whether by direct file
444 transfer, URL, hyperlink, shareable link, access token,
445 credentials, or other means.

446 (c) "Link" means any URL, hyperlink, short link, shareable
447 link, magnet link, or other string, token, or data that, when
448 used, directs or grants access to content that is stored
449 remotely, including cloud storage.

450 (d) "Transmit" means the act of sending and causing to be
451 delivered, including the act of providing access for receiving
452 and causing to be delivered, any image, information, or data
453 over or through any medium, including the Internet or an
454 interconnected network, by use of any electronic equipment or
455 other device.

456 (2) Any person who transmits, distributes, posts, shares,
457 provides, publishes, or makes accessible by any means, including
458 by sending, posting, uploading, or otherwise providing a link,
459 access credential, or information that grants access to cloud
460 storage, any files or data that the person knew or reasonably
461 should have known contain child pornography or generated child
462 pornography, and who knowingly causes another person to view or
463 obtain such files or data, or otherwise facilitates access to
464 such files or data, commits a felony of the second degree,
465 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

466 A person 18 years of age or older at the time of the offense who
467 is convicted of a violation of this subsection must be sentenced
468 to a mandatory minimum term of imprisonment of 5 years.

469 (3)~~(2)~~ Notwithstanding ss. 847.012 and 847.0133, any
470 person in this state who knew or reasonably should have known
471 that he or she was transmitting child pornography, as defined in
472 s. 847.001, or generated child pornography, as defined in s.
473 827.072(1), to another person in this state or in another
474 jurisdiction commits a felony of the second ~~third~~ degree,
475 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
476 A person 18 years of age or older at the time of the offense who
477 is convicted of a violation of this subsection must be sentenced
478 to a mandatory minimum term of imprisonment of 5 years.

479 (4)~~(3)~~ Notwithstanding ss. 847.012 and 847.0133, any
480 person in any jurisdiction other than this state who knew or
481 reasonably should have known that he or she was transmitting
482 child pornography, as defined in s. 847.001, or generated child
483 pornography, as defined in s. 827.072(1), to any person in this
484 state commits a felony of the second ~~third~~ degree, punishable as
485 provided in s. 775.082, s. 775.083, or s. 775.084. A person 18
486 years of age or older at the time of the offense who is
487 convicted of a violation of this subsection must be sentenced to
488 a mandatory minimum term of imprisonment of 5 years.

489 (5) A person may not be prosecuted under this section for
490 providing a link, access credential, or other information, in

good faith, to a law enforcement agency, prosecuting authority,
or authorized forensic examiner for the purpose of reporting
suspected child pornography, cooperating with an investigation,
preserving evidence, or seeking lawful removal of content.

(6)~~(4)~~ This section shall not be construed to preclude
prosecution of a person in this state or another jurisdiction
for a violation of any law of this state, including a law
providing for greater penalties than prescribed in this section,
for the transmission of child pornography, as defined in s.
847.001, to any person in this state.

(7)~~(5)~~ A person is subject to prosecution in this state
pursuant to chapter 910 for any act or conduct proscribed by
this section, including a person in a jurisdiction other than
this state, if the act or conduct violates subsection (4) ~~(3)~~.

The provisions of this section do not apply to subscription-
based transmissions such as list servers.

**Section 8. Paragraphs (e), (f), and (g) 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

(e) LEVEL 5

Florida

Felony

Description

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	Statute	Degree	
515	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
516	316.1935 (3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
517	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
518	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
519	327.30 (5) (a) 2.	3rd	Vessel accidents involving personal injuries other than serious bodily injury; leaving

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scene.

520

365.172
(14) (b) 2.

2nd

Misuse of emergency
communications system resulting
in death.

521

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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523	379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
524	379.407(5) (b) 3.	3rd	Possession of 100 or more undersized spiny lobsters.
525	381.0041(11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
526	440.10(1) (g)	2nd	Failure to obtain workers' compensation coverage.
527	440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
528	440.381(2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
	624.401(4) (b) 2.	2nd	Transacting insurance without a certificate or authority;

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premium collected \$20,000 or
more but less than \$100,000.

529

626.902 (1) (c) 2nd Representing an unauthorized
insurer; repeat offender.

530

790.01 (3) 3rd Unlawful carrying of a
concealed firearm.

531

790.162 2nd Threat to throw or discharge
destructive device.

532

790.163 (1) 2nd False report of bomb,
explosive, weapon of mass
destruction, or use of firearms
in violent manner.

533

790.221 (1) 2nd Possession of short-barreled
shotgun or machine gun.

534

790.23 2nd Felons in possession of
firearms, ammunition, or
electronic weapons or devices.

535

796.05 (1) 2nd Live on earnings of a

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prostitute; 1st offense.

536

800.04 (6) (c)

3rd

Lewd or lascivious conduct;
offender less than 18 years of
age.

537

800.04 (7) (b)

2nd

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

538

806.111 (1)

3rd

Possess, manufacture, or
dispense fire bomb with intent
to damage any structure or
property.

539

810.145 (4)

3rd

Commercial digital voyeurism
dissemination.

540

810.145 (7) (a)

2nd

Digital voyeurism; 2nd or
subsequent offense.

541

810.145 (8) (a)

2nd

Digital voyeurism; certain
minor victims.

542

812.014 (2) (d) 3.

2nd

Grand theft, 2nd degree; theft

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from 20 or more dwellings or
their unenclosed curtilage, or
any combination.

543

812.0145(2)(b) 2nd Theft from person 65 years of
age or older; \$10,000 or more
but less than \$50,000.

544

812.015 3rd Retail theft; property stolen
(8)(a) & (c) - is valued at \$750 or more and
(e) one or more specified acts.

545

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

546

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

547

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

548

812.081(3) 2nd Trafficking in trade secrets.

549

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

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550	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
551	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
552	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
553	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.
554	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

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information of 10 or more
persons.

555

817.611 (2) (a) 2nd Traffic in or possess 5 to 14
counterfeit credit cards or
related documents.

556

817.625 (2) (b) 2nd Second or subsequent fraudulent
use of scanning device,
skimming device, or reencoder.

557

825.1025 (4) 3rd Lewd or lascivious exhibition
in the presence of an elderly
person or disabled adult.

558

828.12 (2) 3rd Tortures any animal with intent
to inflict intense pain,
serious physical injury, or
death.

559

836.14 (4) 2nd Person who willfully promotes
for financial gain a sexually
explicit image of an
identifiable person without
consent.

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560	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.
561	843.01 (1)	3rd	Resist officer with violence to person; resist arrest with violence.
562	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
563	<u>847.0137</u> <u>(2), (3) & (4)</u> 847.0137 (2) & (3)	<u>2nd</u> 3rd	Transmission of pornography by electronic device or equipment.
564	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
565	874.05 (1) (b)	2nd	Encouraging or recruiting

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another to join a criminal
gang; second or subsequent
offense.

566

874.05 (2) (a) 2nd Encouraging or recruiting
person under 13 years of age to
join a criminal gang.

567

893.13 (1) (a) 1. 2nd 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) .

568

893.13 (1) (c) 2. 2nd 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.

569

893.13(1)(d)1. 1st 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.

570

893.13(1)(e)2. 2nd 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.

571

893.13(1)(f)1. 1st 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

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public housing facility.

893.13(4)(b) 2nd Use or hire of minor; deliver
to minor other controlled
substance.

893.1351(1) 3rd Ownership, lease, or rental for
trafficking in or manufacturing
of controlled substance.

(f) LEVEL 6

Florida Statute	Felony Degree	Description
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316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
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316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
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316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
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327.30(5)(a)3.	2nd	Vessel accidents involving
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serious bodily injury; leaving
scene.

581

400.9935 (4) (c) 2nd Operating a clinic, or offering
services requiring licensure,
without a license.

582

499.0051 (2) 2nd Knowing forgery of transaction
history, transaction
information, or transaction
statement.

583

499.0051 (3) 2nd Knowing purchase or receipt of
prescription drug from
unauthorized person.

584

499.0051 (4) 2nd Knowing sale or transfer of
prescription drug to
unauthorized person.

585

775.0875 (1) 3rd Taking firearm from law
enforcement officer.

586

784.021 (1) (a) 3rd Aggravated assault; deadly
weapon without intent to kill.

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587	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
588	784.041	3rd	Felony battery; domestic battery by strangulation.
589	784.048 (3)	3rd	Aggravated stalking; credible threat.
590	784.048 (5)	3rd	Aggravated stalking of person under 16.
591	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
592	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
593	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
594	784.081 (2)	2nd	Aggravated assault on specified official or employee.

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595	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
596	784.083 (2)	2nd	Aggravated assault on code inspector.
597	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
598	787.025 (2) (a)	3rd	Luring or enticing a child.
599	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
600	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
601	790.164 (1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or

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violence to state property, or
use of firearms in violent
manner.

790.19 2nd Shooting or throwing deadly
missiles into dwellings,
vessels, or vehicles.

794.011 (8) (a) 3rd Solicitation of minor to
participate in sexual activity
by custodial adult.

794.05 (1) 2nd Unlawful sexual activity with
specified minor.

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.

800.04 (6) (b) 2nd Lewd or lascivious conduct;
offender 18 years of age or
older.

806.031 (2) 2nd Arson resulting in great bodily

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harm to firefighter or any
other person.

608

810.02 (3) (c) 2nd Burglary of occupied structure;
unarmed; no assault or battery.

609

810.145 (8) (b) 2nd Digital voyeurism; certain
minor victims; 2nd or
subsequent offense.

610

812.014 (2) (b) 1. 2nd Property stolen \$20,000 or
more, but less than \$100,000,
grand theft in 2nd degree.

611

812.014 (2) (c) 5. 3rd Grand theft; third degree;
firearm.

612

812.014 (6) 2nd Theft; property stolen \$3,000
or more; coordination of
others.

613

812.015 (9) (a) 2nd Retail theft; property stolen
\$750 or more; second or
subsequent conviction.

614

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615	812.015 (9) (b)	2nd	Retail theft; aggregated property stolen within 120 days is \$3,000 or more; coordination of others.
616	812.015 (9) (d)	2nd	Retail theft; multiple thefts within specified period.
617	812.015 (9) (e)	2nd	Retail theft; committed with specified number of other persons and use of social media platform.
618	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
619	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
620	817.49 (2) (b) 2.	2nd	Willful making of a false report of a crime resulting in death.
	817.505 (4) (b)	2nd	Patient brokering; 10 or more

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patients.

621	817.5695 (3) (b)	2nd	Exploitation of person 65 years of age or older, value \$10,000 or more, but less than \$50,000.
622	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
623	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
624	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
625	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
626	827.03 (2) (c)	3rd	Abuse of a child.
627	827.03 (2) (d)	3rd	Neglect of a child.
628	827.071 (5)	<u>2nd</u>	Possess, control, or

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629	3rd	intentionally view any photographic material, motion picture, etc., which includes child pornography.
630	<u>828.126</u> <u>(4), (5) & (6)</u> 828.126(3)	3rd Sexual activities involving animals.
631	836.05	2nd Threats; extortion.
632	836.10	2nd Written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
633	843.12	3rd Aids or assists person to escape.
634	847.011	3rd Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
	847.012	3rd Knowingly using a minor in the

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production of materials harmful
to minors.

635

847.0135(2)

3rd

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

636

893.131

2nd

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

637

914.23

2nd

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

638

918.13(2)(b)

2nd

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

639

944.35(3)(a)2.

3rd

Committing malicious battery
upon or inflicting cruel or
inhuman treatment on an inmate
or offender on community
supervision, resulting in great

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bodily harm.

640

944.40 2nd Escapes.

641

944.46 3rd Harboring, concealing, aiding
escaped prisoners.

642

944.47 (1) (a) 5. 2nd Introduction of contraband
(firearm, weapon, or explosive)
into correctional facility.

643

951.22 (1) (i) 3rd Firearm or weapon introduced
into county detention facility.

644

645 (g) LEVEL 7

Florida Felony

Statute Degree Description

646

316.027 (2) (c) 1st Accident involving death,
failure to stop; leaving scene.

647

316.193 (3) (c) 2. 3rd DUI resulting in serious bodily
injury.

648

316.1935 (3) (b) 1st Causing serious bodily injury

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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.

327.35 (3) (a) 3.b. 3rd Vessel BUI resulting in serious
bodily injury.

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

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

409.920 2nd Medicaid provider fraud; more
(2) (b) 1.b. than \$10,000, but less than
\$50,000.

456.065 (2) 3rd Practicing a health care

profession without a license.

654

456.065 (2)

2nd

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

655

458.327 (1)

3rd

Practicing medicine without a
license.

656

459.013 (1)

3rd

Practicing osteopathic medicine
without a license.

657

460.411 (1)

3rd

Practicing chiropractic
medicine without a license.

658

461.012 (1)

3rd

Practicing podiatric medicine
without a license.

659

462.17

3rd

Practicing naturopathy without
a license.

660

463.015 (1)

3rd

Practicing optometry without a
license.

661

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662	464.016(1)	3rd	Practicing nursing without a license.
663	465.015(2)	3rd	Practicing pharmacy without a license.
664	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
665	467.201	3rd	Practicing midwifery without a license.
666	468.366	3rd	Delivering respiratory care services without a license.
667	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
668	483.901(7)	3rd	Practicing medical physics without a license.
669	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.

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670	484.053	3rd	Dispensing hearing aids without a license.
671	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.
672	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.
673	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

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674	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
675	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
676	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
677	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
678	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

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679	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
680	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
681	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
682	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
683	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
684	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
685			

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686	784.048 (7)	3rd	Aggravated stalking; violation of court order.
687	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
688	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
689	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
690	784.081 (1)	1st	Aggravated battery on specified official or employee.
691	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
692	784.083 (1)	1st	Aggravated battery on code inspector.
	787.025 (2) (b)	2nd	Luring or enticing a child; second or subsequent offense.

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693	787.025 (2) (c)	2nd	Luring or enticing a child with a specified prior conviction.
694	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
695	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.
696	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2).
697	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
698	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
699			

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700	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
701	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
702	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
703	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
	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.

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704	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
705	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
706	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
707	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.
708	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.

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709	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
710	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
711	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
712	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
713	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
714	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.

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715	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
716	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
717	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
718	812.014 (2) (g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014 (2) (c) 5.
719	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
720	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

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721	812.131 (2) (a)	2nd	Robbery by sudden snatching.
722	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
723	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
724	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
725	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
726	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
727	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.

728

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

729

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

730

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

731

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

732

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

733

825.103 (3) (b) 2nd Exploiting an elderly person or
disabled adult and property is

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valued at \$10,000 or more, but
less than \$50,000.

734

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

735

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

736

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

737

827.071 (4) 2nd Possess with intent to promote
any photographic material,
motion picture, etc., which
includes child pornography.

738

828.126 2nd Sexual activities involving
(2) & (3) animals.

739

837.05 (2) 3rd Giving false information about

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alleged capital felony to a law
enforcement officer.

740

838.015 2nd Bribery.

741

838.016 2nd Unlawful compensation or reward
for official behavior.

742

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

743

838.22 2nd Bid tampering.

744

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

745

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

746

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

747

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

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748	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
749	872.06	2nd	Abuse of a dead human body.
750	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
751	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
752	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

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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recreational facility or
community center.

753

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.

754

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

755

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

756

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

757

893.135 1st Trafficking in illegal drugs,

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758	(1) (c) 1.a.		more than 4 grams, less than 14 grams.
	893.135	1st	Trafficking in hydrocodone, 28
	(1) (c) 2.a.		grams or more, less than 50 grams.
759			
	893.135	1st	Trafficking in hydrocodone, 50
	(1) (c) 2.b.		grams or more, less than 100 grams.
760			
	893.135	1st	Trafficking in oxycodone, 7
	(1) (c) 3.a.		grams or more, less than 14 grams.
761			
	893.135	1st	Trafficking in oxycodone, 14
	(1) (c) 3.b.		grams or more, less than 25 grams.
762			
	893.135	1st	Trafficking in fentanyl, 4
	(1) (c) 4.b. (I)		grams or more, less than 14 grams.
763			
	893.135	1st	Trafficking in phencyclidine,
	(1) (d) 1.a.		28 grams or more, less than 200

grams.

764

893.135 (1) (e) 1. 1st Trafficking in methaqualone,
200 grams or more, less than 5
kilograms.

765

893.135 (1) (f) 1. 1st Trafficking in amphetamine, 14
grams or more, less than 28
grams.

766

893.135 1st Trafficking in flunitrazepam, 4
(1) (g) 1.a. grams or more, less than 14
grams.

767

893.135 1st Trafficking in gamma-
(1) (h) 1.a. hydroxybutyric acid (GHB), 1
kilogram or more, less than 5
kilograms.

768

893.135 1st Trafficking in 1,4-Butanediol,
(1) (j) 1.a. 1 kilogram or more, less than 5
kilograms.

769

893.135 1st Trafficking in Phenethylamines,
(1) (k) 2.a. 10 grams or more, less than 200

grams.

770

893.135
(1) (m) 2.a.

1st

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

771

893.135
(1) (m) 2.b.

1st

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

772

893.135
(1) (n) 2.a.

1st

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

773

893.1351(2)

2nd

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

774

896.101(5)(a)

3rd

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

775

896.104(4)(a)1.

3rd

Structuring transactions to
evade reporting or registration
requirements, financial

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

776

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

777

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

778

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

779

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

780

943.0435 (14) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address

verification; providing false
registration information.

781

944.607(9)

3rd

Sexual offender; failure to
comply with reporting
requirements.

782

944.607(10)(a)

3rd

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

783

944.607(12)

3rd

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

784

944.607(13)

3rd

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

785

985.4815(10)

3rd

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

786

985.4815(12) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

787

985.4815(13) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification; providing false
registration information.

788

789

Section 9. This act shall take effect July 1, 2026.